



BASIC CONDITIONS STATEMENT
DRAFT WELLAND NEIGHBOURHOOD PLAN
2021-2041

Little Malvern and Welland Parish Council



MAY 2023

Contents		Page Nos.
1	Introduction	02
2	Basic Conditions Requirements	03
3	Developing the Welland Neighbourhood Plan	06
4	The Neighbourhood Plan Proposal	10
5	General Conformity with the National Planning Policy Framework	12
6	Contribution to the Achievement of Sustainable Development	24
7	General Conformity with Strategic Policies Contained in the Development Plan for the Area	28
8	Compatibility with EU Legislation	39
9	Prescribed Conditions	40
10	Involvement of Local Community and Stakeholders	41
11	Conclusion	42

Figures

3.1	Welland Neighbourhood Area	09
------------	-----------------------------------	-----------

Appendices

2.1	Welland Neighbourhood Area Designation from Malvern Hills District Council	44
3.1	HRA/SEA Screening Opinion	46
8.1	Equality Impact Assessment Schedule	91

1 Introduction

- 1.1 This Statement has been produced to explain how the proposed Welland Neighbourhood Plan (referred to hereafter as ‘the Plan’) has been prepared in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended). It explains how the basic conditions of Neighbourhood Planning and other considerations as prescribed by Paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended) have been met.

2 Basic Conditions Requirements

2.1 Paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended) states that the Examiner must consider the following (see Sub-Paragraph 1):

- (a) Whether the draft neighbourhood development order meets the basic conditions (see Sub-Paragraph 2),
- (b) Whether the draft order complies with the provision made by or under Sections 61E(2), 61J and 61L,
- (c) Whether any period specified under Section 61L(2)(b) or (5) is appropriate,
- (d) Whether the area for any referendum should extend beyond the neighbourhood area to which the draft order relates, and
- (e) Such other matters as may be prescribed.

2.2 A draft order meets the basic conditions (Sub-Paragraph 2) if:

- (a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order,
- (b) Having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order,
- (c) Having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order,
- (d) The making of the order contributes to the achievement of sustainable development,
- (e) The making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),
- (f) The making of the order does not breach, and is otherwise compatible with EU obligations, and
- (g) Prescribed conditions are met in relation to the order and prescribed matters have been complied with in connection with the proposal for the order.

2.3 The Examiner is not to consider any matter that does not fall within Sub-Paragraph (1) (apart from considering whether the draft order is compatible with the Convention rights).

2.4 Sections 5–9 of this Statement set out how the Welland Neighbourhood Plan meets the basic conditions as required by Sub-Paragraph 1(a) [2.1(a) above] and Sub-Paragraph 2 (a – g) [2.2a – g above] of Paragraph 8 of Schedule 4B. The remainder of this section addresses the requirements under Sub-Paragraph 1(b), (d) and (e) of Paragraph 8 of Schedule 4B [2.2(b), (d) and (e) above].

Sub-Paragraph 1(b)

- 2.5 The provisions of 61E(2), 61J and 61L as amended by S38C(5)(b) is a reference to the provision of S38A and 38B of the Planning and Compulsory Purchase Act 2004. In relation to the provisions of S38A and S38B the following is submitted:

S38A: Meaning of Neighbourhood Development Plan

- 2.6 **Paragraph 1:** Little Malvern and Welland Parish Council (LM&WPC) is a qualifying body under the provisions of S61G of the Localism Act 2011 and is therefore entitled to submit a Neighbourhood Plan for its civil parish area or part of its civil parish area (i.e., the civil parish of Welland).
- 2.7 **Paragraph 2:** The Welland Neighbourhood Plan (the Plan) expresses policies relating to the development and use of land within the Neighbourhood Area (NA) (i.e., the civil parish of Welland).
- 2.8 **Paragraphs 3–12:** These are matters relating to post-examination procedures which are not relevant at this stage.

S38B: Provision that may be made by Neighbourhood Development Plans

- 2.9 **Paragraph 1(a):** The period of the Plan is 2021–2041. This period falls within the dates of the South Worcestershire Development Plan (2016-2030) prepared and adopted by Malvern Hills District Council (MHDC) on 25 February 2016. The Plan period also covers the period within the emerging SWDP Review (2021-2041) to enable the Plan to provide for future housing provision up to 2041.
- 2.10 **Paragraph 1(b):** The Plan does not include any provision for excluded development such as national infrastructure.
- 2.11 **Paragraph 1(c):** The Plan does not relate to more than one Neighbourhood Area. It relates to the Welland Neighbourhood Area as designated by MHDC on 10 May 2014 (see Appendix 2.1).
- 2.12 **Paragraph 2:** There is no other neighbourhood plan in place or proposed in the Neighbourhood Area.
- 2.13 **Paragraph 3:** There are considered to be no conflicts within the Plan.
- 2.14 **Paragraph 4:** Refers to Regulations that the Secretary of State can make relating to neighbourhood development plans. In this case this refers to the Neighbourhood Planning (General) Regulations 2012 (SI No. 637) which have been used to inform the process of making the Plan. These Regulations set out:
- The process by which neighbourhood development plans are to be made and set out the consultation bodies for neighbourhood development plans.
 - Neighbourhood development plans that are likely to have a significant effect on European Sites (habitats) must be subject to an appropriate assessment. Following a joint Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) Screening Exercise it was considered by MHDC following consultation with the statutory bodies and

its heritage officers that neither an SEA or HRA Appropriate Assessment is required for the policies and proposals within the Plan.

2.15 **Paragraph 5:** Refers to the publication of the neighbourhood development plans once made by a Local Planning Authority.

2.16 **Paragraph 6:** Clarifies what is excluded development.

Paragraph 1(d)

2.17 It is not considered that there is any reason or benefit for extending the area for the Referendum beyond the designated Neighbourhood Area.

Paragraph 1(e)

2.18 It is considered that there are no other prescribed matters relevant in this case.

3 Developing the Welland Neighbourhood Plan

- 3.1 Little Malvern and Welland Parish Council (LMWPC) set up a Neighbourhood Plan Group (NPG) in June 2013 consisting of Parish Councillors and residents. It is a working party with no decision-making powers. It is tasked with overseeing the neighbourhood plan process and producing the Plan on behalf of the community and the Parish Council. The NPG have held many meetings since the first on 10 July 2013. The NPG members report on status and progress to the Parish Council at the monthly meetings of the Council which are open to members of the public to attend and are recorded in publicly available minutes.
- 3.2 LMWPC resolved on 16 December 2013 (minute ref. 147/13) to progress with producing a neighbourhood plan. On 24 January 2014 LMWPC applied for designation of the area defined by the boundaries of Welland Parish as a Neighbourhood Area (WNA) [see Figure 3.1]. This designation was approved by MHDC on 10 May 2014 (see Appendix 2.1). The Plan therefore only covers the area defined by the boundaries of Welland Parish and not Little Malvern Parish.
- 3.3 Between May 2014 and October 2015, the NPG carried out a number of engagement and consultation exercises with local residents:
- Review of other Neighbourhood Plans
 - Have Your Say Village Survey (July-August 2014);
 - Parish Council meetings
 - Annual Parish meetings;
 - Stakeholder discussions;
 - Housing Policy Consultations; and
 - Draft Policy Consultations.
- 3.4 The discussions and feedback from these events provided the LMWPC and the NPG with the community's priorities which helped shape the vision, themes and objectives for the Plan. These have then been subject to consultation as set out in the Consultation Statement.
- 3.5 LMWPC consulted on a Regulation 14 version of a draft Neighbourhood Plan from 15 December 2015 to 31 January 2016. Progress on the Plan was paused after this stage. This was due, in part, to the feedback from this consultation. However, it was mainly due to LMWPC's and the NPG's resources being spent responding to the planning applications and appeals for housing developments adjacent to the village at that time. In addition, it was felt there was a need to extend the pause in order that the new expanded community could be involved in and consulted on the Plan.
- 3.6 Following the pause, the NPG resumed working on the Plan in early 2018 and undertook the following key consultations:
- May 2018: Annual Meeting Parish Consultation - engaging the community in the 'Restart'.
 - May 2019: Annual Meeting Parish Consultation - Status Report and review of approach to future development the village – format presentation, discussion, feedback, and Q&A.

- March-April 2020: **Your Village – Have Your Say** - March PC Newsletter: Seeking views and feedback from the community on proposals: Vision for Welland; Local Green Space; potential sites for future housing development.
- July 2020: **Proposed Local Green Space** – the Parish Council sent the Draft Proposed Local Green Space Designation Report with a covering letter to each landowner to advise that their local green space site had been nominated as land to be protected within the Draft Neighbourhood Plan and to invite feedback and comments.
- April 2021: **Welland Neighbourhood Plan - A Plan for Our Village** - delivered to every household: Provided an update on the status of the plan and communicated the responses to the previous consultations in March 2020/July 2020 above and what to expect next – Regulation 14 Formal Consultation.
- 24 September and 7 November 2021: **Regulation 14 Consultation** – a summary leaflet delivered to every household, notification to consultee bodies and information on the Parish Council’s website.

3.7 There have also been regular updates on the Plan in the monthly Parish newsletters and it is a standing item at the monthly Parish Council meetings to which the public is invited and have the opportunity to ask questions.

3.8 On 1 September 2020, LMWPC requested a joint Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) Screening Opinion of the draft Plan¹ from MHDC. Following consultation with Natural England, Historic England, the Environment Agency and the Council’s heritage officers, it was concluded that the draft Plan did not require either an SEA or an HRA Appropriate Assessment. A copy of the Screening Opinion, dated July 2022, is included at Appendix 3.1.

3.9 The South Worcestershire Development Plan sets out both strategic and development management policies (i.e., policies that apply to individual development proposals) to ensure that development in south Worcestershire is appropriately located and designed. Whilst the SWDP provides the strategic framework within which the Plan is being prepared, it also needs to be aware of the emerging policies within the currently progressing SWDP Review². Although, the existing adopted SWDP’s time period runs to 2030, the South Worcestershire Councils have recognised, in line with the Government’s requirements, that it needs to be reviewed and updated.

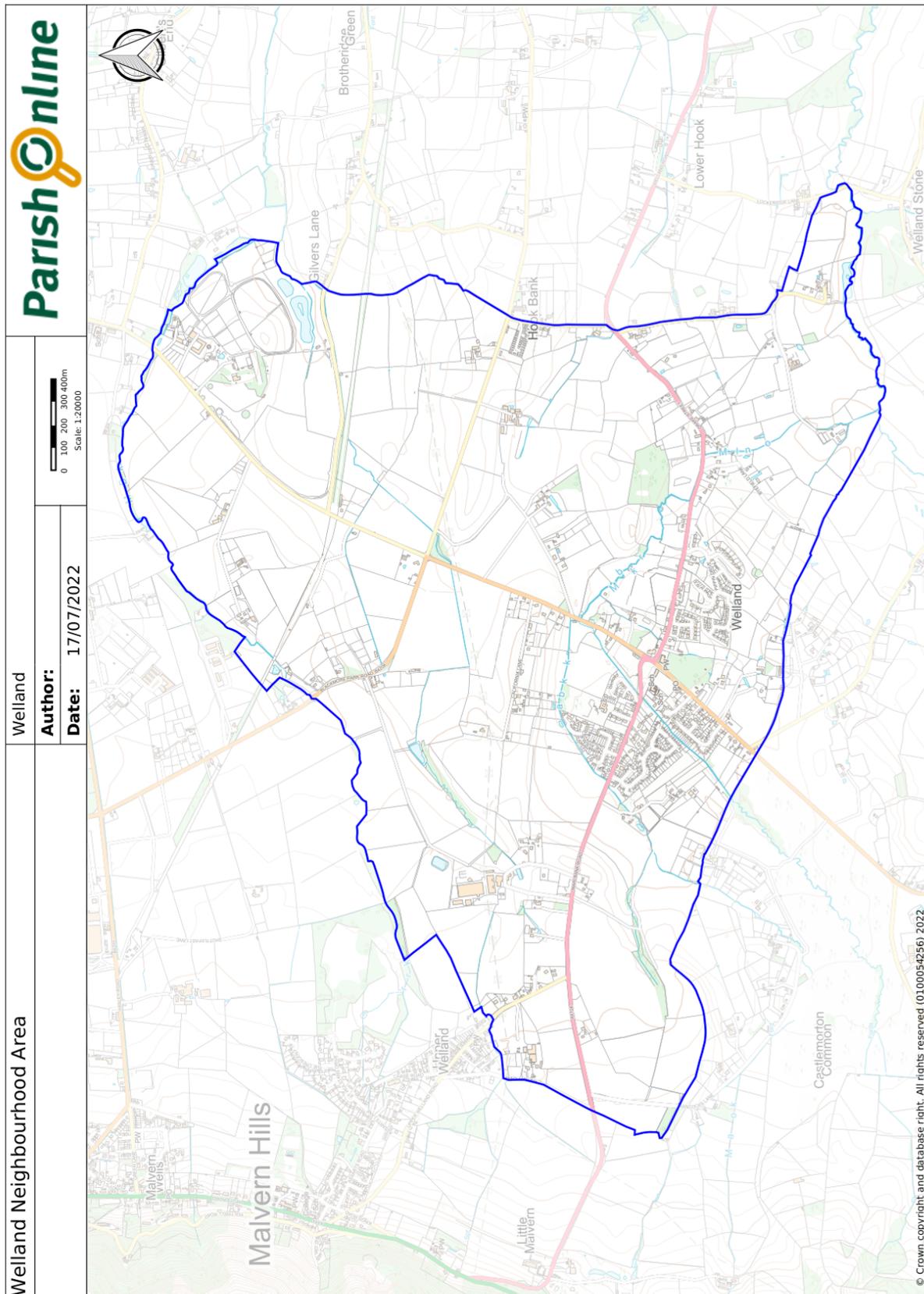
3.10 In this context, the Plan provides a locally distinctive planning policy framework within the WNA for the period of 2021–2041. It covers this period to align with the SWDP Review time period particularly in relation to housing supply. The policies within the Plan are considered to be in general conformity with the higher level planning policy within the adopted local plan and has considered the evidence and reasoning within the emerging local plan, as required by the Localism Act and the National Planning Policy Framework (NPPF) and its associated National

¹ The version of the draft Welland Neighbourhood Plan submitted for the Screening Opinion was dated August 2020. Some changes have been made to the plan since then, including changes to proposed site designation references such as Local Green Spaces and policy numbering. However, these are not considered to affect the conclusions of the SEA/HRA Screening Opinion.

² ‘Although a draft neighbourhood plan or Order is not tested against the policies in an emerging local plan the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested’. NPPG Paragraph: 009 Reference ID: 41-009-20190509

Planning Policy Guidance (NPPG). Beyond the strategic issues, the Plan concentrates on key issues facing the WNA and includes planning policies that aim to deliver the right type, form, scale and design of development for the Village and the Parish.

Figure 3.1: Welland Neighbourhood Area



4 The Neighbourhood Plan Proposal

4.1 A number of documents have been produced as the evidence base to support the Welland Neighbourhood Plan (Plan) and demonstrate how it meets the 'Basic Conditions'. The Regulation 15 submission documents include:

- **The Regulation 15 Submission Draft Welland Neighbourhood Plan (May 2023):** This is the main document which includes policies and proposals developed by the Parish Council and the Neighbourhood Plan Group (NPG) and informed through evidence and responses from the local community.
- **The Regulation 15 Submission Draft Welland Neighbourhood Plan Appendices (May 2023):** Contains the appendices to the main document in a separate Appendices document.
- **The Draft Welland Neighbourhood Plan Basic Conditions Statement (May 2023):** A statement demonstrating how the Plan and the process of its evolution meet the Basic Conditions requirements as required by Regulation 15(1)(d). This Statement includes a joint HRA and SEA Screening Opinion from Malvern Hills District Council after consultation with the relevant consultees as required by Regulation 15(1)(e)(ii).
- **The Draft Welland Neighbourhood Plan Consultation Statement (May 2023):** A statement setting out how the community and other stakeholders have been involved in the preparation of the Plan and how their comments have been taken into account in the production of the draft Plan submitted for Regulation 16 consultation and Examination.
- **The Draft Welland Neighbourhood Plan Consultation Statement Appendices (May 2023):** Contains the appendices to the main document in a separate Appendices document.
- **The Welland Neighbourhood Area: Baseline Report (September 2019).** A document that summarises the key land use, development and environmental issues within the Neighbourhood Area.
- **Welland Neighbourhood Development Plan Landscape Assessment (June 2015),** Carly Tinkler (CMLI). A document that provides an assessment of the landscape in the Neighbourhood Area and examined the sensitivity to and capacity for change (i.e., development) of land around the edge of Welland village within the Neighbourhood Area.
- **Welland Neighbourhood Development Plan Landscape Sensitivity & Capacity Assessment Review of Selected Sites (December 2019),** Carly Tinkler (CMLI). A document that assessed the sensitivity to and capacity for change (i.e., development) of the 'call for sites' (i.e., those put forward for potential development within the SWDP Review) located around the edge of Welland village within the Neighbourhood Area.
- **Welland Neighbourhood Plan 'Landscape Sensitivity & Capacity Assessment Selected Sites' (April 2022),** Carly Tinkler (CMLI). A document that updates the 2019 Assessment to take account of changes such as new development and provides an up-to-date assessment of sensitivity to and capacity for change (i.e., development).

- **The Welland Neighbourhood Area: Development Boundary Review (November 2022).** A document that sets out the rationale for amending the current Development Boundary to Welland within the South Worcestershire Development Plan.
- **Welland Neighbourhood Plan: Local Green Space Report (March 2023).** A document which seeks to demonstrate that the sites proposed to be designated as Local Green Space within the Neighbourhood Area meet the relevant criteria within NPPF and NPPG.
- **Welland Neighbourhood Plan: Neighbourhood Open Space Report (March 2023).** A document which sets out the rationale for proposing the designation of open spaces, as defined in the glossary to the NPPF, within the Neighbourhood Area as Neighbourhood Open Spaces.
- **Welland Neighbourhood Plan: Housing Evidence Paper (June 2022).** A document that provides an analysis of the various sources of housing requirement information to identify the number, type and tenure of local housing need for the Neighbourhood Area during the plan period.
- **Welland Neighbourhood Plan: Housing Evidence Paper Appendices Document Resources, Housing Policy and Context (June 2022).** An appendix providing relevant evidence, policy and context to support the Housing Evidence Paper.
- **Welland Neighbourhood Plan: Housing Site Assessment and Selection Report (November 2022).** An assessment of the suitability of 'call for sites' on the edge of Welland village within the Neighbourhood Area using the Locality toolkit 'How to assess and allocated sites for development'. This assessment has concluded with the suitability of one site proposed for a residential allocation to meet the identified local housing need for the Neighbourhood Area.
- **Welland Neighbourhood Plan: Housing Site Assessment and Selection Update Report (February 2023).** A review of the November 2022 report due to contextual changes including evidence from the SWDPR and from the landowner of the proposed allocation site.
- **Welland Neighbourhood Area: Windfall Housing Delivery 2006-2022 (February 2023).** An analysis of the historic and projected delivery of windfall development presented as evidence to support the housing policies within the Welland Neighbourhood Plan.
- **Welland Neighbourhood Plan Design Guide and Code (May 2023), AECOM.** In line with the NPPF, a design guide has been produced to provide a design framework and principles that development proposals should follow. A design code has been produced to provide more detailed guidance for the proposed residential allocation.

5 General Conformity with the National Planning Policy Framework

Paragraph 2(a): A draft neighbourhood development plan meets the basic conditions if:

(a) Having regard to national policies and advice contained in the guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan.

- 5.1 The Government published a new NPPF in July 2021³ which replaced the 2019 version. Paragraph 220 states that the policies in the previous Framework (i.e., the 2012 version) will apply for the purposes of examining plans, where those plans are submitted on or before 24 January 2019. Plans submitted after that date are examined against the policies within the current NPPF. Therefore, the Plan is to be examined against the 2021 NPPF.
- 5.2 Paragraph 29 refers to neighbourhood planning and how it can be used to give ‘communities the power to develop a shared vision for their area’ and ‘can shape, direct and help to deliver sustainable development’.
- 5.3 This vision must be aligned with the strategic needs and priorities of the wider area and as such neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. Beyond these strategic elements, neighbourhood plans will be able to shape and direct sustainable development in their area. Policies within adopted neighbourhood plans take precedence over existing non-strategic policies in the Local Plan for that area where there may be a conflict.
- 5.4 Paragraph 13 sets out the presumption in favour of sustainable development which is at the heart of national planning policy. For neighbourhood plans this means:
- Support the delivery of strategic policies contained in local plans or spatial development strategies.
 - Should shape and direct development that is outside of these strategic policies.
- 5.5 The Plan includes an over-arching policy seeking to promote and achieve sustainable development throughout the WNA. Policy SD1: ‘Promoting and Achieving Sustainable Development’ provides the context for each of the 23 policies within the Plan and reflects the Plan’s 21 objectives. These objectives mirror the NPPF’s three overarching objectives for the planning system: economic, social and environmental.
- 5.6 These objectives have been considered in the preparation of the Plan. The following paragraphs illustrate how the Plan has reflected the key policy areas within the NPPF.

Delivering a sufficient supply of homes

- 5.7 Paragraph 66 states that strategic policy-making authorities should establish a housing requirement figure for their whole area, and that within this overall requirement, strategic policies should also set out a housing requirement for designated neighbourhood areas. This latter

³ The Government consulted on proposed changes to the NPPF on 22 December 2022. The consultation period expired on 2 March 2023 and it is anticipated a revised version of the NPPF will be published in Spring 2023. Until the revised version is published the policies within the Neighbourhood Plan should have regard to the policies within the current version of the NPPF (2021).

figure should reflect the overall strategy for the pattern and scale of development and any relevant allocations. Once the strategic policies have been adopted, these figures should not need re-testing at the neighbourhood plan examination, unless there has been a significant change in circumstances that affects the requirement.

- 5.8 Paragraph 67 provides for situations where the housing requirement for designated neighbourhood areas hasn't yet been adopted. In that situation, the local planning authority should provide an indicative figure if requested to do so by the neighbourhood planning body. This figure should take into account factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority.
- 5.9 The NPPF states that planning policies should seek to reflect the size, type and tenure of housing needed for different groups in the community including those who require affordable housing (Paragraph 62). Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site unless certain conditions apply. Welland is a designated rural area and therefore, the provision of affordable housing may be sought for residential developments of less than 9 dwellings.
- 5.10 In terms of identifying land for homes, paragraph 70 states, neighbourhood planning groups should also give particular consideration to the opportunities for allocating small and medium-sized sites suitable for housing in their area.
- 5.11 The Plan sets out the following policies that aim to deliver a wide choice of high quality homes in the area to meet the identified local housing need and indicative housing requirement:
- Policy HLP: Welland Housing Land Provision – sets out how the indicative housing requirement set within the SWDPR is to be met through an allocation to meet the identified local housing need and a windfall allowance to meet the residual requirement.
 - Policy H1: Market Housing Type and Size – sets out the split in the type of market housing to be provided that would most appropriately provide for the local community, based on the evidence within the *Housing Evidence Paper (June 2022)*.
 - Policy H2: Affordable Housing Provision – sets out the requirements for affordable housing provision including the split between social rent, shared ownership and discounted market housing (i.e., First Homes) and the split in housing type and size.
 - Policy H3: Homes Standards – sets out the requirements for the provision of accessible and adaptable dwellings and wheelchair user dwellings.
 - Policy H4: Land north of Cornfield Close – sets out the requirements for the proposed allocation for 13 affordable houses to meet the identified local housing need and the associated Green Infrastructure.
- 5.12 These policies support the Plan's Social Sustainability (Housing) theme '*To provide existing and future residents with the opportunity to live in a high quality home that meets their needs*' and associated objectives:

- SSH1: *To provide new housing to meet local needs; including a greater range of affordable housing for Welland residents.*
- SSH2: *To provide a mix of housing types including smaller homes for older residents wishing to downsize and for young singles, couples or families needing their first home.*
- SSH3: *To ensure that new development is of high-quality design and reinforces local distinctiveness.*
- SSH4: *To give preferential access to some new homes for people with a local connection.*
- SSH5: *To ensure that the design and location of new development is resilient to the effects of climate change and flooding.*
- SSH6: *To ensure that the scale of development is appropriate to the sustainable growth of the village whilst seeking to maintain its rural character.*

5.13 The proposed housing policies are supported by evidence within the following documents:

- Housing Evidence Paper (June 2022),
- Housing Site Assessment and Selection Report (November 2022),
- Housing Site Assessment and Selection Report Update (February 2023), and
- Windfall Housing Delivery 2006-2022 (February 2023).

Building a strong, competitive economy

5.14 In the context of rural areas, paragraph 84 NPPF states that policies should enable *‘the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings’* and *‘the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship’*.

5.15 The NPPF recognises that some existing rural businesses are on sites adjacent or beyond the settlement and in locations not well served by local transport. As such planning policies should seek to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable. The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

5.16 The Plan sets out the following policies which aim to aim to reflect national policy within the local context through enabling micro and small business development, protecting existing and delivering new community facilities, and providing high quality communications:

- Policy LE1: New small-scale business development within the Welland Development Boundary – supports such development providing it meets certain criteria.
- Policy C1: Protection of existing Built Community Facilities and the Local Shop – identifies 5 key built facilities important to the local community to be

- protected from being lost through redevelopment and change of use and subject to the relevant policies in the SWDP.
- Policy C2: Provision of new and improved Built Community Facilities – supports proposals for such developments providing they meet certain criteria.
- Policy I2: High Quality Communications Infrastructure – supports the provision of ultrafast broadband and telecommunications equipment subject to certain criteria.

5.17 These policies support the Plan’s Economic Sustainability theme of ‘*To ensure that small-scale businesses are thriving, offering local employment opportunities and supporting the village economy*’ and Social Sustainability (Community Cohesion) theme ‘*To ensure that the centre of the village with its facilities and amenities acts as a hub of community life, attracting users of all ages, supporting their everyday needs and fostering a sense of kinship and wellbeing within its residents and visitors*’ and their associated objectives:

- *EcS1: To encourage and support home working.*
- *EcS3: To support the provision of good telecommunications and connectivity as a means of delivering sustainable economic growth.*
- *EcS4: To position new development such that current problems with congestion, parking and road safety are not exacerbated and, if possible, reduced.*
- *SSCC5: To preserve important village assets and amenities.*
- *SSCC6: To enhance the community facilities and recreational facilities at the heart of the village and to encourage fitness and wellbeing.*

5.18 The provision of appropriate and adequate infrastructure is a key element of the Plan’s strategy to ensure that the WNA can accommodate new development in a sustainable manner.

Ensuring the vitality of town centres

5.19 Although there is no designated centre within Welland Village, there are a number of important individual local services and community facilities that are generally located around the crossroads of the A4104 and the B4208. These have been identified as existing Built Community Facilities within the Plan and are recognised within the ‘supporting a prosperous rural economy’ section of Chapter 6 ‘Building a Strong, Competitive Economy’ of the NPPF (see above).

Promoting healthy communities

5.20 Paragraph 90 recognises that planning policies should:

- (a) plan positively for the provision of community facilities and other local services to enhance the sustainability of communities and residential environments;
- (c) guard against the unnecessary loss of valued facilities and services; and
- (d) ensure established services and facilities are able to develop and retained for the benefit of the community.

5.21 The NPPF also includes, under this theme, the provision and protection of open space. Paragraph 101 highlights that local communities should be able, through a neighbourhood plan,

to identify green areas for special protection designating them as Local Green Space providing the criteria at 102 is satisfied. In addition, paragraph 99 states that existing open space should not be built on unless one of the three criteria are met.

5.22 The Plan sets out the following policies that relate to promoting healthy communities within the area:

- Policy G1: Local Green Space – identifies 8 key open spaces proposed for designation as LGS along with a policy protecting them from development consistent with national policy on Green Belt.
- Policy G2: Neighbourhood Open Space – identifies 4 open spaces proposed for designation as NOS with a criteria based policy relating to any development on them.
- Policy C1: Protection of existing Built Community Facilities and the Local Shop – identifies 5 key built community facilities important to the local community to be protected from being lost through redevelopment and change of use and subject to the relevant policies in the SWDP.
- Policy C2: Provision of new and improved Built Community Facilities - supports proposals for such developments providing it meets certain criteria.

5.23 These policies support the Plan's Environmental Sustainability theme '*To ensure that Welland and its residents exist in harmony with the landscape and with the natural and historic environment*' and Social Sustainability (Community Cohesion) theme '*To ensure that the centre of the village with its facilities and amenities acts as a hub of community life, attracting users of all ages, supporting their everyday needs and fostering a sense of kinship and wellbeing within its residents and visitors*' and associated objectives:

- EnS2: *To protect and enhance the village's open green spaces.*
- EnS3: *To protect, enhance and conserve the AONB and its setting, and wider landscape and views.*
- EnS5: *To conserve and enhance biodiversity.*
- SSCC5: *To preserve important village assets and amenities.*
- SSCC6: *To enhance the community facilities and recreational facilities at the heart of the village and to encourage fitness and wellbeing.*

5.24 A key element of the Plan's vision is to protect the unique assets within Welland such as the AONB including the view to and from the Hills, and its Green Infrastructure allowing residents and to value and enjoy the landscape and the natural environment. The proposed LGS and NOS policies are supported by evidence within the following documents:

- Local Green Space Report (March 2023), and
- Neighbourhood Open Space Report (March 2023).

Promoting sustainable transport

5.25 Paragraph 104 states transport issues should be considered from the earliest stages of plan-making so that (amongst other matters):

- (c) opportunities to promote walking, cycling and public transport use are identified and pursued.
- (e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.

5.26 Paragraph 105 recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making.

5.27 Paragraph 106 states planning policies should (amongst other matters):

- (c) identify and protect routes which could be critical in developing infrastructure to widen transport choice.
- (d) provide for attractive and well-designed walking and cycling networks with supporting facilities such as secure cycle parking.

5.28 Paragraph 107 states that there should be adequate provision of car parking spaces for charging plug-in and other ultra-low emission vehicles associated with parking standards for residential and non-residential development.

5.29 The Plan sets out the following policies that aim to promote sustainable transport:

- Policy DB1: Development within the Welland Development Boundary – sets out criteria for new development to meet including the provision of safe and suitable access for all users.
- Policy D2: Access, travel and connectivity associated with development proposals – sets out criteria to ensure new development encourages sustainable modes of travel, has safe access for all and meets the standards set out in the relevant guidance.
- Policy I4: Active Travel Corridor - safeguards a former railway line through the WNA for use as a sustainable travel route.

5.30 These policies support the Plan's themes of Environmental Sustainability, Social Sustainability (Community Cohesion) and Economic Sustainability, and their associated objectives:

- *EnS1: To reduce carbon dioxide emissions, promote energy security and reduce vulnerability to rising fuel costs for Welland residents.*
- *SSCC1: To position development within easy walking distance of village facilities.*
- *SSCC2: To link all developments to the village centre with footpaths / cycleways, where appropriate.*
- *SSCC6: To enhance the community facilities and recreational facilities at the heart of the village and to encourage fitness and wellbeing.*
- *EcS4: To position new development such that current problems with congestion, parking and road safety are not exacerbated and, if possible, reduced.*

5.31 A key element of the Plan's strategy is to locate new development close to the village's key facilities and where there is existing infrastructure which could be enhanced through new development to allow access to these facilities by foot and cycle.

Supporting high quality communications infrastructure

- 5.32 Paragraph 114 states that advanced high quality communications infrastructure is essential to support economic growth. In preparing plans, authorities should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections.
- 5.33 Paragraph 115 states the number of radio and electronic communications masts should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing sites for new electronic communications capability (including wireless) should be encouraged and where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate. Paragraph 117 provides a list of information that should be submitted with applications for electronic communications development.
- 5.34 The Plan sets out the following policy that aims to promote sympathetically designed high quality communications infrastructure within the WNA:
- Policy I2: High Quality Communications Infrastructure – supports the provision of ultrafast broadband and telecommunications equipment subject to certain criteria.
- 5.35 This policy will help to support the Plan’s theme Economic Sustainability and associated objective:
- EcS3: *To support the provision of good telecommunications and connectivity as a means of delivering sustainable economic growth.*
- 5.36 The provision of appropriate and adequate infrastructure is a key element of the Plan’s strategy to ensure that the WNA can accommodate new development in a sustainable manner.

Making effective use of land

- 5.37 Paragraph 119 states planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraph 120 states planning policies should (amongst other matters) (a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside.
- 5.38 In achieving an efficient use of land from development, paragraph 124 planning policies should also take account of (amongst other matters):
- (d) the desirability of maintaining an area’s prevailing character and setting.
 - (e) the importance of securing well-designed, attractive and healthy places.

5.39 Paragraph 125 states design guides and codes can be used to help ensure that land is used efficiently while also creating beautiful and sustainable places.

5.40 The Plan sets out the following policies that aim to ensure to promote an appropriate effective and efficient use of land within the WNA:

- Policy DB1: Development within the Welland Development Boundary - sets out criteria for new development to meet including having regard to the guidance within the Welland Design Guide and Code which includes a section on density as well as local character.
- Policy LC1: Landscape Character and Visual Impact – requires new development including its associated infrastructure and landscape proposals to consider local landscape character and visual amenity.
- Policy D1: Design – promotes good design which is responsive to local character through the application of a Design Guide and Code.
- Policy H4: Land north of Cornfield Close – a proposed allocation with a capacity based on a density that maintains the area’s prevailing character and setting.

5.41 These policies support the Plan’s themes of Environmental Sustainability, Social Sustainability (Community Cohesion) and Social Sustainability (Housing), and their associated objectives:

- *EnS2: To protect and enhance the village’s open green spaces.*
- *EnS3: To protect, enhance and conserve the AONB and its setting, and wider landscape and views.*
- *EnS4: To protect and enhance the historic environment of Welland.*
- *SSCC1: To position development within easy walking distance of village facilities.*
- *SSH3: To ensure that new development is of high-quality design and reinforces local distinctiveness.*
- *SSH6: To ensure that the scale of development is appropriate to the sustainable growth of the village whilst seeking to maintain its rural character.*

5.42 The provision of development which safeguards the rural character of the village and parish is a fundamental aim of the Plan.

Achieving well-designed places

5.43 Paragraph 126 states the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes (paragraph 127).

5.44 A Design Guide and Code has been prepared within input from the WNPG. It was also consulted on as part of the Regulation 14 draft plan consultation.

5.45 The Plan sets out the following policies that aim to deliver good quality and sustainable design for all new developments within the WNA:

- Policy DB1: Development within the Welland Development Boundary - sets out criteria for new development to meet including having regard to the guidance within the Welland Design Guide and Code.
- Policy LC1: Landscape Character and Visual Impact – requires new development including its associated infrastructure and landscape proposals to consider local landscape character and visual amenity.
- Policy D1: Design – promotes good design which is responsive to local character through the application of a Design Guide and Code.
- Policy H4: Land north of Cornfield Close – a proposed allocation which refers to the Design Code which provides key design principles for proposals on the site.

5.46 These policies support the Plan's themes of Environmental Sustainability, Social Sustainability (Community Cohesion) and Social Sustainability (Housing), and their associated objectives:

- *EnS2: To protect and enhance the village's open green spaces.*
- *EnS3: To protect, enhance and conserve the AONB and its setting, and wider landscape and views.*
- *EnS4: To protect and enhance the historic environment of Welland.*
- *SSCC1: To position development within easy walking distance of village facilities.*
- *SSH3: To ensure that new development is of high-quality design and reinforces local distinctiveness.*
- *SSH6: To ensure that the scale of development is appropriate to the sustainable growth of the village whilst seeking to maintain its rural character.*

5.47 The provision of development which is of high quality reflecting the special qualities of the WNA and safeguards the rural character of the village and parish is a fundamental aim of the Plan.

Protecting Green Belt land

5.48 There is no Green Belt land within the WNA and therefore this national policy issue is not relevant to the Plan.

Meeting the challenge of climate change, flooding and coastal change

5.49 Paragraph 152 recognises that planning can support the transition to a low carbon future in a changing climate and can play a key role in helping shape places to secure radical reductions in greenhouse gases, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure.

5.50 The Plan sets out the following policies that seek to meet the challenges of climate, coastal and flooding change:

- Policy SD2: Renewable and Low-Carbon Microgeneration Development – encourages and supports renewable and low-carbon microgeneration development providing it satisfies certain criteria.
- Policy SD3: Energy Efficiency Improvements to Existing Buildings – encourages and supports proposals to improve the energy efficiency of existing buildings.
- Policy G1: Local Green Space – identifies 8 key open spaces proposed for designation as LGS along with a policy protecting them from development consistent with national policy on Green Belt. The LGS Report recognises the contribution open space can make to adapting and mitigating for climate change impacts.
- Policy G2: Neighbourhood Open Space – identifies 4 open spaces proposed for designation as NOS with a criteria-based policy relating to any development on them. The NOS Report recognises the contribution open space can make to adapting and mitigating for climate change impacts.
- Policy I1: Development and Infrastructure – ensures that where new development creates a need for new infrastructure it is demonstrated that it is to be provided in a timely manner.
- Policy I3: Surface and Foul Water Drainage and Management – development should incorporate drainage proposals in accordance with the surface water hierarchy looking at first at sustainable drainage solutions.

5.51 These policies support the Plan’s themes of Environmental Sustainability and Social Sustainability (Housing), and their associated objectives:

- *EnS1: To reduce carbon dioxide emissions, promote energy security and reduce vulnerability to rising fuel costs for Welland residents.*
- *EnS2: To protect and enhance the village’s open green spaces.*
- *SSH5: To ensure that the design and location of new development is resilient to the effects of climate change and flooding.*

5.52 The Plan seeks to encourage the provision of renewable and low-carbon development and energy efficient buildings to help in dealing with the climate crisis. In addition, the Plan seeks to protect the WNA’s Green Infrastructure with its multi-functional benefits for flooding and climate change. The proposed LGS and NOS policies are supported by evidence within the following documents:

- Local Green Space Report (March 2023), and
- Neighbourhood Open Space Report (March 2023).

Conserving and enhancing the natural environment

5.53 Paragraph 174 states that the planning system should contribute to and enhance the natural and local environment by (amongst other matters):

- Protecting and enhancing valued landscapes, sites of biodiversity value and soils.
- Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services.
- Minimising impacts on biodiversity and providing net gains in biodiversity where possible including by establishing coherent ecological networks that are more resilient to current and future pressures.

5.54 The Plan recognises that the WNA is either within the Malvern Hills AONB or is important to its setting. It also falls entirely within the Malvern Hills AONB's Nature Recovery Plan area. The Plan therefore sets out the following policies that seek to conserve and enhance the natural environment:

- **Policy DB1:** Development within the Welland Development Boundary - sets out a number of criteria that new development and its associated infrastructure should meet for it to be acceptable within the Development Boundary.
- **Policy G1:** Local Green Space – identifies 8 key open spaces proposed for designation as LGS along with a policy protecting them from development consistent with national policy on Green Belt. The LGS Report recognises the contribution open space can make to biodiversity and nature conservation.
- **Policy G2:** Neighbourhood Open Space – identifies 4 open spaces proposed for designation as NOS with a criteria-based policy relating to any development on them. The NOS Report recognises the contribution open space can make to biodiversity and nature conservation.
- **Policy B1:** Local Biodiversity net gain – requires a proportionate assessment to be undertaken of the existing biodiversity value and the provision of a 10% net gain, having regard to relevant local guidance, following the proposed development.
- **Policy LC1:** Landscape Character and Visual Impact – requires new development including its associated infrastructure and landscape proposals to consider local landscape character and visual amenity.
- **Policy D1:** Design – promotes good design which is responsive to local landscape character through the application of a Design Guide and Code.
- **Policy H4:** Land north of Cornfield Close – a proposed allocation with a policy requiring at least 40% Green Infrastructure provision, a landscape and visual impact assessment of proposals and the provision of at least 10% net gain in biodiversity following development.

5.55 These policies support the Plan's the Plan's theme of Environmental Sustainability and its associated objectives:

- *EnS2: To protect and enhance the village's open green spaces.*
- *EnS3: To protect, enhance and conserve the AONB and its setting, and wider landscape and views.*
- *EnS5: To conserve and enhance biodiversity.*

5.56 The Plan seeks to protect and enhance the valued landscape and special qualities of the WNA through protecting key assets and the provision of suitably located and designed development of a scale appropriate to the village's and parish's rural character. The proposed LGS and NOS policies are supported by evidence within the following documents:

- Local Green Space Report (March 2023), and
- Neighbourhood Open Space Report (March 2023).

Conserving and enhancing the historic environment

5.57 Paragraph 189 states heritage assets include sites and buildings of local historic value and are an irreplaceable resource and should be conserved in a manner appropriate to their significance.

5.58 The Plan sets out the following policies that relate to the area's local historic environment:

- Policy HE1: Non-Designated Heritage Assets – protects local buildings and structures which are considered to have local heritage value.
- Policy D1: Design – promotes good design which is responsive to local village character through the application of a Design Guide and Code.

5.59 This policy supports the Plan's theme Environmental Sustainability and associated objective:

- *EnS4: To protect and enhance the historic environment of Welland.*

5.60 The Plan strategy seeks to recognise and protect buildings and structures of local historical and/or architectural value. A non-policy action within the NP is for the Parish Council with the support of the local community to identify and nominate local buildings and structures for local listing.

Facilitating the sustainable use of minerals

5.61 This is not a relevant topic for neighbourhood plans to deal with and therefore is not relevant.

6 Contribution to the Achievement of Sustainable Development

Paragraph 2(a): A draft neighbourhood development plan meets the basic conditions if:

(d) the making of the order contributes to the achievement of sustainable development.

- 6.1 The NPPF states at paragraph 10 that a presumption in favour of sustainable development is at the heart of the NPPF and for plan-making this means that 'all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects' (paragraph 11).
- 6.2 The planning system has three overarching objectives in seeking to achieve sustainable development within the NPPF: economic, social and environmental.
- **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.
 - **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being, and
 - **an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 6.3 The Plan includes an over-arching policy seeking to promote and achieve sustainable development throughout the WNA. Policy *SD1 'Promoting and Achieving Sustainable Development'* provides the context for each of the 23 policies within the Plan and reflects the Plan's 21 objectives.
- 6.4 The following paragraphs highlight how each policy within the Plan contributes to the achievement of sustainable development and fulfils one or more of the above objectives.
- 6.5 Policy *SD2 'Renewable and Low-Carbon Microgeneration Development'* supports and encourages renewable and low carbon microgeneration development subject to a number of criteria. This supports the environmental objective of moving to a low carbon economy and responding to climate change. It also contributes to the social objective of supporting communities' health through reduced carbon use and emissions from the use of fossil fuels, and to the economic objective by providing low-cost energy for local businesses.
- 6.6 Policy *SD3 'Energy Efficiency Improvements to Existing Buildings'* supports and encourages the sensitive retrofitting of existing buildings with energy efficiency measures. This supports the

environmental objective of moving to a low carbon economy and responding to climate change. It also contributes to the social objective of supporting communities' health through reduced carbon use and emissions from the use of fossil fuels and to the economic objective of providing the infrastructure for lower ongoing energy costs for homes and local businesses.

- 6.7 Policy DB1 '*Development within the Welland Development Boundary*' supports the principle of new development within the village's proposed development boundary subject to specific criteria and other relevant policies. This policy contributes to the economic and social objectives by supporting growth and directing development to the right locations where it is accessible to services and open spaces which will support resident's health and social well-being. The policy contributes to the environmental objective by locating development close to accessible services and open spaces thereby minimising the need to travel by motor vehicle and thus reducing emissions and also by introducing criteria to ensure that any proposed development conserves and enhances the special qualities of the AONB, and takes into account views to and from the AONB, and that there is no unacceptable harm to local landscape character and biodiversity.
- 6.8 Policy G1 '*Local Green Space*' seeks to protect those open spaces that are demonstrably special to local community due to the amenities (i.e., recreational, visual, biodiversity, etc) that they provide. This policy contributes to the social and environmental objectives by protecting open spaces which support resident's health and cultural and social well-being, safeguarding biodiversity assets and mitigating and adapting to climate change. The protection of Green Infrastructure also contributes to economic objectives by reducing the impact of climate change on existing development.
- 6.9 Policy G2 '*Neighbourhood Open Space*' seeks to protect other areas of open spaces which are considered important to the local community. This policy contributes to the social and environmental objectives by protecting open spaces which support resident's health and cultural and social well-being, safeguarding biodiversity assets and mitigating and adapting to climate change. The protection of Green Infrastructure also contributes to economic objectives by reducing the impact of climate change on existing development.
- 6.10 Policy B1 '*Local Biodiversity net gain*' seeks measurable improvements of biodiversity following development utilising locally relevant guidance and having regard to the role the WNA has within the Malvern Hills AONB's Nature Recovery Plan. This policy contributes to the environmental and social objectives by safeguarding biodiversity assets and mitigating and adapting to climate change and protecting open spaces which support resident's health and well-being.
- 6.11 Policy LC1 '*Landscape Character and Visual Impact*' seeks to ensure that new development protects and enhances the special qualities of the WNA through making sure it responds to the existing landscape and views into and out of the area and having regard to locally relevant guidance regarding development in the Malvern Hills AONB or its setting. This policy contributes to the environmental and social objectives by protecting and enhancing the natural environment, including landscapes with protected status, and mitigating and adapting to climate change and creating well-designed and beautiful places.
- 6.12 Policy C1 '*Protection of existing Built Community Facilities and the Local Shop*' seeks to protect existing buildings considered important for use by the community. This policy contributes to the

social objective by protecting community facilities which support resident's health and cultural and social well-being and to the economic objective by protecting facilities that generate local employment opportunities.

- 6.13 Policy C2 '*Provision of new and improved Built Community Facilities*' seeks to enhance the provision of facilities for use by the local community. This policy contributes to the social objective by enhancing community facilities which support resident's health and cultural and social well-being and to the economic objective by protecting facilities that generate local employment opportunities.
- 6.14 Policy HE1 '*Non-Designated Heritage Assets*' seeks to protect those buildings and structures that are considered locally important and would be included on a Local List. This policy contributes to the environmental and social objectives by protecting and enhancing the historic environment and supporting resident's cultural well-being.
- 6.15 Policy I1 '*Development and Infrastructure*' seeks to ensure that new development is supported by the appropriate infrastructure which should be delivered at the applicable time. This policy contributes to the economic objective by identifying and coordinating the provision of infrastructure associated with new development.
- 6.16 Policy I2 '*High Quality Communications Infrastructure*' seeks to ensure that the WNA benefits from ultrafast broadband and telecommunications coverage with appropriately designed apparatus and equipment. This policy contributes to the economic objective by supporting growth and productivity and coordinating the provision of modern telecommunications infrastructure. The policy also contributes to the social objective by keeping people connected and thus supporting resident's social well-being.
- 6.17 Policy I3 '*Surface water and foul water drainage and management*' seeks to ensure the provision of sustainable drainage in line with the surface water hierarchy. This policy contributes to the social and environmental objectives by mitigating and adapting to climate change. The protection of Green Infrastructure, for the use as sustainable drainage, also contributes to economic objectives by reducing the impact of climate change on existing development.
- 6.18 Policy I4 '*Active Travel Corridor*' seeks to safeguard a former railway line within the WNA for recreational and active travel by cycle and foot. This contributes to the social and environmental objectives by supporting resident's health and well-being and minimising the need to travel by motor vehicle and thus reducing emissions.
- 6.19 Policy D1 '*Design*' seeks to ensure that new development reflects and responds to the qualities of the built development and natural environment of the WNA. This policy contributes to the social objective creating well-designed and beautiful places, enhancing connectivity and considering village character.
- 6.20 Policy D2 '*Access, travel and connectivity associated with development proposals*' seeks to promote sustainable travel within the context of the WNA's rural location and ensure that access to new development is safe and efficient. This policy contributes to all three objectives; economic by ensuring the appropriate transport infrastructure is provided with new

development; social in creating well designed and safe places, and environmental in minimising the need to travel by motor vehicle and thus reducing emissions.

- 6.21 Policy HLP '*Welland Housing Land Provision*' seeks to illustrate how the indicative housing requirement set within the SWDPR is to be met through an allocation to meet the identified local housing need and a windfall allowance to meet the residual requirement. This policy contributes to the social objective by providing homes to meet the needs of present and future generations.
- 6.22 Policy H1 '*Market Housing Type and Size*' seeks to ensure that new market housing in the area is of a type and size that that would most appropriately in the longer term provide for the local community. This policy contributes to the social objective by enabling a more appropriate range of homes for the local community that could meet the needs of present and future generations.
- 6.23 Policy H2 '*Affordable Housing Provision*' seeks to ensure the provision of affordable housing which meets the identified local need. This policy contributes to the social objective by providing a range of homes to meet the needs of present and future generations.
- 6.24 Policy H3 '*Homes Standards*' seeks to ensure that new housing is adaptable to meet the existing and future needs of its occupiers. This policy contributes to the social objective by providing a range of homes to meet the needs of present and future generations.
- 6.25 Policy H4 '*Land north of Cornfield Close*' supports a proposed allocation for 13 new affordable homes and green space within the WNA. This policy contributes to all three objectives. It contributes to the social objective by providing a range of homes to meet the needs of present and future generations and creating well-designed, beautiful and safe places with open spaces. It contributes to the economic objective by ensuring that sufficient land of the right type is available in the right place and at the right time to support growth. It contributes to the environmental objective as there are criteria within the policy that seek to protect and enhance the natural environment, improve biodiversity, protect the special qualities of the AONB and local landscape and village character, and mitigate and adapt to climate change.
- 6.26 Policy LE1 '*New small-scale business development within the Welland Development Boundary*' seeks to support small scale development for small businesses appropriate to the rural location of the WNA. This policy contributes to the economic objective by supporting the local economy. It contributes to the social objective by providing accessible services to support the local community's needs. It also contributes to the environmental objective in minimising the need to travel to services and facilities by motor vehicle and thus reducing emissions.
- 6.27 The Plan contributes to the achievement of sustainable development by:
- Planning positively for housing growth to meet the needs of present and future generations.
 - Strengthening and supporting the local economy.
 - Promoting sustainable transport.
 - Protecting and enhancing the natural, built and historic environment.
 - Promoting high quality and sustainable design.
 - Promoting healthy communities.

7 General Conformity with Strategic Policies contained in the Development Plan for the Area

Paragraph 2(a): A draft neighbourhood development plan meets the basic conditions if:

Page
| 28

(e) the making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).

- 7.1 Neighbourhood plans must demonstrate that they are in general conformity with the strategic policies of the adopted plan for the local area. Section 38 of the Planning and Compulsory Purchase Act 2004 defines 'development plan' as the Development Plan Documents adopted for the area.
- 7.2 The National Planning Practice Guidance provides some advice on what is meant by 'general conformity' stating '*When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:*
- *whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with*
 - *the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy*
 - *whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy*
 - *the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach*'.
- 7.3 MHDC adopted the South Worcestershire Development Plan on 25 February 2016. This Plan forms part of the statutory development plan and provides the spatial strategy, site allocations, and strategic and non-strategic planning policies for the Area up to 2030.
- 7.4 In addition to the SWDP, the statutory development plan also includes the Waste Core Strategy for Worcestershire (adopted November 2012) and the saved policies within the County of Hereford and Worcester Minerals Plan (adopted 1997). In relation to these, neighbourhood plans do not have jurisdiction over waste or minerals and therefore there are no implications on one to the other.
- 7.5 The South Worcestershire Councils started a review of the SWDP in late 2017. This is in line with Government requirements that local plans should be updated every five years. The review will provide an updated plan period to the year 2041. The plan will update the existing SWDP and where necessary it's vision, objectives, spatial strategy and policies for the future development of the South Worcestershire area. The second part of the plan will include site allocations, policies and policy designations that will provide for the development needs of the area up to 2041 (11 years beyond the current SWDP).

7.6 The SWDP Review (SWDPR) Preferred Options was consulted on in Autumn 2019. The Regulation 19 Publication version of the SWDPR went out to consultation on 1 November 2022. The SWDPR is at an early stage and until it is adopted the Plan will not have to be in general conformity with its strategic policies. However, in line with National Planning Practice Guidance to reduce the likelihood of a neighbourhood plan becoming out of date once a new local plan is adopted, communities preparing a neighbourhood plan should take account of latest and up-to-date evidence of housing need.

South Worcestershire Development Plan

- 7.7 MHDC produced a note relating to strategic policies within the SWDP relevant to neighbourhood planning⁴. The following paragraphs demonstrate how the Plan's policies are in general conformity with the strategic policies relevant to the WNA.
- 7.8 **SWDP1: Overarching Sustainable Development Principles** – Section 6 of this Statement demonstrates how the Plan has taken the economic, social and environmental aspects of sustainable development into consideration. The Plan reflects this strategic policy within the over-arching policy SD1: Promoting and Achieving Sustainable Development.
- 7.9 **SWDP2: Development Strategy and Settlement Hierarchy** – the Plan recognises the role of Welland as a Category 1 village which is a focus for development to meet local need. All of the proposed allocations within the SWDP have been implemented along with a number of windfall and rural exception sites.
- 7.10 The Plan proposes to extend the current Development Boundary for Welland to incorporate much of the existing and new development to the east of Gloucester Road and to the south of Drake Street as well as the rural exception sites at Cornfield Close and Barleycorn Fields. This may provide further opportunities for windfall development to come forward to help provide for additional housing.
- 7.11 Policy DB1 'Development within the Welland Development Boundary' allows windfall development within the development boundaries subject to proposals meeting the listed criteria. This policy is directly related to the objectives of policy SWDP2 and is considered to be in general conformity with it.
- 7.12 Having regard to National Planning Practice Guidance, the Plan has also taken into account evidence relating to the SWDP Review and has regard to this emerging development plan specifically in relation to the development strategy and settlement hierarchy. The Plan recognises that Welland as a Category 1 village will need to make provision for some of the future needs to 2041. It also recognises the WNA's location within the AONB and its setting. The indicative housing requirement for the WNA up to 2041 is 25 dwellings as stated at Annex E in the SWDP Review Regulation 19 version. The Plan makes provision to meet this requirement through an allocation for 13 affordable dwellings, which meets the identified local housing need within the *Housing Evidence Paper*, and a windfall allowance to meet the residual

4

https://www.malvern hills.gov.uk/component/fileman/file/Documents/Planning/Planning%20Policy/Neighbourhood%20Planning/Strategic_Policies_Neighbourhood%20Planning.pdf?routed=1&container=fileman-files

requirement. The windfall allowance is based on past windfall delivery from small sites (i.e., sites with 9 or less dwellings) in the WNA during the period 2006-2021 as evidence in the *Windfall Housing Delivery 2006-2022 Report*.

7.13 **SWDP3: Employment, Housing and Retail Provision Requirement and Delivery** – this policy sets out the objectively assessed need and requirement for the key land uses within each of the constituent parts of South Worcestershire. As mentioned above, the implemented allocations along with windfall and rural exception sites have enabled Welland to supportively contribute to the objectively assessed housing need for South Worcestershire. Policy DB1 ‘Development within the Welland Development Boundary’ and policy LE1 ‘New small-scale business development within the Welland Development Boundary’ allows windfall development within the development boundaries subject to proposals meeting the listed criteria. This policy will continue to provide for housing and small business development within the Welland Development to help support the objectives of policy SWDP3. As such it is considered to be in general conformity with it.

7.14 Having regard to National Planning Practice Guidance, the Plan has also taken into account evidence relating to the SWDP Review and has regard to this emerging development plan specifically in relation to the development strategy and settlement hierarchy. The Plan recognises that Welland as a Category 1 village will need to make provision for some of the future needs to 2041. It also recognises the WNA’s location within the AONB and its setting. The indicative housing requirement for the WNA up to 2041 is 25 dwellings as stated at Annex E in the SWDP Review Regulation 19 version. The Plan makes provision to meet this requirement through an allocation for 13 affordable dwellings, which meets the identified local housing need within the *Housing Evidence Paper*, and a windfall allowance to meet the residual requirement. The windfall allowance is based on past windfall delivery from small sites (i.e., sites with 9 or less dwellings) in the WNA during the period 2006-2021 as evidence in the *Windfall Housing Delivery 2006-2022 Report*.

7.15 **SWDP4: Moving Around South Worcestershire** – this policy seeks to manage travel demand, provide alternative modes of travel and deliver transport infrastructure necessary to support economic prosperity.

7.16 The Plan supports this policy through the following:

- Policy D2 ‘Access, travel and connectivity associated with development proposals’ – seeks to ensure that new development is accessible by different modes of travel, has safe and efficient access for all, does not lead to highway capacity issues and has adequate parking provision;
- Policy I4 ‘Active Travel Corridor’ – safeguards the route of the former Malvern and Tewkesbury railway line within the WNA as a traffic free route for leisure and other purposes. This supports the aspirations for the active travel corridors within Worcestershire County Council’s Local Transport Plan 4, and
- Policy H4 ‘Land north of Cornfield Close’ locates new development close to the village’s key facilities and where there is existing infrastructure which could be enhanced through new development to allow access to these facilities by foot and cycle.

7.17 The above policies are considered to be in general conformity with SWDP4.

7.18 **SWDP5: Green Infrastructure** – this policy seeks to ensure the provision, maintenance and connectivity of GI within proposals for new development. The policy links with SWDP38: Green Space which is a non-strategic policy, in that new GI provided by new development would be protected by the provisions of policy SWDP38.

7.19 The Plan supports this policy through the following:

- Policy G1 ‘Local Green Space’ – identifies green space sites within and adjacent to the Welland Development Boundary that are demonstrably special to the local community for protection;
- Policy G2 ‘Neighbourhood Open Space’ – identifies other important open spaces within and adjacent to the Welland Development Boundary that are protected unless development satisfies certain criteria, and
- Policy H4 ‘Land north of Cornfield Close’ – seeks to provide Green Infrastructure associated with new housing development appropriate to the site’s location.

7.20 The above policies are considered to be in general conformity with SWDP5.

7.21 Having regard to National Planning Practice Guidance, the Plan has also taken into account evidence relating to the SWDP Review and has regard to this emerging development plan specifically in relation to the proposed green spaces and the supporting Open Space Assessment (2019, updated 2021). This is explained in both the Local Green Space Report and Neighbourhood Open Space Report.

7.22 **SWDP6: Historic Environment** – this policy seeks to conserve and enhance the Area’s designated and non-designated heritage assets. The policy links with SWDP24: Management of the Historic Environment which is a non-strategic policy.

7.23 Policy HE1 ‘Non-Designated Heritage Assets’ seeks to ensure the protection or enhancement of important local historic assets and their setting supports this policy and is considered to be in general conformity with SWDP6.

7.24 **SWDP7: Infrastructure** – the local authorities will work closely with partners to bring forward appropriate and proportionate infrastructure required to deliver the Plan and development will be required to provide or contribute towards the provision of infrastructure needed to support it.

7.25 The Plan supports this policy through the following:

- Policy I1 ‘Infrastructure and Development’ – seeks to ensure the appropriate provision of infrastructure associated with new development and that developers demonstrate this provision within their proposals.

7.26 The above policy is considered to be in general conformity with SWDP7.

7.27 **SWDP8: Providing the Right Land and Buildings for Jobs** – criteria E of this policy states the provision of employment land and the conversion of existing buildings to support job creation

throughout south Worcestershire will be supported providing the development supports an existing business or new enterprise of a scale appropriate to the location.

7.28 The Plan supports this policy through the following:

- Policy LE1 'New small-scale business development within the Welland Development Boundary' – seeks to enable the provision of premises for smaller scale enterprises to provide local services and amenities.
- Policy C1 'Protection of existing Built Community Facilities and the Local Shop' seeks to protect existing buildings considered important for use by the community and that generate local employment opportunities.
- Policy C2 'Provision of new and improved Built Community Facilities' seeks to enhance the provision of facilities for use by the local community and that generate local employment opportunities.

7.29 The above policies are considered to be in general conformity with SWDP8.

7.30 **SWDP9: Creating and Sustaining Vibrant Centres** - This policy supports new retail, leisure and tourism development of an appropriate scale to its location. Measures to secure the vitality and viability of Centres can be set out in neighbourhood plans which can include environmental enhancements and activities that seek to improve the visitor experience.

7.31 There is no designated Centre within the village. However, the Plan policy LE1 'New small-scale business development within the Welland Development Boundary' seeks to enable the provision of premises for smaller scale enterprises including retail to provide local services and amenities providing the development meets certain criteria. Policy C1 'Protection of existing Built Community Facilities and the Local Shop' seeks to protect existing buildings considered important for use by the community and that generate local employment opportunities and Policy C2 'Provision of new and improved Built Community Facilities' seeks to enhance the provision of facilities for use by the local community and that generate local employment opportunities.

7.32 These policies are considered to be in general conformity with SWDP9.

7.33 **SWDP10: Protection and Promotion of Centres and Local Shops** - This policy supports new retail and leisure development of an appropriate scale to its location and the hierarchy of centres as shown at Table X in the SWDP.

7.34 There is no designated Centre within the village. However, the Plan policy LE1 'New small-scale business development within the Welland Development Boundary' seeks to enable the provision of premises for smaller scale enterprises including retail to provide local services and amenities providing the development meets certain criteria. Policy C1 'Protection of existing Built Community Facilities and the Local Shop' seeks to protect existing buildings considered important for use by the community and that generate local employment opportunities and Policy C2 'Provision of new and improved Built Community Facilities' seeks to enhance the provision of facilities for use by the local community and that generate local employment opportunities.

7.35 These policies are considered to be in general conformity with SWDP10.

7.36 **SWDP12: Employment in Rural Areas** - The policy refers to Category 1 villages such as Welland and the open countryside. This policy seeks to protect existing employment sites and allows for some expansion of these sites subject to it meeting certain criteria. The policy also supports farm diversification subject to development meeting certain criteria.

7.37 The Plan supports this policy through the following:

- Policy DB1 'Development within the Welland Development Boundary' – seeks to support new development and the conversion, re-use or extension of an existing building within the Welland Development Boundary subject to it meeting certain criteria. The policy states that development beyond the Development Boundary will need to comply with relevant SWDP policies relating to the open countryside which would include SWDP12;
- Policy C1 'Protection of existing Built Community Facilities and the Local Shop' – seeks to protect important community facilities such as the post office and village shop;
- Policy C2 'Provision of new and improved Built Community Facilities' seeks to enhance the provision of facilities for use by the local community and that generate local employment opportunities, and.
- Policy LE1 'New small-scale business development within the Welland Development Boundary' – seeks to enable the provision of premises for smaller scale enterprises to provide local services and amenities.

7.38 The above policies are considered to be in general conformity with SWDP12.

7.39 **SWDP13: Effective Use of Land** – This policy relates to housing and ensuring that new residential development makes the most effective and sustainable use of land focusing on housing density, reusing previously developed land (PDL) including windfall sites and making only exceptional use of Best Most Versatile Agricultural Land.

7.40 The Plan supports this policy through the following:

- Policy D1 'Design' – the policy refers to the Welland Design Guide and Code which includes details on appropriate housing density for the WNA; and
- Policy DB1 'Development within the Welland Development Boundary' – supports 'windfall' development within the Development Boundary subject to criteria and refers development in the open countryside to the relevant SWDP policies.

7.41 These policies are considered to be in general conformity with SWDP13.

7.42 **SWDP14: Market Housing Mix** - The policy relates to housing development of 5 or more units which should contain, subject to viability considerations, a mix and type of market housing. The mix will be informed by latest SHMA and other local data for example neighbourhood plans. A Housing Evidence Paper has been produced for the WNA as part of the neighbourhood plan evidence gathering.

7.43 The Plan supports this policy through the following:

- Policy H1 'Market Housing Type and Size' – requires that proposals of 5 or more units should provide a mix of housing as stated in the policy that will rebalance the mix of housing in the WNA to more appropriately meet the longer term needs for the local community. Any divergence from this will need to be supported by evidence showing the proposed mix meets a current local need.

7.44 The above policy is considered to be in general conformity with SWDP14.

7.45 **SWDP15: Meeting Affordable Housing Needs** – The thresholds for affordable housing provision within this policy were superseded by the thresholds included within the Affordable Housing Supplementary Planning Document (October 2016). This was to reflect the November 2014 Written Ministerial Statement⁵ in relation to national thresholds for contributions towards affordable housing provision. The SPD requires, in Designated Rural Areas such as Welland, developments of 6-10 dwellings making financial contributions towards off-site affordable housing provision. Developments of 5 dwellings or less would not require making a financial contribution. However, the NPPF (2021) states at paragraph 64 'Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer)'. As such neither SWDP15 nor the Affordable Housing SPD are considered to have full regard for national policy.

7.46 The Plan policy H2 'Affordable Housing Provision' has regard for national policy and is based on up-to-date evidence of local need. Policy H2 also has regard for the emerging policy within the SWDP Review (SWDPR18) which requires, in Designated Rural Areas, on-site affordable housing provision on developments of 5-9 dwellings and financial contributions for developments of less than 5 dwellings.

7.47 Due to the fact that SWDP15 is not considered to have full regard to national policy it is not considered appropriate for Plan policy H2 to be in general conformity with it. Policy H2 does however have regard to national policy and is supported by robust evidence of local need.

7.48 **SWDP17: Travellers and Travelling Showpeople** – The Plan does not include a policy or policies that are related to or relevant to this strategic policy.

7.49 **SWDP21: Design** – This criteria based policy seeks to ensure new development is of a high design quality integrating with its surroundings, in terms of form and function, reinforcing local distinctiveness and conserving, and where appropriate, enhancing cultural and heritage assets and their settings.

⁵ <https://www.parliament.uk/globalassets/documents/commons-vote-office/November-2014/28-Nov-2014/2.-DCLG-SupportForSmallScaleDevelopersCustomAndSelf-Builders.pdf>

7.50 The Plan supports this policy through the following:

- Policy D1 'Design' - the policy refers to the Welland Design Guide and Code which includes principles for good design within the WNA, and also to the Malvern Hills AONB Management Plan and other guidance relevant to the AONB and its setting;
- Policy D2 'Access, travel and connectivity associated with development proposals' – seeks to ensure that new development is accessible by different modes of travel, has safe and efficient access for all, does not lead to highway capacity issues and has adequate parking provision;
- Policy LC1 'Landscape Character and Visual impact' – seeks to ensure developments and their associated landscaping schemes conserve and enhance the special qualities of the area's landscape and scenic beauty and are fully integrated into its landscape character and visual amenity; and
- Policy HE1 'Non-Designated Heritage Assets' seeks to ensure the protection or enhancement of important local historic assets and their setting.

7.51 The above policies are considered to be in general conformity with SWDP21.

7.52 **SWDP22: Biodiversity and Geodiversity** – Alongside protecting designated sites such as Special Areas of Conservation and other biodiversity assets, this policy also requires at criterion F that development should be designed to enhance biodiversity and geodiversity (including soils) conservation interests as well as conserve on-site biodiversity corridors / networks. The Environment Act 2021 makes provision, as an amendment to the Town & Country Planning Act 1990 (as amended) for development proposals to provide a 10% gain in net biodiversity following development. This has yet to be included within the NPPF and secondary legislation is due to provide further details of the mechanics for calculating and providing this net gain. Although policy SWDP22 has regard to NPPF (paragraph 180(d)) it does not provide a requirement for measurable net gains as required by the Environment Act 2021. The emerging policy (SWDP27) refers to providing measurable net gains but does not quantify this as referred to in the 2021 Act.

7.53 The Plan protects and enhances local biodiversity through the following:

- Policy B1 'Biodiversity' – seeks to ensure new development brings forward at least 10% net gains in biodiversity following development, with specific regard required to be had to locally relevant guidance including the Malvern Hills AONB Nature Recovery Plan.

7.54 The above policy is considered to be in general conformity with SWDP22 in that it seeks to enhance locally relevant biodiversity from new development and provides a quantifiable measure that these should meet in line with the requirements of the Environment Act 2021.

7.55 **SWDP23: The Cotswolds and Malvern Hills AONB** – this policy does not permit development that would have a detrimental impact on the natural beauty of an AONB. The policy also seeks to ensure that development proposals must conserve and enhance the special qualities of the landscape and have regard to the most up-to-date approved AONB Management Plans. National policy has been amended since this policy was adopted. Paragraph 176 states:

‘development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas’. The reference to the setting of the AONB was not included in previous versions of the NPPF.

7.56 Approximately 40% of the WNA is located within the Malvern Hills AONB. Development in the remainder of the WNA could be considered to be within its setting. This location is recognised by the Plan within the following policies where there are criteria relating to the AONB and/or relevant AONB guidance:

Page
| 36

- Policy SD2 ‘Renewable and Low-Carbon Microgeneration Development’ - supports and encourages renewable and low-carbon microgeneration energy development subject to criteria
- Policy DB1 ‘Development within the Welland Development Boundary’ - sets out criteria for new development to meet including conserving and enhancing the special qualities of the AONB’s landscape and where they are considered to be within the setting of the AONB, they take into account views into and out of the AONB and the complementary nature of the landscape character and type within the AONB and its relationship to its setting.
- Policy B1 ‘Local Biodiversity Net Gain’ - requires development proposals to have regard to relevant guidance on enhancing habitat and biodiversity assets in the Malvern Hills AONB and its setting. This guidance includes the AONB’s Nature Recovery Plan (March 2022), the whole WNA falling entirely within the area for this strategy.
- Policy LC1 ‘Landscape Character and Visual impact’ - requires new development including its associated infrastructure and landscape proposals to consider local landscape character and visual amenity having regard to relevant AONB guidance.
- Policy C2 ‘Provision of new and improved Built Community Facilities’ - supports proposals for such developments providing it meets certain criteria including having regard to relevant AONB guidance.
- Policy I2 ‘High Quality Communications Infrastructure’ - supports the provision of ultrafast broadband and telecommunications equipment subject to certain criteria including the impact on the AONB and its setting.
- Policy D1 ‘Design’ - promotes good design which is responsive to the landscape context and views to and from the AONB through the application of a Design Guide and Code.
- Policy D2 ‘Access, travel and connectivity associated with development proposals’ - seeks to ensure that new development is accessible by different modes of travel, has safe and efficient access for all, does not lead to highway capacity issues and has adequate parking provision having regard to the AONB Partnership’s guidance on Highway Design.
- Policy H4 ‘Land north of Cornfield Close’ - development on the proposed allocation will need to demonstrate it is appropriate to its AONB location and protects views to and from the Malvern Hills having regard to the Management Plan and associated guidance documents.
- Policy LE1 ‘New small-scale business development within the Welland Development Boundary’ - supports such development providing it meets certain criteria including respecting its local context and its location in the AONB or its setting.

7.57 These policies are considered to complement and provide a local perspective to SWDP23 and to be in general conformity with it.

7.58 Having regard to National Planning Practice Guidance, the Plan has also taken into account evidence relating to the SWDP Review and has regard to this emerging development plan specifically in relation to policy SWDPR 28 which refers to proposals having regard to the Malvern Hills AONB Management Plan and also to the setting of the AONB.

7.59 **SWDP27: Renewable and Low Carbon Energy** – this policy seeks to ensure that new developments over 100 sqm gross or one or more dwellings incorporate, subject to viability considerations, at least 10% of their predicted energy requirements from renewable or low carbon sources.

7.60 The Plan supports this policy through the following:

- Policy SD2 ‘Renewable and Low-Carbon Microgeneration Development’ – supports and encourages renewable and low-carbon microgeneration energy development subject to criteria.
- Policy SD3 ‘Energy Efficiency Improvements to Existing Buildings’ – supports and encourages retrofitting of existing development with energy efficiency measures subject to criteria.

7.61 The above policies are considered to be in general conformity with Policy SWDP27.

7.62 **SWDP28: Management of Flood Risk** – this policy seeks to minimise the flood risk associated with new development.

7.63 The Plan supports this policy through the following:

- Policy I3 ‘Surface water and foul water drainage and management’ - development should incorporate drainage proposals in accordance with the surface water hierarchy looking first at sustainable drainage solutions; and
- Policy G1 ‘Local Green Spaces’ and Policy G2 ‘Neighbourhood Open Spaces’ seek to protect Green Infrastructure (GI) within and adjacent to the village. GI plays an important contribution in managing flood risk.

7.64 In addition, plan Policy I1 ‘Development and Infrastructure’ seeks to ensure the appropriate provision of infrastructure associated with new development and that developers demonstrate this provision within their proposals. Policy H4 ‘Land north of Cornfield Close’ relating to the allocation for residential development and green space specifically refers to GI potentially providing sustainable drainage systems to manage fluvial flood risk and surface water discharge.

7.65 The relevant policies within the Plan are considered to be in general conformity with SWDP28.

7.66 **SWDP59: New Housing for Villages** – the policy lists a number of allocations within the WNA that help to ensure that the objectively assessed need will be met through new development. The Plan recognises these allocations and that they have all been implemented and delivered housing within the WNA.

8 Compatibility with EU Legislation

Paragraph 2(a): A draft neighbourhood development plan meets the basic conditions if:

(f) the making of the order does not breach, and is otherwise compatible with, EU obligations.

- 8.1 A screening process was carried out by Malvern Hills District Council to determine whether a Strategic Environmental Assessment (SEA) and a Habitat Regulations Assessment (HRA) would be required to support the Plan. This Assessment is a requirement of the EU Directive on the assessment of the effects of certain plans and programmes on the environment.
- 8.2 On 1 September 2020, LMWPC requested a joint Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) Screening Opinion of the draft Plan⁶ from MHDC. Following consultation with Natural England, Historic England, the Environment Agency and the Council's Heritage Officers, MHDC concluded that the draft Plan did not require either an SEA or an HRA Appropriate Assessment. A copy of the Screening Opinion, dated July 2022, is included at Appendix 31.
- 8.3 The Equality Act 2010 places a duty on all public authorities in the exercise of their functions to have regard to the need to eliminate discrimination, to advance equality of opportunity, and to foster good relations between persons who have a 'protected characteristic' and those who do not. 'Protected characteristics' are defined in the Act as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 8.4 Equality Impact Assessment is an analysis of a policy or policies, in order to identify the potential for an adverse impact on particular group or community, in particular those with a protected characteristic. It is a method of assessing and recording the likely differential and/or adverse impact of a policy on people from different groups so that if a policy results in unfairness or discrimination then changes to eliminate or lessen the impact can be considered.
- 8.5 An assessment has been made on whether the Plan has a positive, negative or neutral impact on each of the protected characteristics (in so far as data is available). Appendix 8.1 provides a schedule of potential impacts on 'protected characteristics'.
- 8.6 The Plan, in terms of its preparation and content, has had regard to the fundamental rights and freedoms enshrined under the European Convention on Human Rights and it complies with the Human Rights Act 1998.

⁶ The version of the draft Welland Neighbourhood Plan submitted for the Screening Opinion was dated August 2020. Some changes have been made to the plan since then, including changes to proposed site designation references such as Local Green Spaces and policy numbering. However, these are not considered to affect the conclusions of the SEA/HRA Screening Opinion.

9 Prescribed Conditions

Paragraph 2(a): A draft neighbourhood development plan meets the basic conditions if:

- (g) prescribed conditions are met in relation to the order and prescribed matters have been complied with in connection with the proposal for the order.**

- 9.1 There are no other prescribed matters.

10 Involvement of the Local Community and Stakeholders

- 10.1 The production of the Plan has involved the participation and contribution of the local community and stakeholders from the initial stages. The management of producing the Plan has been facilitated by the Parish Council's Neighbourhood Plan Group (NPG) which includes Parish Councillors and members of the community.
- 10.2 There have been a number of public engagement and consultation exercises carried out by the NPG to raise awareness of the Plan and its evidence base and to ascertain views on issues and proposals.
- 10.3 A Consultation Statement has been produced which provides the detail around the involvement of the local community and stakeholders in the development of the Plan.

11 Conclusion

- 11.1 It is considered that the Basic Conditions as set out in Schedule 4B of the Town and Country Planning Act 1990 (as amended) have been met within the Plan.
- 11.2 There are no apparent conflicts between the policies contained within the Plan and the policies within the NPPF and the strategic policies within the South Worcestershire Development Plan. In addition, the Plan has regard for the relevant evidence base for the emerging SWDP Review.
- 11.3 The information within this Statement demonstrates general conformity with Paragraph 8(1) (a) of the Town and Country Planning Act 1990 (as amended). It is therefore respectfully suggested that the Plan should proceed to referendum.

Appendices

- 2.1 Welland Neighbourhood Area Designation from Malvern Hills District Council**
- 3.1 HRA/SEA Screening Opinion**
- 8.1 Equality Impact Assessment Schedule**

2.1 Welland Neighbourhood Area Designation from Malvern Hills District Council



Neighbourhood Area Decision Notice Neighbourhood Planning (General) Regulations 2012

Name of Neighbourhood Area:	Welland
Qualifying Body:	Little Malvern and Welland Parish Council
Consultation Dates:	Friday 21 st February to Friday 4 th April 2014
Is the organisation making the area application a relevant body under section 61G(2) of the 1990 Act?	Yes
Is the Neighbourhood Area considered to be appropriate under section 61G(4) of the 1990 Act?	Yes
Does the area overlap with another designated area (section 61G(7))?	No
For joint area application, are all relevant bodies included as per section 61F(2) of the 1990 Act?	Not applicable
Were any comments received during the consultation period?	Yes
Summary of comments received	Support the application. Requested that the emerging neighbourhood plan take account of various strategic documents and designations.
Are any modifications required to this or any adjoining neighbourhood area as per section 61G(6) of the 1990 Act?	No

Decision under Regulation 7 of the Neighbourhood Planning (General) Regulations 2012:

The application for the designation of the parish of Welland, as shown on the map overleaf, as a Neighbourhood Area for the purpose of neighbourhood planning is APPROVED.

Date of Decision: 12th May 2014

Welland Neighbourhood Area



© Crown copyright and database rights (2014) Ordnance Survey (0100018500) OS 25000 Raster Map Reference: SO 79941 40523

Welland Neighbourhood Plan

Strategic Environmental
Assessment (SEA) and Habitats
Regulations Assessment (HRA)
Screening Opinion



July 2022

CONTENTS

1. INTRODUCTION

- 1.1 BACKGROUND
- 1.2 DRAFT WELLAND NEIGHBOURHOOD PLAN SUMMARY
- 1.3 WELLAND DESIGNATED NEIGHBOURHOOD AREA MAP
- 1.4 DRAFT WELLAND NEIGHBOURHOOD PLAN POLICY SUMMARIES
- 1.5 STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) PROCESS
- 1.6 HABITATS REGULATIONS ASSESSMENT (HRA) PROCESS

2. SEA SCREENING

- 2.1 SEA SCREENING ASSESSMENT
- 2.2 SEA SCREENING OPINION

3. HRA SCREENING

- 3.1 HRA SCREENING ASSESSMENT
- 3.2 HRA SCREENING OPINION

4. CONCLUSIONS

5. STATUTORY ENVIRONMENTAL BODIES CONSULTATION RESPONSES

1. INTRODUCTION

1.1 BACKGROUND

This screening report is designed to determine whether or not the content of the draft Welland Neighbourhood Plan requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.

Whether a Neighbourhood Plan requires a SEA, and if so the level of detail needed, will depend on what is proposed in the draft Neighbourhood Plan. The National Planning Practice Guidance (NPPG) states that a SEA may be required, for example, where:

- the Neighbourhood Plan allocates sites for development;
- the Neighbourhood Plan Area contains sensitive natural or heritage assets that may be affected by the proposals in the plan;
- the Neighbourhood Plan may have significant environmental effects that have not already been considered and dealt with through the SEA of the Local Plan in the area.

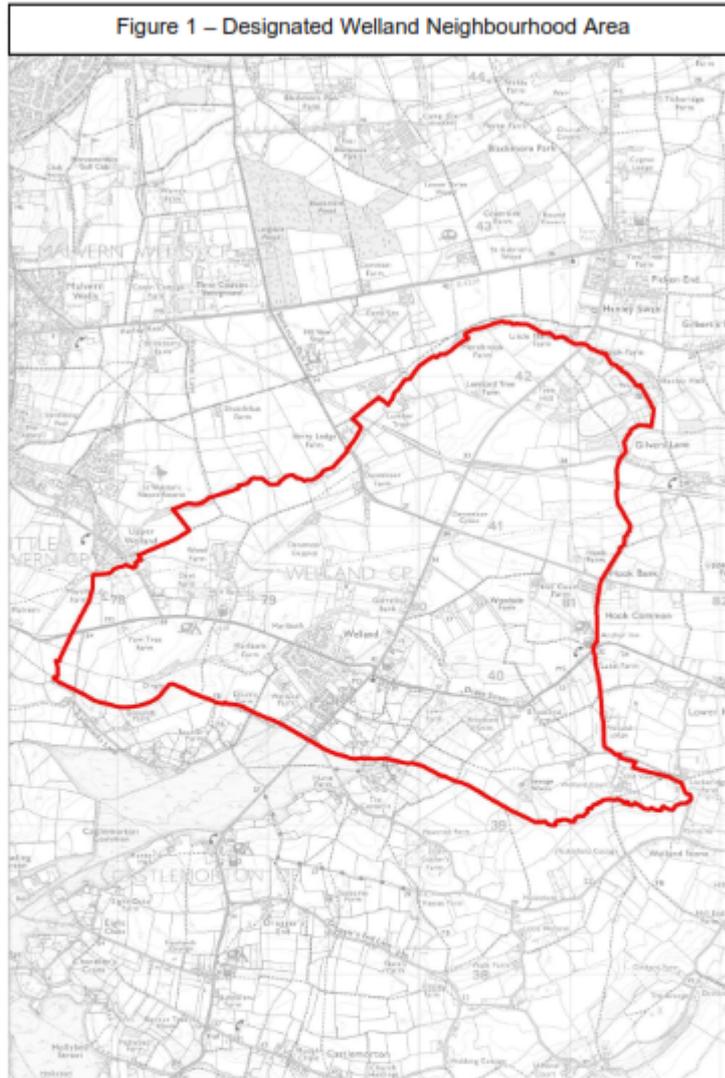
The screening report also examines the potential impact of the draft Welland Neighbourhood Plan on internationally designated wildlife sites and determines if the plan requires a Habitats Regulations Assessment (HRA).

When deciding on whether the proposals are likely to have significant effects, the local authority is required to consult Historic England, Natural England and the Environment Agency. Where the local planning authority determines that the plan is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment) it should prepare a statement of its reasons for the determination.

1.2 DRAFT WELLAND NEIGHBOURHOOD PLAN SUMMARY

The Welland Neighbourhood Plan is essentially a community-led framework for guiding future development and growth of the parish to the year 2041. Twenty-five draft policies have been proposed, focusing on topics including Sustainable Development and Design; Welland Development Boundary; Green Infrastructure; Nature Conservation and Biodiversity; Landscape and Visual Amenity; Local Community Infrastructure; Local Historic Environment; Development and Infrastructure; Design and Access; Housing Land; and Local Economy.

1.3 WELLAND DESIGNATED NEIGHBOURHOOD AREA



1.4 DRAFT WELLAND NEIGHBOURHOOD PLAN POLICY SUMMARIES

Twenty-five policies are proposed in the draft Welland Neighbourhood Plan (WNP); they are detailed below.

DRAFT POLICY	SUMMARY
<i>SUSTAINABLE DEVELOPMENT AND DESIGN</i>	
<p>WSD1 Promoting and Achieving Sustainable Development</p>	<p>Policy WSD1 supports proposals which clearly demonstrate they promote and achieve sustainable development in accordance with the vision, objectives, strategy and policies set out in the WNP.</p> <p>WSD1 will not usually grant (support) proposals which conflict with policies within the WNP (and other relevant parts of the development plan) unless material considerations indicate that the plan should not be followed.</p>
<p>WV2 Renewable and Low-Carbon Microgeneration</p>	<p>Policy WV2 has 2 parts.</p> <p>Part A supports proposals for renewable and low-carbon energy on new or existing development, subject to the following 4 criteria being met:</p> <ol style="list-style-type: none"> 1. They contribute towards the 10% requirement for on-site renewable or low-carbon energy requirement in accordance with SWDP27; 2. They do not individually or cumulatively, have an adversely harmful effect on the AONB and its setting; 3. They do not have a significant adverse impact on the external appearance of the building; and 4. They do not, individually or cumulatively, have a significant adverse impact on the amenity of neighbouring residents and occupiers. <p>Part B supports "small scale" renewable and low-carbon energy schemes subject to the following 3 criteria being met:</p> <ol style="list-style-type: none"> 1. Support the management of core elements of the AONB landscape; 2. Demonstrate that they do not, individually or cumulatively, have an adverse impact on AONB and its setting; and 3. Demonstrate that they do not, individually or cumulatively, have an adverse impact on the amenity of neighbouring residents and occupiers.

DRAFT POLICY	SUMMARY
<p>WSD3 Energy Efficient Buildings</p>	<p>Policy WSD3 has 5 parts.</p> <p>Part A says all new residential should be built to zero carbon emission standards.</p> <p>Part B says all new residential development should incorporate 100% on-site energy generation from renewable or low carbon sources (subject to viability and technical considerations).</p> <p>Part C says all non-residential developments should aim to meet the Buildings Research Establishment BREEAM building standard 'excellent'.</p> <p>Part D encourages the "sensitive retrofitting" of energy efficiency measures and micro-renewables in historic buildings including listed buildings, buildings of solid wall or traditional construction and buildings within conservation areas providing they safeguard the special characteristics of the heritage assets for the future.</p> <p>Part E requires alterations and extensions to existing buildings to be designed "with energy reduction in mind" and to "comply with sustainable design and construction standards".</p>
<i>WELLAND DEVELOPMENT BOUNDARY</i>	
<p>WDB1 Welland Village Development Boundary</p>	<p>Policy WDB1 supports development proposals within the Welland Village Development Boundary (shown at Figure 5.1) - including new development and the conversion, re-use or extension of an existing building – subject to the following 5 criteria being met:</p> <ol style="list-style-type: none"> 1. Conserve and enhance the landscape and natural beauty of the Malvern Hills AONB and its setting; 2. Are of a scale, size and use that is appropriate to its surroundings and adjacent uses; 3. Provide safe and suitable access to the site for all users; 4. Do not harm land that is of high environmental value; and 5. Do not create unacceptable adverse harm to the amenity of adjacent residents and occupiers.
<i>GREEN INFRASTRUCTURE</i>	
<p>WG1 Local Green Space</p>	<p>Policy WG1 proposes the designation of 12 Local Green Spaces (identified at Figures 5.2.1-5.2.12 in Appendix 5.1 and listed below); development on the Local Green Spaces would only be approved</p>

DRAFT POLICY	SUMMARY
	<p>(supported) in very special circumstances:</p> <ul style="list-style-type: none"> WLGS01: Spitalfields Recreation Ground WLGS02: Welland Village Green WLGS03: Welland Park WLGS04: Pursers Orchard WLGS05: Spring Meadows SSSI Buffer WLGS06: St James Green WLGS07: Gifford Drive/Blandford Close WLGS08: Welland Cemetery WLGS09: St James Churchyard WLGS10: Mutlows Orchard WLGS11: Drake Street Meadow WLGS12: Fortune Avenue
BIODIVERSITY	
<p>WB1 Local Biodiversity</p>	<p>Policy WB1 has 2 parts.</p> <p>Part A requires all new development to deliver at least 10% net gains for onsite biodiversity. Applicants would be required to provide an assessment of the "type and condition of habitats and species found on-site pre-development" and would be required to demonstrate "how the development will secure and maintain the improvements to biodiversity on the site". Planning permission would be refused (not supported) if proposals have a significant harmful impact on biodiversity.</p> <p>Part B would support proposals that have an "adversely harmful impact" on designated Neighbourhood Nature Conservation Sites, subject to the following 2 criteria being met:</p> <ol style="list-style-type: none"> 1. The need for the development clearly outweighs the importance of the Neighbourhood Nature Conservation Site, or 2. Measures can be provided that fully mitigate for the impact and the measures being secured through a planning condition or legal agreement.
LANDSCAPE CHARACTER	
<p>WLC1 Landscape</p>	<p>Policy WLC1 requires all development proposals (and their associated landscaping schemes) to i) "contribute to and enhance" the area's</p>

DRAFT POLICY	SUMMARY
<p>Character and Visual impact</p>	<p>natural character and beauty and ii) "be fully integrated into its landscape character and visual amenity" by meeting the following 2 criteria:</p> <ol style="list-style-type: none"> 1. Having regard to good practice guidance, including that produced by Malvern Hills AONB Partnership; and 2. Providing landscaping which "protects and enhances the intrinsic landscape character and natural beauty of the area". <p>All new development located within the Malvern Hills Area of Outstanding Natural Beauty would be required to submit a Landscape and Visual Impact Assessment (LVIA).</p>
<p>COMMUNITY INFRASTRCTURE</p>	
<p>WC1 Protection of existing Community Facilities</p>	<p>Policy WC1 seeks to protect 7 existing community facilities (listed below and shown at Figures 5.4.1-5.4.7 in Appendix 5.4).</p> <p>Existing Community Facilities:</p> <p style="padding-left: 40px;">WCF01: Welland Village Hall, Marlbank Road</p> <p style="padding-left: 40px;">WCF02: Welland Primary School, Marlbank Road</p> <p style="padding-left: 40px;">WCF03: Welland Post Office, Gloucester Road</p> <p style="padding-left: 40px;">WCF04: The Marlbank Inn, Marlbank Road</p> <p style="padding-left: 40px;">WCF05: The Inn at Welland, Hook Bank/Drake Street</p> <p style="padding-left: 40px;">WCF06: St James Church of England Church, Gloucester Road/Drake Street</p> <p style="padding-left: 40px;">WCF07: The Pavilion, Spitalfield, Marlbank Road</p> <p>Development proposals (including changes of use) that would result in loss of all or part of a community facility would only be supported if the following criteria are met:</p> <ol style="list-style-type: none"> 1. It can be demonstrated that the existing use is no longer economically viable, or 2. Equivalent or better provision of the facility to be lost will be available. <p>If the existing use is no longer economically viable, evidence should be provided to show that the site has been actively marketed, at the market rate current at the time, for at least 12 months and that no sale or let has been achieved during that period.</p>

DRAFT POLICY	SUMMARY
<p>WC2 Provision of new Community Facilities</p>	<p>Policy WC2 has 2 parts.</p> <p>Part A supports proposals for new or improved community facilities, subject to the following 5 criteria being met:</p> <ol style="list-style-type: none"> 1. Are of an appropriate scale, mass and form to the surrounding local area, 2. Incorporate a high standard of sustainable design, 3. Will not have a significant adverse impact on the amenity of neighbouring properties through creating unacceptable noise or other disturbance, 4. Will not cause a significant adverse traffic impact or congestion, and 5. Have satisfactory access and off-street parking without harming existing residential or other uses. <p>Part B says that new residential development should, "where applicable", provide "appropriate and proportionate" new community related facilities and infrastructure on site or make "appropriate and proportionate contributions" to "related off-site facilities and infrastructure".</p>
<i>LOCAL HISTORIC ENVIRONMENT</i>	
<p>WHE1 Non-Designated Heritage Assets</p>	<p>Policy WHE1 seeks to protect non-designated heritage assets.</p> <p>Policy WHE1 requires proposals requiring planning permission which affect a non-designated heritage asset (including, but not exclusively, buildings or structures on the Local List) to demonstrate how they "protect or enhance" that heritage asset.</p> <p>Policy WHE1 requires proposals requiring planning permission for the renovation or alteration of a non-designated heritage asset (building or structure) to be designed sensitively, and with careful regard to the heritage asset's historical and architectural interest and setting.</p> <p>Where a proposal would result in harm to the significance of a non-designated heritage asset, the scale of the harm and the significance of the asset must be balanced against the public benefits of the proposal.</p>
<i>DEVELOPMENT AND INFRASTRUCTURE</i>	
<p>WI1 Development and</p>	<p>Policy WI1 supports development proposals that demonstrate that they can provide or contribute towards the provision of appropriate</p>

DRAFT POLICY	SUMMARY
<p>Infrastructure</p>	<p>infrastructure to meet its needs in a timely manner.</p> <p>Policy W11 requires development to:</p> <ul style="list-style-type: none"> • Provide or contribute to the provision of infrastructure made necessary by that development, or • “Mitigate its impact on existing provision” where the development gives rise to the need for additional or improved infrastructure. <p>Policy W11 says that infrastructure should be provided at the appropriate time during the construction of the development. Normally, it should be provided prior to the development becoming fully operational or occupied “unless it is demonstrated that its provision after this will not have an unacceptable adverse impact on highway safety or the amenity of residents and occupiers within and adjacent to the development”. Larger developments may need to be phased to ensure this requirement can be met.</p> <p>All proposals for major development will be required to provide a statement outlining the infrastructure requirements, provision and delivery associated with that development (including that which is being provided by the infrastructure provider).</p>
<p>W12 High Quality Communications Infrastructure</p>	<p>Policy W12 has 2 parts.</p> <p>Part A says new development within the WNA should be served by full fibre broadband connections unless it can be demonstrated through consultation with the NGA Network providers that this would not be possible, practical or commercially viable. In such circumstances, suitable ducting should be provided within the site and to the property to facilitate future installation.</p> <p>The area in which the works have been carried out should be, so far as necessarily practicable, reinstated to its condition before the infrastructure was laid.</p> <p>Part B supports telecommunications installations (such as mobile phone masts), subject to the following 4 criteria being met:</p> <ol style="list-style-type: none"> 1. Siting and appearance of equipment does not have an adverse impact on the landscape and scenic beauty of the Malvern Hills Area of Outstanding Natural Beauty and its setting; 2. Siting and appearance of equipment does not have a significant adverse impact on the amenity of local residents;

DRAFT POLICY	SUMMARY
	<p>3. Equipment sited on existing buildings and structures is sympathetically designed; and</p> <p>4. Where freestanding new masts are proposed, it is demonstrated that there are no viable options for siting the equipment on or in existing buildings or structures.</p>
<p>WI3 Electric Vehicle Charging Points</p>	<p>Policy WI3 says proposals for all new development, "including change of use", must, subject to technical feasibility and viability considerations, provide an electric vehicle charging point (EVCP), either in an active or passive form, with each car parking space to be provided in line with the adopted parking standards as a result of the development.</p> <p>To be supported the location and design of the EVCP must not detract from the visual appearance and character of the building and its surroundings.</p>
<p>WI4 Surface Water Drainage and Management</p>	<p>Policy WI4 says development proposals should be designed to include sustainable drainage and water management measures.</p> <p>Policy WI4 requires all development proposals to either:</p> <ul style="list-style-type: none"> • Demonstrate that the existing "(surface) water drainage infrastructure" is adequate, or • Include improvements to that infrastructure to accommodate any additional water runoff.
<p>WI5 Foul Water Drainage</p>	<p>Policy WI5 has 3 parts.</p> <p>The first part of Policy WI5 encourages applicants to engage with the public sewerage undertaker at the earliest opportunity so that early consideration can be given to the proposed approach to foul water flows. Policy WI5 says "this could include additional consideration of the point of connection to the public sewer and the approach to any foul water pumping. It may also be necessary to co-ordinate the delivery of new development with the delivery of infrastructure improvements".</p> <p>The second part of WI5 says that surface water should only connect with the public sewer as a last resort after all other alternatives have been investigated. The policy says this is particularly important to manage the impact on the public sewerage system as surface water flows are much larger than foul flows.</p> <p>The third part of WI5 indicates that development proposals should be accompanied by a site-wide drainage strategy (including foul and surface water drainage). The third part of WI5 indicates that the strategy should be "agreed" before development on the site and development</p>

DRAFT POLICY	SUMMARY
	proposals that are brought forward on a phased basis should have regard to interconnecting infrastructure.
<p>WI6 Active Travel Corridor</p>	<p>Policy WI6 seeks to safeguard the former Malvern to Upton-upon-Severn railway line (shown on Figure 5.5) as part of a "Malvern to Upton-upon-Severn Active Travel Corridor".</p> <p>Policy WI6 supports proposals for the provision of a cycle and pedestrian route on the former railway line, subject to it not adversely harming the nature conservation and biodiversity interest along the corridor.</p> <p>Policy WI6 supports proposals that link existing public rights of way to the proposed Active Travel Corridor.</p>
<p>WI7 New Local Infrastructure and the Community Infrastructure Levy</p>	<p>Policy WI7 has 2 parts.</p> <p>The first part of Policy WI7 requires, subject to viability considerations, proposals for new development to support proposals for new or improved local infrastructure in the Parish.</p> <p>The second part of Policy WI7 says priority will be given by the Parish Council for funds that they receive through Community Infrastructure Levy to go towards the implementation of projects identified at Section 7 'Community Projects'.</p>
<i>DESIGN</i>	
<p>WD1 Design</p>	<p>Policy WD1 requires all development proposals to demonstrate that they are of a "high quality inclusive design" and are "fully integrated into the existing area" if they are to be supported.</p> <p>Policy WD1 requires development proposals, "where relevant", to meet the following 7 criteria:</p> <ol style="list-style-type: none"> 1. Respond to and reflect the local character (as set out in the Welland Design Precedents and Criteria Statement as set out in Appendix 5.5) and integrate positive local precedents within the area into their design; 2. Demonstrate how the design, scale, form and the use of materials and colour responds to best practice guidance included in i) the Malvern Hills AONB 'Guidance on Building Design', ii) 'Guidance on the Selection and Use of Colour in Development' and iii) Building for Life 12 Assessment . 3. Be of a scale and form that is compatible with the "established character of the immediate vicinity of the development". It is

DRAFT POLICY	SUMMARY
	<p>suggested that developments may reflect characteristics of the "Estatelands" or "Plotland" areas of the village.</p> <ol style="list-style-type: none"> 4. Respect the established levels of density that are characteristic of the immediate locality. However, the density of new housing developments (excluding assisted living accommodation and apartments) must not exceed 25 dwellings per hectare. 5. Provide acceptable external amenity space. New housing developments (excluding assisted living accommodation and apartments) to have a minimum external amenity space (e.g. rear garden) of 100sqm or 1.5 times the footprint of the dwelling whichever is greater. Amenity space to the front of dwellings to be a minimum of 4m in depth. 6. Incorporate, but minimise the visual impact of, waste storage for recycling and recovery. 7. Include landscaping schemes which i) take account of the setting of the development and ii) seek to establish sustainable enhancements to landscape character and biodiversity net gain. <p>Policy WD1 says that developers/applicants should consult the Parish Council prior to submission of planning applications.</p>
<p>WD2 Movement and Access</p>	<p>Policy WD2 requires all development proposals (including change of use) to meet the following 5 criteria:</p> <ol style="list-style-type: none"> 1. Have adequate vehicular access arrangements onto the highway; 2. Be appropriate in terms of impact on the local highway network in terms of capacity and road safety; 3. Provide vehicular and cycle parking in accordance with standards adopted by Worcestershire County Council; 4. Be, or have the potential to be, accessed by public transport or "alternative non-car modes of travel"; and 5. Design of proposed roads, pavements and cycle routes to create a safe and efficient layout for all users including the mobility impaired, pedestrians and cyclists and for emergency service and refuse vehicles. <p>Where relevant (which will be dependent on the scale of development) planning applications to be accompanied by either a Design and Access Statement or a Transport Statement setting out how the 5 criteria are to</p>

DRAFT POLICY	SUMMARY
	be met.
<i>HOUSING LAND</i>	
<p>WH1 Housing Mix</p>	<p>Policy WH1 requires all new housing development proposals of 5 units or more to demonstrate that they provide the type, size and tenure of housing to meet local housing need, subject to viability considerations.</p> <p>Applicants should take account of the requirements of the most up-to-date local Housing Needs Survey and/or Strategic Housing Market Assessment or provide their own assessment of how their proposals meet local housing needs.</p> <p>It is indicated that there is currently a significant need in Welland for:</p> <ul style="list-style-type: none"> • Two bed properties. • Social housing including shared ownership and affordable rent.
<p>WH2 New Residential Development beyond the Development Boundary</p>	<p>Policy WH2 supports housing development beyond the Welland Village Development Boundary (shown at Figure 5.1) and the housing allocation (see policy WH3), subject to 5 criteria being met:</p> <ol style="list-style-type: none"> 1. Dwelling clearly necessary for use by rural workers including persons employed in agriculture, horticulture, forestry or a rural enterprise; or 2. Affordable housing on an exception site to meet identified local need; or 3. A replacement of an existing dwelling with established use rights and where the replacement dwelling is not disproportionately larger than the existing dwelling and does not exceed the original footprint by 30%; or 4. Representing the optimum viable use of a heritage asset or it would enable the future of a heritage asset to be secured; and 5. Is of exceptional quality or innovative nature. <p>Proposals with the Malvern Hills AONB are required to demonstrate that they conserve and enhance its landscape and scenic beauty.</p> <p>Extensions to existing dwellings would be supported, subject to them being subordinate to, and do not dominating the character and appearance of the original dwelling.</p> <p>The subdivision of existing residential dwellings would be supported,</p>

DRAFT POLICY	SUMMARY
	<p>subject to 2 criteria being met:</p> <ul style="list-style-type: none"> • there being no resulting additional on-road car parking, and • there being no adversely harmful impact on the area's visual amenity and landscape character. <p>The conversion and re-use of redundant or disused buildings would be supported, subject to 2 criteria being met:</p> <ul style="list-style-type: none"> • there being an enhancement to the building's immediate setting, and • there being no need for substantial reconstruction and large extensions.
<p>WH3A Land north of Cornfield Close</p>	<p>Policy WH3A proposes the allocation of 19 dwellings on 1.4 hectares of land north of Cornfield Close (Figure 5.6).</p> <p>The site is adjacent to, and additional to, an existing site which has planning permission for 14 dwellings.</p> <p>The land north of Cornfield Close is 3.72ha (gross) and comprises the proposed allocation site (1.4ha), a landscape buffer zone, flood storage area and recreational open space (1.32ha) and an adjacent parcel of land (1ha) with existing planning permission for 14 dwellings.</p> <p>Policy WH3A proposes that the 19 dwellings will comprise the following housing type and tenure:</p> <ol style="list-style-type: none"> 1. All to be single storey/bungalows; 2. At least 80% of dwellings (i.e., at least 16) should be one and two bed homes to help meet the identified local need; and 3. At least 40% of dwellings (i.e., at least 8 dwellings) should be affordable housing and provided on site to help meet identified local need. <p>Development on the site will also need to address all of the following issues:</p> <ol style="list-style-type: none"> 4. Make provision for publicly accessible Green Infrastructure of at least 40% of the gross site area of the residential allocation (0.56ha) and 1.32ha to the north of the site to facilitate the integration of the development within the AONB, retain existing landscape and biodiversity features and provide wider environmental, social and economic benefits including a sustainable drainage system to manage fluvial flood risk and

DRAFT POLICY	SUMMARY
	<p>surface water discharge.</p> <ol style="list-style-type: none"> 5. Demonstrate through a landscape and visual impact assessment that the scale, height and massing of the proposed development is appropriate to its AONB location and protects views to and from the Malvern Hills having regard to the Malvern Hills AONB 'Guidance on Building Design'; 'Guidance on Identifying and Grading Views and Viewpoints' and Guidance on how Development can Respect Landscape in Views'. 6. The colour of materials for buildings, boundary treatments and other structures associated with the proposed development should have regard to the Malvern Hills AONB Guidance on the Selection and Use of Colour in Development. 7. Demonstrate through a transport statement that the proposed development complies with Worcestershire County Council's Design Guide and that it provides safe walk and cycle access from the site to key local facilities and services.
<p>WH3B Land adjacent Church Farm, Drake Street</p>	<p>Policy WH3B proposes the allocation of 5 dwellings on 0.32 hectares of land adjacent to Church Farm, Drake Street (Figure 5.7).</p> <p>Policy WH3B proposes that the 5 dwellings will comprise the following housing type and tenure:</p> <ol style="list-style-type: none"> 1. At least 80% of dwellings (i.e., at least 4 dwellings) should be one and two bed homes to help meet the identified local need; and 2. At least 20% of dwellings (i.e., at least 1 dwelling) should be affordable housing and provided on site to help meet identified local need. <p>Development on the site will also need to address all of the following issues:</p> <ol style="list-style-type: none"> 1. Make provision for publicly accessible Green Infrastructure of at least 20% of the gross site area (0.06ha) to facilitate the integration of the development on a site within the setting of the AONB, retain existing landscape and biodiversity features and provide wider environmental, social and economic benefits including a sustainable drainage system to manage surface water discharge. Further, proposals should iv) seek to link the site's Green Infrastructure with the adjacent Green Infrastructure to the south including opening it up to public access. 2. The scale, height and massing of the proposed development

DRAFT POLICY	SUMMARY
	<p>should be appropriate to the site's setting to the AONB and protect views to and from the Malvern Hills having regard to the Malvern Hills AONB 'Guidance on Building Design'; 'Guidance on Identifying and Grading Views and Viewpoints' and 'Guidance on how Development can Respect Landscape in Views'.</p> <ol style="list-style-type: none"> 3. The colour of materials for buildings, boundary treatments and other structures associated with the proposed development should have regard to the Malvern Hills AONB Guidance on the Selection and Use of Colour in Development. 4. The form, scale, height and layout of the proposed development must take account of the proximity of adjacent properties particularly the housing located to the north which is close to or adjoining the site's northern boundary and ensure that the amenity and privacy of existing residents is maintained by providing the appropriate interfaces between properties, planting and other design features. 5. Provision to be made for safe and suitable vehicular, pedestrian and cycle access onto Drake Street for all users. Opportunities to consolidate and enhance the existing access to Church Farm to be examined. 6. Consideration to be given to the setting of the Grade II listed Lawn Farmhouse to the east of the site.
LOCAL ECONOMY	
<p>LE1 New Micro and Small Business Development</p>	<p>Policy LE1 supports development proposals for new small-scale office, studio or light industrial space (Use Class B1) and small-scale shops and service outlets (Use Class A1, A2 & A3), subject to the following 4 criteria being met:</p> <ol style="list-style-type: none"> 1. The use can be accommodated by converting an existing outbuilding without the need for sizeable extensions; 2. The use can be accommodated within the site through a new building of an appropriate scale, size, mass and height and of a design which respects its local context; 3. The use can will not have a significant adverse impact on the amenity of local residents; and 4. The proposal has satisfactory access and off-street parking without harming existing residential or other uses.

DRAFT POLICY	SUMMARY
	<p>Proposals within the Malvern Hills AONB would need to demonstrate that they conserve and enhance its landscape and scenic beauty.</p> <p>In the case of the expansion of an existing business within the open countryside, it should be demonstrated that intensification of the existing site is not viable or practical.</p>
<p>LE2 Homeworking</p>	<p>Policy LE2 has 2 parts. Part 1 appears to relate to existing dwellings and part 2 relates to new dwellings</p> <p>Part 1 of Policy LE2 supports proposals for the provision of accommodation for home-based working, subject to the following 2 criteria being met:</p> <ul style="list-style-type: none"> • they do not compromise internal space standards, and • they do not have an unacceptable adverse impact on residential amenity or highway safety. <p>Part 2 of Policy LE2 proposes that all new residential development should be served by full fibre ultrafast broadband connections unless it can be demonstrated through consultation with the NGA Network providers that this would not be possible, practical or commercially viable.</p>

1.5 STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) PROCESS

The basis for Strategic Environmental Assessment (SEA) legislation is European Directive 2001/42/EC which was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations. Detailed guidance on these Regulations can be found in the Government publication "A Practical Guide to the Strategic Environmental Assessment Directive" (OPDM 2005).

The SEA process aims to ensure that likely significant environmental effects arising from a Plan are identified, assessed, mitigated, communicated and monitored, and that opportunities for public involvement are provided. It enables environmental considerations to be accounted for in decision-making throughout the production of a Plan in an integrated manner.

Figure 2 sets out the screening procedure and how a plan should be assessed against the SEA Directive criteria. This outline procedure has then been applied to the draft Welland Neighbourhood Plan in Table 1.

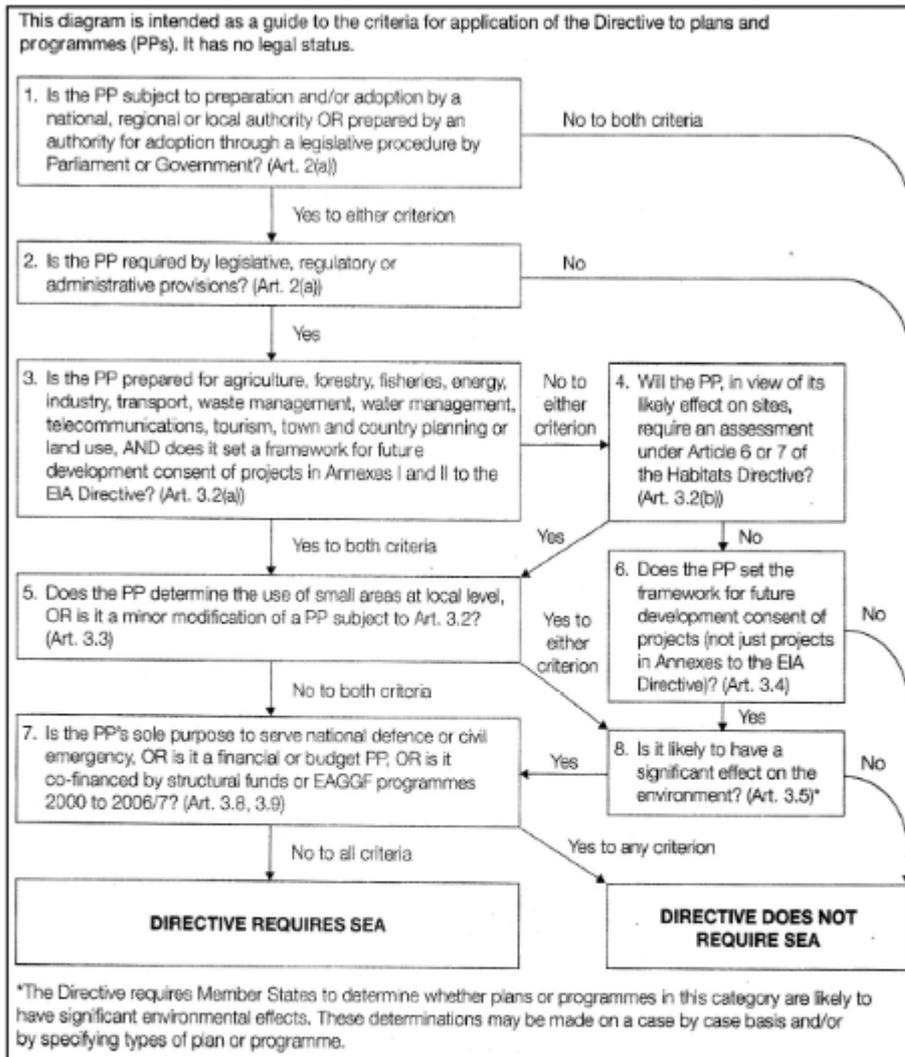


Figure 2 – Application of the SEA Directive to Plans and Programmes

Table 1: Assessment of the draft Welland Neighbourhood Plan using SEA Directive Criteria

Stage	Y/N	Reason
1. Is the Welland Neighbourhood Plan subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Y	This is a Neighbourhood Plan that is being prepared by a qualifying body the Localism Act 2011. If the Plan is passed by means of an Examination and Referendum, it will be formally adopted by the Local Planning Authority. It will then form part of the local development framework and be afforded significant weight in planning decisions.
2. Is the Welland Neighbourhood Plan required by legislative, regulatory or administrative provisions? (Art. 2(a))	N	Neighbourhood Plans are not mandatory requirements, and the Welland Neighbourhood Plan is being prepared voluntarily by the local qualifying body in line with the provisions of the Localism Act. If the Plan is adopted, however, it will form part of the statutory development plan, and it is therefore considered necessary to answer the following questions to determine if a SEA is required.
3. Is the Welland Neighbourhood Plan prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	Y	The Plan is prepared for town and country planning and sets out a framework for future development consent of projects, including the allocation of a specific area of land for development.
4. Will the Welland Neighbourhood Plan, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))	N	See Screening Opinion for HRA in Section 3 of this report.
5. Does the Welland Neighbourhood Plan determine the use of small areas at local level, OR is it a minor modification of a	Y	The Welland Neighbourhood Plan is made up of a number of policies which, when adopted, will form part of the Local Development Framework and so will have significant

PP subject to Art. 3.2? (Art. 3.3)		weight in planning decisions.
6. Does the Welland Neighbourhood Plan set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)	Y	When adopted, the Welland Neighbourhood Plan will be a statutory planning document. It will form part of the Local Development Framework and so will have significant weight in planning decisions. The responsibility for issuing development consent will remain with the Local Authority.
7. Is the Welland Neighbourhood Plan's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)	N	Not Applicable
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	Y	The Welland Neighbourhood Plan could potentially have a significant effect on the environment, mainly owing to the proposed housing allocations at Policies WH3A and WH3B. To investigate the likelihood of potential impacts further a case-by-case assessment has been conducted, the full results of which can be found in Table 2.

Based upon the initial screening carried out against the criteria in Table 1 above, the draft Welland Neighbourhood Plan could potentially have a significant effect on the environment. To explore these potential effects further, a case-by-case assessment has been conducted. The criteria used in the undertaking of such an assessment are drawn from Article 3.5 (Annex II) of the SEA directive, and the results are shown in Table 2.

1.6 HABITATS REGULATIONS ASSESSMENT (HRA) PROCESS

The Habitats Regulations Assessment (HRA) refers to the assessment required for any plan or project to assess the potential implications for European wildlife sites. The HRA therefore looks at whether the implementation of the plan or project would harm the habitats or species for which European wildlife sites are designated. The relevant European wildlife site designations are Special Protection Areas (SPAs) and Special Areas of Conservation (SACs), which together form part of the Natura 2000 network.

In addition to SPAs and SACs, Ramsar sites are also designated areas which, as a matter of government policy, are to be treated in the same way as European wildlife sites (although they are not covered by the Habitats Regulations). European wildlife sites and Ramsar sites are collectively known as internationally designated wildlife sites.

The legislation sets out a process to assess the potential implications of a plan on internationally designated wildlife sites. The first stage of this process is a screening exercise where the details of nearby internationally designated sites are assessed to see if there is the potential for the implementation of the plan to have an impact.

2. SEA SCREENING

2.1 SEA SCREENING ASSESSMENT

European Directive 2001/42/EC requires a full Strategic Environmental Assessment to be undertaken for certain types of plans and programmes that would have a significant environmental effect.

Table 2 below provides the screening determination of the need to carry out a full Strategic Environmental Assessment for the draft Welland Neighbourhood Plan. This has been made in accordance with the Regulations and will be subject to consultation with the strategic environmental bodies before Malvern Hills District Council makes its determination on the necessity for a full Strategic Environmental Assessment.

Table 2 – The Environmental Assessment of Plans and Programmes Regulations 2004: Schedule 1 - Criteria for determining the likely significance of effects on the environment.

Criteria for determining the likely significance of effects (SEA Directive, Annex II)	Likely to have significant environmental effects?	Summary of significant events
1(a) the degree to which the draft Welland Neighbourhood Plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	YES	The Welland Neighbourhood Plan would, if adopted, form part of the statutory Development Plan and as such would contribute to the framework for future development consent of projects.
1(b) the degree to which the draft Welland Neighbourhood Plan influences other plans and programmes including those in a hierarchy;	NO	Other than the additional housing allocations proposed in the draft Welland Neighbourhood Plan, the policies are considered to be in general conformity with the South Worcestershire Development Plan (SWDP) , and will be used alongside this document and any subsequently adopted review of the SWDP, in the determination of planning applications when formally 'made' (adopted).
1(c) the relevance of the draft Welland Neighbourhood Plan for the integration of environmental considerations in particular with a	NO	The policies of the draft Welland Neighbourhood Plan are not considered to have a significant impact on the integration of

Criteria for determining the likely significance of effects (SEA Directive, Annex II)	Likely to have significant environmental effects?	Summary of significant events
view to promoting sustainable development;		environmental considerations.
1(d) environmental problems relevant to the draft Welland Neighbourhood Plan;	NO	The draft Welland Neighbourhood Plan is more likely to promote environmental sustainability than create any environmental problems.
1(e) the relevance of the draft Welland Neighbourhood Plan for the implementation of community legislation on the environment (for example, plans and programmes linked to waste management and water protection);	NO	The policies of the draft Welland Neighbourhood Plan are not considered to be relevant to the implementation of EC legislation.
2(a) the probability, duration, frequency and reversibility of the draft Welland Neighbourhood Plan;	NO	It is considered unlikely that there will be any irreversible damaging environmental impacts associated with the draft Welland Neighbourhood Plan. The plan features policies which seek to protect and enhance the natural and built environment, and the plan is therefore likely to result in beneficial rather than damaging effects.
2(b) the cumulative nature of the effects of the draft Welland Neighbourhood Plan;	NO	The policies of the draft Welland Neighbourhood Plan are unlikely to have any significant cumulative negative environmental impacts.
2(c) the transboundary nature of effects of the draft Welland Neighbourhood Plan;	NO	The draft Welland Neighbourhood Plan is unlikely to have any significant negative environmental impacts on adjoining Parishes.
2(d) the risks to human health or the environment (for example, due to accidents) due to the draft Welland Neighbourhood Plan;	NO	It is considered that there will be no additional risk to human health or the environment as a result of the draft Welland Neighbourhood Plan.
2(e) the magnitude and spatial extent of the effects (geographical	NO	The policies of the Neighbourhood Plan apply to the entirety of Welland

Criteria for determining the likely significance of effects (SEA Directive, Annex II)	Likely to have significant environmental effects?	Summary of significant events
area and size of the population likely to be affected);		parish and are unlikely to significantly affect areas beyond the Neighbourhood Area boundary.
2(f) the value and vulnerability of the area likely to be affected due to: <ul style="list-style-type: none"> (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use; and 	NO	The draft Welland Neighbourhood Plan will not have any substantial impact on these factors.
2(g) the effects on areas or landscapes which have a recognised national, community or international protection status.	NO	The policies of the draft Welland Neighbourhood Plan are unlikely to have a negative impact on any environmental designations in the Neighbourhood Area.

2.2 SEA SCREENING OPINION

Table 2 assesses the likelihood of significant environmental effects arising from the draft Welland Neighbourhood Plan in its current form.

In general, the policies and proposed allocation in the draft Welland Neighbourhood Plan are in-line with the strategy of the adopted SWDP, which has been subject to a Sustainability Appraisal incorporating a Strategic Environmental Assessment.

The policies of the draft Welland Neighbourhood Plan seek to avoid or minimise environmental effects through the provision of guidance on issues which are specific to the neighbourhood area. It is therefore likely that the draft Welland Neighbourhood Plan will have, both directly and indirectly, a positive environmental impact rather than negative, by setting out guidance addressing how developers can minimise impacts on a number of environmental receptors.

The emerging plan does, however, identify two new potential housing allocations for 19 and 5 dwellings respectively. These proposed allocations are over and above those in the SWDP, and as such it is considered that it may require a full SEA to be undertaken.

3. HRA SCREENING

3.1 HRA SCREENING ASSESSMENT

There are no internationally designated wildlife sites within the Welland Neighbourhood Area. For the purposes of this screening assessment, sites that fall within a 20km radius are also considered. There are three sites identified within this range – Bredon Hill SAC, Lyppard Grange SAC and Dixton Wood SAC which are approximately 13.5km east, 17.5km north-east and 19km south-east of the Welland Neighbourhood Area respectively.

Bredon Hill SAC is an area of pasture woodland and ancient parkland situated approximately 4.5km south-west of Evesham. The site provides habitat for the Violet Click Beetle *Limoniscus Violaceus*, which develops in the decaying wood either of very large, old hollow beech trees (Windsor Forest) or ash trees (Worcestershire and Gloucestershire border sites). Currently the key site attributes which Natural England understands the species to require is related to the abundance and condition of the ancient trees on the designated site within which it develops.

Lyppard Grange Ponds SAC is located on the eastern outskirts of Worcester, situated amongst a recent housing development on former pastoral farmland. The site comprises two ponds in an area of grassland and scrub (public open space). The site provides habitat for Great Crested Newts *Triturus Cristatus*, which are dependant on both the existing terrestrial habitat (to provide foraging areas and refuge) and on the aquatic habitat (for breeding).

Dixton Wood SAC is located approximately 6.7km to the south east of Tewkesbury and is an area of broadleaved woodland (formerly partially grazed) with a dominance of ash including exceptionally large ancient pollards. The site is designated for its population of Violet Click Beetle *Limoniscus violaceaus*, which is largely dependent on these pollards (for breeding). Principal risks to the site's integrity are lack of future replacement pollards (age-class skewed to older generation) and game management practices.

The potential impact of development on these sites was examined by a full HRA as part of the production of the South Worcestershire Development Plan (SWDP). The HRA screening of the SWDP concluded that there was uncertainty with regard to the potential for significant effects on two sites as a result of increased disturbance, in particular due to increased recreational activity. Concerns were raised specifically relating to the Lyppard Grange SAC and the potential impact of proposed development on water levels and quality.

As a result of the concerns raised, a full Appropriate Assessment (AA) was conducted (this can be viewed on the SWDP website – www.swdevelopmentplan.org). The AA concluded that the policies of the SWDP (including land allocations) were not likely to have adverse effects on the integrity of Bredon Hill SAC, Lyppard Grange SAC or Dixton Wood SAC. In addressing concerns relating to possible increased disturbance at the SACs, it was concluded that the location of the sites in relation to proposed developments and also the availability of more suitable areas of open space for recreation in close proximity would keep potential impacts to a minimum. It was also considered that the policies of the SWDP would

sufficiently mitigate the potential impact of proposed developments on the water environment, leading to minimal effect on the SAC sites.

The policies in the draft Welland Neighbourhood Plan are considered to be in general conformity with the SWDP, and although the draft Plan does propose additional land allocations over and above those in the SWDP, the scale of such allocations are considered small enough not to have an impact on any internationally designated wildlife sites. With this and the SWDP AA in mind, it is considered that the draft Welland Neighbourhood Plan will have no negative impact on internationally designated wildlife sites.

3.2 HRA SCREENING OPINION

As a result of the above assessment, it is considered that the policies of the draft Welland Neighbourhood Plan are in general conformity with those contained in the SWDP. Although the draft Welland Neighbourhood Plan does deviate from the land allocations contained within the SWDP, the level of such allocations are considered small enough not to have an impact on internationally designated wildlife sites. It is therefore concluded that the draft Welland Neighbourhood Plan is unlikely to have a negative impact on any internationally designated wildlife sites and as such, the recommendation is made that a full AA is not required.

4. CONCLUSIONS

The preceding assessment exercises have examined whether the draft Welland Neighbourhood Plan is likely to require a full Strategic Environmental Assessment or a Habitats Regulation Assessment Appropriate Assessment.

The SEA screening exercise featured in Section 2 concludes that the draft Welland Neighbourhood Plan may require a full Strategic Environmental Assessment to be undertaken. This is because the Neighbourhood Plan proposes land allocations for development over and above those featured in the SWDP.

The HRA screening exercise featured in Section 3 concludes that the draft Welland Neighbourhood Plan does not require a full Habitats Regulation Assessment Appropriate Assessment to be undertaken. There are no internationally designated wildlife sites within the Welland Neighbourhood Area, with Bredon Hill SAC, Lyppard Grange SAC and Dixon Wood SAC falling within a 20km radius. The impact on these sites as a result of the land allocations contained within the SWDP has been assessed in the SWDP HRA AA, and although the draft Welland Neighbourhood Plan does deviate, the level of such allocations are considered small enough to conclude that it is unlikely to have a negative impact on any internationally designated wildlife sites and as such, the recommendation is made that a full AA is not required.

Both of the above-mentioned recommendations were subject to consultation with the statutory environmental bodies (i.e. the Environment Agency, Historic England and Natural England) before a formal decision was made on the requirement of a full SEA and HRA AA. The five week consultation period ran from Friday 11 September until 5pm on Friday 16 October 2020. The responses to the consultation and subsequent internal correspondence can be found at Appendix 1.

On the requirement for a full SEA, the Environment Agency and Natural England concluded that the draft Welland Neighbourhood Plan was unlikely to give rise to a significant impact on a European site and as such a full SEA was not required, whilst Historic England deferred to the advice of Malvern Hills District Council's own Archaeology and Conservation Officers. The advice received from Malvern Hills District Council's Archaeology and Planning Adviser and Senior Conservation Officer can be found at Appendix 1, but in summary it was determined that a full SEA would not be required.

On the requirement for a HRA AA, the statutory environmental bodies unanimously agreed that a HRA AA was not required.

**APPENDIX 1 - CONSULTATION RESPONSES AND
SUBSEQUENT INTERNAL CORRESPONDENCE**

Planning Policy
Malvern and Wychavon District Councils
Civic Centre
Queen Elizabeth Drive
Pershore
Worcestershire
WR10 1PT

Our ref: SV/2010/104075/SE-
07/DS1-L01

Your ref:

Date: 13 October 2020

F.A.O: Reiss Sadler

Dear Sir

**WELLAND DRAFT NEIGHBOURHOOD PLAN - STRATEGIC ENVIRONMENT
ASSESSMENT (SEA) AND HABITATS REGULATIONS ASSESSMENT (HRA)
SCREENING OPINION CONSULTATION.**

Thank you for referring the above consultations, which were received on 11 September 2020. We would offer the following comments to assist your consideration at this time.

Strategic Environmental Assessment: The European Union directive 200142/EC requires a SEA to be undertaken for certain types of plans and programmes that would have 'significant' environmental effect(s). Furthermore paragraph: 046 in the Flood Risk and Coastal Change section of the National Planning Practice Guidance (NPPG) (Reference ID: 11-046-20150209) states "a strategic environmental assessment may be required, for example, where:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan is likely to have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan".

Whilst, in consideration of the matters within our remit, the Neighbourhood Plan is considered unlikely to have significant environmental impacts we note that a full SEA may be required as the Plan deviates from land allocations made within the SWDP.

Habitats Regulation Assessment: Article 6(3) of the European Habitats Directive (1992) requires that any plan (or project), which is not directly connected with or necessary to the management of a European site (also known as a "Natura 2000" site), but would be likely to have a significant effect on such a site, either individually or in combination with other plans or projects, shall be subject to an 'appropriate assessment' of its implications for the European site in view of the site's conservation objectives.

Environment Agency
Newtown Industrial Estate (Riversmeet House) Northway Lane, Tewkesbury, Gloucestershire, GL20 8JG.
Customer services line: 03708 506 506

www.gov.uk/environment-agency

Cont/d..

To assist your Council's determination of the HRA Screening opinion, we advise that based on the Screening Report submitted, and in consideration of the matters within our remit, the Neighbourhood Plan is considered unlikely to have significant effects on the European designated sites.

Going Forwards: We sent your Council a copy of our Neighbourhood Plan pro-forma guidance for distribution to Parish Councils. The purpose of the guidance is to assist the preparation of Neighbourhood Development Plans, including an appropriate evidence base. This includes consideration of some of the relevant environmental issues that should be considered, including flood risk (from rivers and sea), water quality, water resources and includes latest Climate Change recommendations for flood risk.

For each proposed site allocation, we recommend completing the pro-forma to check the environmental constraints. This will help collect evidence, identify challenges, inform policy and assist delivery of sustainable solutions.

We note the proposed housing allocation for 19 dwellings (Policy WH3A: Land north of Cornfield Close). As shown in Figure 5.6, it would appear the area currently highlighted for housing is shown to be located in Flood Zone 1 (Low Risk Zone) in accordance with our Flood Map for Planning (Rivers and Sea). The northern area of the site which is shown to be located in Flood Zone 3 (High Risk Zone) appears to be set aside as a landscape buffer and for flood storage. Part of this area is also shown to be located upon a historic landfill site.

(Policy WH3B: Land adjacent Church Farm, Drake Street), which is allocated for a residential development of 5 dwellings, is shown to be located in Flood Zone 1.

Regards to any additional housing allocations proposed within the draft Plan we would only make substantive further comments if the Plan was seeking to allocate sites for development in Flood Zones 3 and/or 2 (the latter being used as the 1% climate change extent).

Furthermore, we do not offer detailed bespoke advice on policy but advise you ensure conformity with your Local Plan and refer to our guidance. This might assist with your consideration of a local environmental enhancements or improvement policies that may be necessary.

I trust that the above is of use to you at this time.

Yours faithfully

Mrs Anita Bolton
Planning Advisor

Direct dial [REDACTED]

Direct e-mail [REDACTED]

End

2

From: Reiss Sadler [REDACTED]
Sent: 26 November 2020 07:43
To: Bolton, Anita [REDACTED] >
Cc: David Clarke [REDACTED] >
Subject: RE: WELLAND DRAFT NEIGHBOURHOOD PLAN - STRATEGIC ENVIRONMENT ASSESSMENT (SEA) AND HABITATS REGULATIONS ASSESSMENT (HRA) SCREENING OPINION CONSULTATION.

Dear Mrs Bolton,

Thank you for your response dated 13th October regarding the need for a SEA / HRA in relation to the draft Welland Neighbourhood Plan.

The reason for my email is to seek confirmation that our interpretation of your response is correct – namely, that in consideration of the matters within the Environment Agency's remit, the Welland Neighbourhood Plan is unlikely to have significant environmental impacts.

The Welland Neighbourhood Plan proposes 2 sites for housing which are not included in the South Worcestershire Development Plan - Policy WH3A for 19 dwellings on part of the land north of Cornfield Close which is in Flood Zone 1, and Policy WH3B for 5 dwellings on land adjacent Church Farm, Drake Street, which is also in Flood Zone 1.

The reason for seeking clarification is that your response said *"whilst, in consideration of the matters within our remit, the Neighbourhood Plan is considered unlikely to have significant environmental impacts"* the response then added that *"we note that a full SEA may be required as the Plan deviates from land allocations made within the SWDP"*.

In light of the above, I would be grateful if you could confirm please whether in consideration of the matters within the Environment Agency's remit, the Welland Neighbourhood Plan is likely to have significant environmental impacts and is likely to require a full SEA.

Yours sincerely,

Reiss

Reiss Sadler BSc (Hons), MA
Planning Officer (Policy)
Malvern Hills and Wychavon District Councils
Civic Centre
Queen Elizabeth Drive
Pershore
WR10 1PT
Tel: [REDACTED]



Thu 26/11/2020 08:58

Good Morning Reiss and apologies for any confusion my response referenced below has caused.

To clarify, yes you are correct in your interpretation of our response when I stated "in consideration of the matters within the Environment Agency's remit, the Welland Neighbourhood Plan is unlikely to have significant environmental impacts".

I was just pointing out that I noted from the report that **they** consider one may be required as it is deviating from the plan, however I can see how this could read. To re-iterate from our perspective we do not require an SEA to be undertaken.

I trust the above clarifies our position, however please don't hesitate to contact me if still unclear.

Kind regards,

Anita

Anita Bolton
Planning Advisor, Sustainable Places
Shropshire, Herefordshire, Worcestershire and Gloucestershire
Environment Agency – West Midlands Area

 Ext:



[REDACTED] / Team email: [REDACTED]
[REDACTED]

 Riversmeet House, Newtown Industrial Estate, Northway Lane, Tewkesbury, Gloucestershire, GL20 8JG

Creating a better place
for people and wildlife





Mr Reiss Sadler
Wychavon District Council
Civic Centre
Queen Elizabeth House
Pershore
Worcestershire
WR10 1PT

Direct Dial: [REDACTED]

Our ref: PL00714842

14 October 2020

Dear Mr Sadler

WELLAND NEIGHBOURHOOD PLAN- SEA AND HRA SCREENING

Thank you for your consultation and the invitation to comment on the SEA and HRA Screening Document for the above Neighbourhood Plan.

For the purposes of consultations on SEA Screening Opinions, Historic England confines its advice to the question, "Is it likely to have a significant effect on the environment?" in respect of our area of concern, cultural heritage.

Our comments are based on the information supplied with the screening request. On the basis of the information supplied and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of the 'SEA' Directive], Historic England concurs with your view that the preparation of a Strategic Environmental Assessment may be required.

Regarding HRA Historic England does not disagree with your conclusions but would defer to the opinions of the other statutory consultees.

The views of the other statutory consultation bodies should be taken into account before the overall decision on the need for a SEA is made. If a decision is made to undertake a SEA, please note that Historic England has published guidance on Sustainability Appraisal / Strategic Environmental Assessment and the Historic Environment that is relevant to both local and neighbourhood planning and available at: <https://www.historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/>

I trust the above comments will be of help in taking forward the Neighbourhood Plan.

Yours sincerely,

P. Boland

Peter Boland
Historic Places Advisor

CC:



THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TF

Telephone: [REDACTED]
HistoricEngland.org.uk



Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any information held by the organisation can be requested for release under this legislation.

-----Original Message-----

From: Reiss Sadler [REDACTED]
Sent: 20 October 2020 12:24
To: Boland, Peter
Cc: Saint, Clare; David Clarke
Subject: RE: Historic England advice on case PL00714842

THIS IS AN EXTERNAL EMAIL: do not click any links or open any attachments unless you trust the sender and were expecting the content to be sent to you
Dear Peter,

Welland Neighbourhood Plan – SEA and HRA Screening Opinion

Thank you for your response dated 14th October regarding the SEA / HRA Screening Opinion for the Welland Neighbourhood Plan.

Your response says that Historic England consider that the preparation of a Strategic Environmental Assessment may be required. Your response does not, however, explain what draft policies in the draft Welland NDP may have significant environmental impacts on matters within Historic England's remit.

Planning Practice Guidance says that a SEA "should focus on the environmental impacts which are likely to be significant. It does not need to be done in any more detail, or using more resources, than is considered to be appropriate for the content and level of detail in the neighbourhood plan".

The draft Welland Neighbourhood Plan proposes two site allocations - on land north of Cornfield Close (for 19 dwellings) and on land adjacent to Church Farm, Drake Street (5 dwellings). The Cornfield Close site is 180m from the nearest Listed Building whilst the Drake Street proposal for 5 dwellings is 80m from Lawn Farmhouse a Grade II Listed Building. Is it either of these site allocations, or other policies, that Historic England consider may trigger the need for a SEA?

In light of the above could you please clarify which policies in the draft policies Welland NDP may have significant environmental impacts on matters within Historic England's remit.

Yours sincerely,

Reiss

Reiss Sadler BSc (Hons), MA
Planning Officer (Policy)
Malvern Hills and Wychavon District Councils
Civic Centre
Queen Elizabeth Drive
Pershore
WR10 1PT
[REDACTED]

From: Boland, Peter [REDACTED] >
Sent: 27 November 2020 11:28
To: Reiss Sadler [REDACTED] >
Cc: Saint, Clare [REDACTED] >; David Clarke [REDACTED]
Subject: Welland Neighbourhood Plan- Historic England advice on case PL00714842

Dear Reiss,

You ask for clarification of our recent response to the SEA Screening document provided by Wychavon Council for Welland Neighbourhood Plan which I am happy to provide. I would first though like to respectfully point out that confusion is likely to arise if (as in a number of recent instances) Screening Opinions are provided to consultees which do not in fact contain a definitive opinion but rather surmise that SEA "may" be needed. This issue is compounded when the reasoning behind the conclusion reached is not explained.

We made the assumption in our response that your conclusion related to the fact that the allocated development sites (land north of Cornfield Close and land adjacent to Church Farm) have not been subject to detailed appraisal as part of the South Worcestershire Development Plan (SWDP) and therefore their likely environmental impact had not been fully assessed. SEA could clearly mitigate against that. We do consider that the onus is upon yourselves or the neighbourhood plan steering group as the "qualifying body" to arrive at a definitive conclusion in that respect having considered the likely impacts of the site allocations upon all aspects of the environment.

That said, I can confirm that as regards Historic England's principal area of concern there are no nationally designated heritage assets within close proximity of the allocated sites that appear likely to be adversely affected by its redevelopment and that might accordingly trigger the need for SEA. We advise that you consult your own specialist built environment and archaeology advisers as to any impacts that development may have on the wider more local historic environment and base your judgment as to whether SEA is required for that aspect on their advice and upon your wider analysis of the whole range of other potential environmental impacts.

I hope this is helpful to you and allows you to move forward with the Plan.

Best Wishes,

Pete Boland.

Historic Places Adviser | West Midlands
Historic England | The Axis
10 Holliday Street | Birmingham B1 1TF

Tel: [REDACTED]

Date: 15 October 2020
Our ref: 329668
Your ref: Welland SEA and HRA Screening



Reiss Sadler
Malvern Hills and Wychavon District Councils
Civic Centre
Queen Elizabeth Drive
Pershore
WR10 1PT

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

BY EMAIL ONLY

Dear Mr Sadler,

Welland Neighbourhood Plan - Strategic Environment Assessment (SEA) and Habitats Regulations Assessment (HRA) Screening Opinion

Thank you for your consultation on the above dated 11th September 2020 which was received by Natural England on the same day.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Strategic Environmental Assessment Screening

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.

Guidance on the assessment of Neighbourhood Plans, in light of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), is contained within the [National Planning Practice Guidance](#). The guidance highlights three triggers that may require the production of an SEA, for instance where:

- A neighbourhood plan allocates sites for development
- The neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- The neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

Habitats Regulations Assessment Screening

Natural England welcomes the consideration given to the Habitats Regulations. We agree with the conclusion of the report of no likely significant effect upon the named European designated site:

- Bredon Hill Special Area of Conservation (SAC)
- Lyppard Grange Special Area of Conservation (SAC)
- Dixton Wood Special Area of Conservation (SAC)

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any new consultations, or to provide further information on this consultation please send your correspondences to [REDACTED]

Yours sincerely

Victoria Kirkham
Consultations Team

From: David Clarke [REDACTED]
Sent: 20 June 2022 13:25
To: Sarah Lowe [REDACTED]; Aidan Smyth [REDACTED]
Subject: Welland NDP - Significant Environmental Effect on Historic Environment?
Importance: High

Hello Sarah & Aidan,

I am writing to ask whether, in your opinion, the two proposed housing allocations in the draft Welland Neighbourhood Plan (see details below) are likely to have a significant environmental effect on the historic environment at Welland.

1. Land north of Cornfield Close, Welland

The proposed allocation is for approximately 19 dwellings on a 1.38 hectare site on land north of Cornfield Close – see map below. Further details can be found on pages 77 – 79 of the Regulation 14 version of the Neighbourhood Plan – which is attached for information.



2. Land adjacent to Church Farm, Drake Street, Welland

The proposed allocation is for 5 dwellings on a 0.32 hectare site on land adjacent to Church Farm, Drake Street – see map below. Further details can be found on pages 80 – 81 of the Regulation 14 version of the Neighbourhood Plan – attached.



As background to this request for your opinion, you will be aware that MHDC have to decide whether or not a draft Neighbourhood Plan requires a Strategic Environmental Assessment (SEA). To decide whether Neighbourhood Plan proposals are likely to have significant environmental effects we prepare a draft Screening Opinion and consult Historic England, Natural England and the Environment Agency. A copy of the draft Screening Opinion for the Welland NDP is also attached.

If Neighbourhood Plans allocate sites for development we automatically conclude that the Plan may require a full SEA, subject to the professional opinions from Historic England, Natural England and the Environment Agency.

Historic England's advice said *"I can confirm that as regards Historic England's principal area of concern there are no nationally designated heritage assets within close proximity of the allocated sites that appear likely to be adversely affected by its redevelopment and that might accordingly trigger the need for SEA. We advise that you consult your own specialist built environment and archaeology advisers as to any impacts that development may have on the wider more local historic environment and base your judgment as to whether SEA is required for that aspect on their advice and upon your wider analysis of the whole range of other potential environmental impacts."*

Given that Historic England advised that we consult our own specialist built-environment and archaeology advisers on the impacts of proposed development on the local historic environment, I'm writing to seek your opinion on whether the proposed site allocations would require a SEA.

If a SEA is required for the proposed site allocations in Welland then we need to advise the Parish Council which historic environment impacts are considered likely to be significant

because Planning Practice Guidance says that a SEA *“does not need to be done in any more detail, or use more resources, than is considered to be appropriate for the content and level of detail in the neighbourhood plan”*.

Hopefully the above is clear, but if you need further background information or wish to discuss the request further please do not hesitate to let me know.

If possible, a response by next Monday (27th June) would be appreciated.

Regards,

David

From: Aidan Smyth <[REDACTED]>
Sent: 20 June 2022 14:54
To: David Clarke [REDACTED]; Sarah Lowe [REDACTED]
Subject: RE: Welland NDP - Significant Environmental Effect on Historic Environment?

Hi David,

Area 1, Land north of Cornfield Close.

This land parcel has partially been surveyed, trenched and excavated. The land parcel contains evidence of an Iron Age pottery production site which appears to have been attacked by the Roman army in the 1st C AD. An applicant on this land would need to be supported by a desk based assessment which has been informed by a geophysical survey. Trench evaluation prior to the determination of the application would be required, mitigation by design or by condition of an approval would be required should the survey and evaluation identify archaeological features and/or remains/finds.

Area 2, Land adjacent to Church Farm, Drake Street.

The adjoining land to the west and south of the land parcel has been subject to geophysical survey and trench evaluation, no significant archaeology was identified. An application in this site should be supported by a geophysical survey. If archaeological features are suspected within the site an evaluation and/or mitigation scheme can be agreed by condition of an approval.

I hope that helps.

Thanks,

Aidan.

Aidan Smyth
Archaeology And Planning Advisor

Wychavon and Malvern Hills District Councils

From: David Clarke <[REDACTED]>
Sent: 20 June 2022 15:09
To: Aidan Smyth <[REDACTED]>; Sarah Lowe <[REDACTED]>
Subject: RE: Welland NDP - Significant Environmental Effect on Historic Environment?

Hi Aidan,

Many thanks for your prompt response.

For clarification, any planning applications on the two Welland sites would need supported by a geophysical survey (and a desk-based assessment in the case of the Cornfield Close site), but in your opinion the preparation of the Neighbourhood Plan would not require a SEA?

Regards,

David

Hi David,

The archaeology is not scheduled, therefore HE would not need to be consulted. In that regard a SEA would not be required.

Thanks,

Aidan.

Aidan Smyth
Archaeology And Planning Advisor

Wychavon and Malvern Hills District Councils

From: Craig Tebbutt <[REDACTED]>
Sent: 25 July 2022 14:07
To: David Clarke <[REDACTED]>
Subject: FW: Welland NDP - Significant Environmental Effect on Historic Environment?
Importance: High

Hi David,

Please accept my apologies for our delay in responding to your email. I have set out my comments regarding the two proposed land allocations sites below.

Land Adjacent to Church Farm, Drake Street, Welland – no objection to principle

- Not in a conservation area
- Largely surrounded by modern houses
- May have interconnecting views with Lawn Farmhouse and be visible in the setting of Lawn Farmhouse when viewed from the public right of way off A4104. The land associated with Lawn Farm has unfortunately undergone modern development. Despite this a green buffer has been left around the heritage asset. Therefore, the proposal has the potential to affect the setting of that listed building. Any proposed development on this site should make a thorough assessment of the surrounding historic environment in order that the setting of heritage Assets can be preserved.

Land North of Cornfields Close – no objections to principle

- Nearest listed building 187m away separated from the land by modern development
- May have interconnecting views with St James Church (grade II)
- Whilst development would be viewed in the context of neighbouring modern development the setting of this listed building should be given careful consideration.

If you have any further queries please do not hesitate to contact us.

Best wishes

Craig Tebbutt

Craig Tebbutt BA (Hons), PGCE, MSc
Conservation Officer
Malvern Hills and Wychavon District Councils.
Planning and Infrastructure Services
Wychavon District Council
[REDACTED]

From: David Clarke <[REDACTED]>
Sent: 25 July 2022 14:24
To: Craig Tebbutt <[REDACTED]>
Subject: RE: Welland NDP - Significant Environmental Effect on Historic Environment?

Hello Craig,

Many thanks for the response on the Welland NDP.

For clarification, any planning applications on the two Welland sites would need supported by an assessment of the surrounding historic environment, but in your opinion the preparation of the Neighbourhood Plan would not require a Strategic Environmental Assessment (SEA). Is my interpretation of the position correct?

Regards,

David Clarke

From: Craig Tebbutt <[REDACTED]>
Sent: 25 July 2022 14:29
To: David Clarke <[REDACTED]>
Subject: RE: Welland NDP - Significant Environmental Effect on Historic Environment?

Hi David,

Subject to design and materials considerations I have no objection to the principle of building on either site,

If you have any further queries please do not hesitate to contact us.

Best wishes

Craig Tebbutt

Craig Tebbutt BA (Hons), PGCE, MSc
Conservation Officer
Malvern Hills and Wychavon District Councils.
Planning and Infrastructure Services
Wychavon District Council
[REDACTED]
[REDACTED]

8.1 Equality Impact Assessment Schedule

APPENDIX 8.1 EQUALITY IMPACT ASSESSMENT SCHEDULE

Protected Characteristic	Policies										Comments	
	Sustainable Development and Design SD1-SD3	Welland Development Boundary DB1	Green Infrastructure G1-G2	Biodiversity B1	Landscape Character LC1	Community Infrastructure C1-C2	Local Historic Environment HE1	Development and Infrastructure I1-I4	Design D1-D2	Housing Land HLP, H1-H4		Local Economy LE1
Age	●	●	✓	●	●	✓	●	✓	✓	✓	✓	Overall, the WNP provides a positive benefit to all age groups within the WNA.
Disability	●	●	✓	●	●	✓	●	✓	✓	✓	●	Overall, the WNP provides a positive benefit to persons who are disabled or who have limited mobility.
Marriage & Civil Partnership	●	●	●	●	●	●	●	●	●	●	●	Overall, the WNP has a neutral impact on marriage and civil partnership.
Gender Reassignment	●	●	●	●	●	●	●	●	●	●	●	Overall, the WNP has a neutral impact on persons having undergone or undergoing gender reassignment.
Pregnancy & Maternity	●	●	✓	●	●	✓	●	✓	✓	✓	●	Overall, the WNP has a positive benefit to young families.
Race	●	●	●	●	●	✓	●	●	●	●	●	Overall, the WNP has a minor positive benefit to people of all races.
Religion or Belief	●	●	●	●	●	✓	●	●	●	●	●	Overall, the WNP has a minor positive benefit for people of all creed, religion, faiths and beliefs.
Sex	●	●	●	●	●	●	●	●	●	●	●	Overall, the WNP has a neutral impact on gender. It does not benefit one gender over another.
Sexual Orientation	●	●	●	●	●	●	●	●	●	●	●	Overall, the WNP has a neutral impact on sexual orientation.
Comments	This policy has a neutral impact on all protected characteristics.	This policy has a neutral impact on all protected characteristics.	Policies on greenspace provide positive benefits for all ages, young families and those who are disabled or have limited mobility.	This policy has a neutral impact on all protected characteristics.	This policy has a neutral impact on all protected characteristics.	Policies protecting and enhancing community assets will be a positive benefit to all sections of the community.	This policy has a neutral impact on all protected characteristics.	Policies on infrastructure will benefit people of all ages, the disabled, young families and can provide a safe environment for all.	Policies on design will benefit people of all ages, the disabled, young families and can provide a safe environment for all.	New housing, meeting specific standards, will give opportunities for young, old and those with disabilities to live in an appropriate house in the area, including those with or looking to start a family.	New businesses will give opportunities for young and old to obtain jobs, training and skills.	<ul style="list-style-type: none"> ✓ positive impact ● neutral impact X negative impact