

# Broadwas & Cotheridge Neighbourhood Development Plan

## Regulation 16 Consultation

### Malvern Hills District Council Officer Comments

March 2019

#### General Comments

As a context for our comments, the National Planning Policy Framework 2019 (the Framework) sets out the Government's planning policies for England and how these are expected to be applied. In doing so, it sets out requirements for the preparation of Neighbourhood Plans and the role these should take in setting out policies for the local area. The requirements set out in the Framework have been supplemented by guidance contained in MHCLG's Planning Practice Guidance (PPG) on Neighbourhood Planning.

The Framework was revised in July 2018 (and again in February 2019). Paragraph 214 of the July 2018 Framework said that policies in the previous Framework would apply for the purpose of examining plans, where those plans were submitted on or before 24 January 2019. It should be noted that the Broadwas and Cotheridge Neighbourhood Plan was submitted to Malvern Hills District Council on 20 January 2019. Therefore, policies in the previous (2012) Framework should apply for the purpose of examining the Broadwas and Cotheridge Neighbourhood Plan.

The strategic planning policy framework for the Broadwas and Cotheridge Neighbourhood Area is provided by the South Worcestershire Development Plan (SWDP) which was adopted in February 2016. The housing requirement to 2030 in south Worcestershire is 28,370 dwellings. The SWDP makes provision for around 28,400 dwellings to meet this need, including 18 in Broadwas. In light of this, it is considered that there is no evidence of an immediate unmet housing need that must be accommodated within the Neighbourhood Plan to 2030. It should be noted that the South Worcestershire Councils have commenced a revision of the South Worcestershire Development Plan. The latest evidence of housing need is indicating that the revised SWDP will need to plan for approximately an additional 14,000 dwellings across south Worcestershire in the period 2021 to 2041, but most of this will be in the period 2031 – 2041 which is beyond the period covered by the Broadwas and Cotheridge Neighbourhood Plan.

Whilst Paragraph 69 of the revised Framework says that neighbourhood planning groups should consider the opportunities for allocating small and medium-sized sites suitable for housing in their area, the Framework does not require Neighbourhood Plans to allocate sites for housing.

Paragraph 14 of the Framework does, however, confer a limited protection on Neighbourhood Plans which plan for housing where certain criteria are met. To benefit from the protection conferred by Paragraph 14 a Neighbourhood Plan would need to plan for housing through policies and allocations to meet the identified (or indicative) housing requirement in full, including possible allowance for some windfall development.

The draft Broadwas and Cotheridge Neighbourhood Plan provides some limited flexibility for infill housing development within the Broadwas development boundary or outside the development boundary for use by rural workers, rural exception sites and replacement dwellings, but does not propose any new housing site allocations.

PPG on Neighbourhood Planning includes the following guidance on what evidence is needed to support a Neighbourhood Plan and how neighbourhood plan policies should be drafted:

*“Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan”.*

*“A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared”.*

In general, it is considered that the draft Neighbourhood Plan is logical and concise. However, as currently drafted, it is considered that some policies do not provide a practical framework within which decisions on planning applications could be made with a high degree of predictability and efficiency as required by paragraph 17 of the Framework (paragraph 16 of the revised Framework). In particular, Policy P5 (Key Views) lacks clarity on precisely which views the policy relates to. Paragraph 5.15 indicates that the location of key views on the Policies Maps (pages 22 and 23) are “examples” of key views. Further, the first sentence of Policy P5 refers to “especially from the locations identified on the Policies Map” which implies that there may be other key views which are not shown on the Policies Map.

It is also suggested that the supporting text for some policies would benefit from strengthening to provide a more robust justification. In particular, it is considered that further evidence to support the choice of views in Policy P5 would be helpful. It is also considered that photographs to illustrate local design characteristics would assist decision makers to ensure that the design principles in Policy P6 are applied consistently.

It is considered that there is a need for greater clarity on whether the “Recreational Green Spaces” identified in Policy P4 are being proposed as Local Green Spaces, open spaces (as defined in the Framework) or Green Space (as defined within the SWDP).

It is also considered that the duplication or partial duplication / overlap with some strategic policies in the SWDP, particularly in relation to Policies P7, P8 and P9 could lead to an unnecessarily complex process of applying Neighbourhood Plan and SWDP policies to proposals by decision takers. In light of this it is suggested that consideration is given to whether all aspects of these policies are necessary or appropriate.

**Contents**

“Proposed Plan November 2018” should be updated.

For ease of reference, it would be helpful if the Contents page included page numbers.

6. Monitoring and Review – It is suggested that “doesn’t” is replaced with “does not” and that capital letters are used for “Parish Council”.

**Foreword**

In the second paragraph, it is only necessary to have quotation marks at the beginning and end of the Minister’s quote.

In the third paragraph, it is suggested that “supplemented by guidance in Planning Practice Guidance” is inserted after “(the Framework)”.

It is considered that some parts of paragraphs 1, 4, 5, 6 and 9 will need to be updated following the Examination.

**Broadwas and Cotheridge**

Map 1 should be titled “Broadwas & Cotheridge Neighbourhood Area” – not “Neighbourhood Plan”.

**Planning Policy Context**

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|  | <p>Paragraph 2.2 – It is suggested that “(and revised in July 2018 and February 2019)” is inserted after “The Framework was published in 2012”. It is suggested that “paragraphs 6 and 7 of the Framework” should be replaced with “paragraphs 7 and 8 of the revised Framework”.</p> <p>Paragraph 2.3 – It is suggested that reference to paragraphs 183 to 185 of the Framework should be replaced by reference to paragraphs 29 and 30 of the revised Framework.</p> <p>Paragraph 2.4 - It is suggested that the paragraph be deleted because it will not be relevant following the Examination of the Plan.</p> <p>Paragraph 2.6, 1<sup>st</sup> sentence - For accuracy, it is suggested that the word “appropriate” be replaced with “sustainable”.</p> <p>Paragraph 2.8 – For accuracy, it is suggested that the paragraph be replaced with “Cotheridge does not have a development boundary and is defined as open countryside in Policy SWDP 2 (Development Strategy and Settlement Hierarchy) where development will be strictly controlled.”</p> <p>Para 2.9 – Delete reference to the old Malvern Hills District Local Plan. It is suggested that the 1<sup>st</sup> sentence say “A key policy tool for controlling unsustainable development in the open countryside is through the use of “Development Boundaries” whereby ....”</p> <p>Para 2.11 – It is suggested that the following wording could helpfully be inserted at the beginning of para 2.11: “Whilst paragraph 69 of the revised Framework says that neighbourhood planning groups should consider the opportunities for allocating small and medium-sized sites</p> |
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|  | <p>suitable for housing in their area, the Framework does not require a Neighbourhood Plan to allocate sites. Paragraph 14 of the revised Framework says that if the Local Plan becomes out-of-date because the District Council cannot demonstrate a 5-year supply of deliverable housing sites or does not meet the Housing Delivery Test, then Neighbourhood Plan policies relating to the provision of housing will remain relevant if the Neighbourhood Plan was adopted in the last 2 years and allocates sites to meet its identified housing requirement.” It is suggested that the final sentence of paragraph 2.11 is unhelpful and could be deleted because it wrongly implies that Neighbourhood Plans should not allocate sites for development if strategic development needs in the Local Plan are met.</p> <p>Paragraph 2.13 – It is suggested that specific reference is made to Appendix 2 rather than “an appendix”.</p> <p>Paragraph 2.15 – For accuracy, replace “South Worcestershire district councils” with “South Worcestershire Councils”. As background, Worcester is a city council.</p> <p>Para 2.18 – For accuracy, it should be noted that the Developer Contributions SPD was adopted in July 2018. For consistency, it is suggested that “- adopted” be inserted before the date of the Renewable and Low Carbon Energy and Water Management and Flooding SPD’s.</p> |
| <b>Results of Consultation to date</b> |   |
|  | <p>Paragraph 3.2, 3<sup>rd</sup> bullet point – It is suggested that “doesn’t” is</p>   |

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|  | replaced with “does not”.  |
| <b>Vision and Objectives</b>   |  |
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| <b>Policies for New Housing and Development</b>  |  |
| <b>Policy P1 – Broadwas Development Boundary</b>   |  |
| <p>The Development Boundary for Broadwas is defined as shown on Policy Map Inset 1. Within the Development Boundary new housing development will be supported where it accords with other relevant policies of this NDP and the South Worcestershire Development Plan.</p> | <p>Policy P1 supports new residential development within the Broadwas development boundary subject to accordance with other relevant policies in the SWDP and NDP.</p> <p>It is suggested that the Policy could be re-titled “New Residential Development within the Development Boundary” because the development boundary is a policy tool rather than a policy. Also, the policy relates to what development would be supported within the development boundary.</p> <p>Paragraph 5.2, sentence 3 – For accuracy, it is suggested that “... is thereby provided ...” is replaced with “... could potentially be met ....”</p> <p>Paragraph 5.3, 2<sup>nd</sup> sentence – For clarity, it is suggested that “(published with the Draft NDP at Regulation 14 stage)” be replaced with “(available at <a href="https://www.malvern hills.gov.uk/broadwas-and-cotheridge">https://www.malvern hills.gov.uk/broadwas-and-cotheridge</a>)”</p> <p>Paragraph 5.4, 2<sup>nd</sup> sentence – For accuracy, it is suggested that the second sentence is replaced with “Development boundaries are a key planning policy tool for controlling unsustainable development in the open countryside.”</p> <p>Paragraph 5.4, 4<sup>th</sup> sentence - For accuracy, it is suggested that the</p> |

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|  | <p>fourth sentence be replaced with “The open countryside is defined as land beyond any development boundary. In the open countryside, development will be strictly controlled in accordance with Policy SWDP 2C.”</p> <p>Paragraph 5.6, 3<sup>rd</sup> sentence – It is suggested that “Open Countryside policies are” is replaced with “SWDP 2C is”.</p> <p>Paragraph 5.6, 4<sup>th</sup> sentence – It is suggested that “senior plan of the SWDP” is replaced with “strategic policy SWDP 2”.</p> <p>Policy P1 addresses proposals for new housing development but does not address proposals for extensions or conversions. It is suggested that the policy could be amended to read “Within the Development Boundary <b>proposals for new housing development and conversion, re-use or extension of an existing building for residential use</b>, will be supported where it accords with other relevant policies of this NDP and the South Worcestershire Development Plan.</p> <p>It is considered that an amended Policy P1 would provide flexibility and support development within the development boundary and, with the suggested amendments above, would be in general conformity with the strategic policy SWDP 2 (Development Strategy and Settlement Hierarchy). SWDP 2 focuses most development on the urban areas where both housing needs and accessibility to lower-cost public services are greatest. SWDP 2B says windfall development proposals will be assessed in accordance with the settlement hierarchy. Broadwas is identified as a Category 2 settlement in the hierarchy. In relation to Category 2 villages SWDP 2B says infill development within the defined development boundaries is acceptable</p> |
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|   | in principle subject to the more detailed Plan policies.  |
| <p><b>Policy P2 – Open Countryside in Broadwas and Cotheridge</b></p> <p>The Open Countryside is defined as land outside the Broadwas Development Boundary. In the open countryside, development will be strictly controlled and will be limited to dwellings for rural workers (policy SWDP 19), employment development in rural areas (policy SWDP 12), rural exception sites (policy SWDP 16), buildings for agriculture and forestry, replacement dwellings (policy SWDP 18), house extensions, replacement buildings and renewable energy projects (policy SWDP 27) and development specifically permitted by other Development Plan policies. Development in Open Countryside should also, wherever practicable, avoid harm or loss of irreplaceable habitats such as ancient and veteran trees.</p> <p>In the Open Countryside proposals for the alterations to existing dwellings or conversions or re-use of existing buildings for residential purposes will be supported provided that:</p> <p>a) The proposed extensions are subordinate to, and do not dominate the character and appearance of the original dwelling, or</p> <p>b) the re-use of an existing building does not require substantial reconstruction or need for large extensions.</p> | <p>Policy P2 has 2 parts.</p> <p>The first part of Policy P2 seeks to strictly control new development in the open countryside. The policy provides some flexibility for new development e.g. rural workers housing, employment uses that accord with SWDP 12, rural exception sites, replacement dwellings, house extensions and conversions, and renewable energy projects that accord with SWDP27.</p> <p>The second part of Policy P2 supports proposals for alterations to existing dwellings and conversions / re-use of existing dwellings, subject to them not dominating the appearance of the original dwelling or does not require substantial reconstruction or need a large extension.</p> <p>It is noted that whilst Policy P1 relates to housing development, the first part of Policy P2 relates to housing, employment and renewable energy. Given that Policy P7 relates to employment uses and farm diversification and Policy P9 relates to renewable energy, it is suggested that Policy P2 could be amended and retitled New Housing Development beyond the Development Boundary.</p> <p>Paragraph 55 of the Framework (paragraph 79 of the revised Framework) says that local planning authorities (and this applies to neighbourhood plans) should avoid new isolated homes in the countryside unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside; or where such development would represent the optimal viable use of a heritage asset or would be</p> |



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|  | <p>appropriate enabling development to secure the future of heritage assets; or where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or the exceptional quality or innovative nature of the design of the dwelling. Policy P1 refers to most of these circumstances, but is silent with respect to securing the future of heritage assets.</p> <p>It is considered that the first part of Policy P2 provides a local interpretation of SWDP 2C as it relates to housing development in the open countryside. The policy provides flexibility for rural exception sites, replacement dwellings in the open countryside and dwellings for rural workers, with reference to SWDP 16, 18 and 19.</p> <p>In relation to the second part of Policy P2, it is suggested that the criteria for extensions and conversions should be separate in order to provide a practical framework in which decision makers can apply the policy consistently and with confidence when determining planning applications.</p> <p>The criteria relating to extensions to existing dwellings being subordinate to, and do not dominating the character and appearance of the original dwelling, seems acceptable.</p> <p>Paragraph 55 of the Framework (paragraph 79 of the revised Framework) says that one of the circumstances in which isolated homes in the countryside may be supported is where the development would re-use redundant or disused buildings and enhance its immediate setting. In light of this, it is considered that criteria b in the second part of Policy P2 could be amended to read "The conversion and re-use of redundant or disused buildings will be supported providing there is an enhancement to the building's immediate setting</p> |
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|  | <p>and there is no need for substantial reconstruction and large extensions.”</p> <p>Paragraph 5.7 – For clarity and accuracy, a number of amendments are suggested for paragraph 5.7:</p> <ul style="list-style-type: none"><li>• 1<sup>st</sup> sentence – insert “The village of” before “Cotheridge”. Delete “and therefore no allocations are anticipated for it”.</li><li>• 2<sup>nd</sup> sentence – delete “No requirement for new residential development comes from the SWDP and”. Replace “suggestions” with “proposals”.</li><li>• 3<sup>rd</sup> sentence – delete third sentence.</li></ul> <p>Paragraph 5.8 – For clarity and accuracy, a number of amendments are suggested for paragraph 5.8:</p> <ul style="list-style-type: none"><li>• 1<sup>st</sup> sentence – replace “NDP area” with “Neighbourhood Area”.</li><li>• 2<sup>nd</sup> sentence – insert “proposals for” between “all” and “new development”.</li><li>• 4<sup>th</sup> sentence - replace “Note also that in Open Countryside there are detailed requirements for alterations and extensions of existing houses, and to conversions of existing buildings for residential purposes.” with “It should be noted that Policy SWDP 2C supports replacement dwellings and house extensions in the open countryside.”</li><li>• 5<sup>th</sup> sentence – it is considered that the sentence is not strictly accurate, particularly in relation to conversions, and should be</li></ul> |
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|  | <p>deleted.</p> <ul style="list-style-type: none"> <li>As context for Policy P2 it is suggested that reference to paragraph 55 of the Framework (paragraph 79 of the revised Framework) at the beginning of paragraph 5.8 would be helpful.</li> </ul>  |
| <p><b>Policy P3 – Local Green Spaces: Amenity Green Spaces in Broadwas</b></p> <p>The sites listed below and shown on the Policies Maps have a special importance to the rural character of Broadwas, especially for their value as open land. These sites are designated as “Local Green Spaces” within which development shall not be permitted unless it is designed to meet the objectives of the site as “Green Infrastructure” in accordance with SWDP Policies 5, 6 and 38.</p> <ul style="list-style-type: none"> <li>Bank on the north side of the A44 opposite Broadwas School</li> <li>Land adjacent to Taberness Close</li> <li>Land between Berryfields Close and Church Lane</li> <li>Amenity land within Highcroft Close development</li> <li>Broad Green SSSI and Village Green</li> </ul> | <p>Policy P3 identifies and seeks to protect 5 Local Green Spaces in Broadwas (referred to as Amenity Green Spaces in the policy title). The proposed Local Green Spaces are:</p> <ol style="list-style-type: none"> <li>Bank on the north side of the A44 opposite Broadwas School</li> <li>Land adjacent to Taberness Close</li> <li>Land between Berryfields Close and Church Lane</li> <li>Amenity land within Highcroft Close development</li> <li>Broad Green SSSI and Village Green</li> </ol> <p>The Framework makes provision for a Neighbourhood Plan to identify Local Green Spaces of particular importance to the local community. Paragraph 76 (99 in the revised Framework) says the designation of land as Local Green Space through Neighbourhood Plans allows communities to identify and protect green areas of particular importance to them.</p> <p>Local Green Space is a restrictive and significant policy designation. It gives the land a similar status to that of Green Belt and for that reason paragraph 77 of the Framework (100 in the revised Framework) says that such designations should only be used when the green space is</p> |

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|  | <p>in reasonably close proximity to the community it serves, where it is demonstrably special to the local community and holds a particular local significance, is local in character and not an extensive tract of land. The allocation of each Local Green Space within the policy therefore requires robust justification.</p> <p>The Framework distinguishes between Open Space (in paragraphs 73 – 74 and 96 – 97 in the revised Framework) and Local Green Space (paragraphs 76 – 78 and 99 – 101 in the revised Framework). The Framework glossary definition of Open Space is “All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity”. Each site identified as a Local Green Space must address the criteria in the Framework, and most particularly demonstrate why it is “demonstrably special” and “holds a particular local significance”.</p> <p>Based on the text in paragraphs 5.10 – 5.12 and the Background Paper No. 2 it appears that the sites listed in Policy P3 are being proposed as Local Green Spaces as set out in paragraphs 76 - 78 of the Framework (99 – 101 of the revised Framework) , not Green Space or Green Infrastructure as defined in SWDP 38 or SWDP 5. It is therefore suggested that the policy be re-titled as “Local Green Spaces” and references to “amenity green space” and “green infrastructure” be replaced by “Local Green Space”.</p> <p>Paragraph 76 of the original Framework says that by designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances. In light of this, it is considered that it would not be consistent with national policy to</p> |
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|  | <p>say that development would not be permitted unless it is in accordance with SWDP policies 5, 6 and 38.</p> <p>To provide consistency with the Framework it is suggested that the policy could be more appropriately be re-worded:</p> <p><i>“The Local Green Spaces identified on Maps X and Y will be protected from development except in very special circumstances.</i></p> <p><i>The protected Local Green Spaces are:</i></p> <ul style="list-style-type: none"><li>• <i>Bank on the north side of the A44 opposite Broadwas School</i></li><li>• <i>Land adjacent to Taberness Close</i></li><li>• <i>Land between Berryfields Close and Church Lane</i></li><li>• <i>Amenity land within Highcroft Close development</i></li><li>• <i>Broad Green SSSI and Village Green”</i></li></ul> <p>The allocation of each Local Green Space requires robust justification. The table in Background Paper No. 2 helpfully sets out how each proposed Local Green Space is close to the community, is considered to be demonstrably special to the local community, local in character and not an extensive tract of land.</p> <p>Paragraph 5.10 – Whilst Local Green Spaces should be in reasonably close proximity to the community they serve, there is no requirement that they be within a development boundary. In light of this, the relevance of the first sentence in paragraph 5.10 is unclear.</p> <p>Paragraph 5.10 - It is suggested that reference to SWDP policies 5, 6</p> |
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|   | <p>and 38 are deleted because they are not directly relevant to the designation of Local Green Spaces. The justification for the proposed Local Green Spaces should be whether they meet the criteria in paragraph 77 of the framework (paragraph 100 in the revised Framework).</p> <p>Paragraph 5.11 – It should be noted that the purpose of Local Green Spaces is not to identify sites under pressure for development, it is to protect green areas of particular importance to the community that meet the criteria set out in the Framework.</p>   |
| <p><b>Policy P4 – Local Green Spaces: Recreational Green Spaces</b></p> <p>SWDP Policy 38 – Green Space – will apply to Berryfields Children’s Play Area and Sports Ground and Stoney Ley Sports Ground, as identified on the Policies Maps. Opportunities for the enhancement of the facilities they offer will be encouraged.</p> | <p>Policy P4 seeks to protect, and support the enhancement of, 2 “Recreational Green Spaces”. The identified Recreational Green Spaces are:</p> <ol style="list-style-type: none"> <li>1. Berryfields Children’s Play Area</li> <li>2. Sports Ground and Stoney Ley Sports Ground</li> </ol> <p>It is not clear from the policy title, paragraph 5.13 and Background Paper #2 whether the “Recreational Green Spaces” are being proposed as Local Green Spaces, Open Spaces (as defined in the Framework) or Green Space (as defined within the SWDP). Based on the policy title, Background Paper #2 and the second sentence of paragraph 5.13 there are suggestions that the two recreational green spaces are being proposed as Local Green Spaces. However, the wording of Policy P4 suggests that the two identified sites are being proposed as Green Space. It may be worth noting that the two proposed recreational green spaces are not currently designated Green Space for the purposes of SWDP 38.</p> |

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|  | <p>If the intention is that the two sites are proposed as Green Space this should be made clearer and confusing references to Local Green Space should be deleted.</p> <p>It also needs to be made clearer which “Policies Maps” the policy relates to. The “Policies Map: Inset 1” on page 23 only appears to show one Local Green Space / Green Space related to Policy P4.</p> <p>In effect, Policy P4 appears to be saying <i>“Proposals for the development of Green Space at Berryfields Children’s Play Area and Sports Ground and Stoney Ley Sports Ground (identified on Map X) will be supported if the criteria set out in SWDP Policy 38B are met”</i></p>  |
| <p><b>Policy P5 - Key Views</b></p> <p>Development which would detract from the landscape qualities of the sites listed below, and the key views of them, especially from the locations identified on the Policies Map, will not be supported. Development which would affect the setting of these sites must demonstrate how careful consideration has been given to siting and appearance, including landscaping, location, size and materials, to ensure that any adverse visual impacts are minimised. To be supported development proposals must demonstrate that they are sited, designed and of a scale such that they do not substantially harm the Key Views when seen from locations that are freely accessible to members of the general public.</p> <ul style="list-style-type: none"> <li>• Land on the south side of the A44 throughout the NDP area giving public views south towards the River Teme and the Malvern Hills including views across the River Teme corridor as identified in the Environmental Character Areas Map</li> </ul> | <p>Policy P5 seeks to minimise the adverse impact of new development on Key Views from:</p> <ul style="list-style-type: none"> <li>• along the south side of the A44 (example views identified on maps on page 22 and 23)</li> <li>• the Otherton Lane escarpment (identified on map on page 22)</li> </ul> <p>Paragraph 109 of the Framework (paragraph 170 of the revised Framework) says that the planning system should protect and enhance valued landscapes.</p> <p>Policy SWDP 25 requires development proposals to take account of the latest Landscape Character Assessment and requires a Landscape &amp; Visual Impact Assessment (LVIA) or similar for major development proposals which are likely to have a detrimental impact on a significant landscape attribute or irreplaceable landscape feature.</p> <p>Whilst national and local planning policy protects local character, it</p> |

(SWDP Policy 5 C)

- Otherton Lane escarpment

does not provide or protect a “right to a view.” Consequently, land use planning policies relating to key vistas, intrinsic to local character, need to be appropriately worded such that they are not a blanket ban on development.

Planning policies can seek to protect specific views where this is justified in the wider public interest (for example from a public footpath, right of way, roadside, or other publically accessible land).

Currently, the maps (on pages 22 and 23) appear to be “examples” of views to which the policy would apply. The wording of Policy P5 suggests that the policy would apply to all publically accessible views to the south of the A44, whereas paragraph 5.15 indicates that the views in Background Report 4 (on which maps on pages 22 and 23 seem to be based) are “example” views. In order to provide a practical framework within which decisions on planning applications can be applied consistently and with confidence when determining planning applications as required by the Framework it will be important that the views to which Policy P5 would apply are clearly identified on a map. To provide clarity for decision makers the maps should indicate specific (not example) locations, direction and, ideally, extent of any key views.

A clear justification needs to be provided for the protection of each view. Currently, it is considered that neither the supporting text nor Background Paper No. 4 (Key Views) provide robust evidence of the importance of the key views at specific locations along land on the south side of the A44 and Otherton Lane escarpment.

It is considered that Policy P5 includes some repetition and could be simplified. For example, the second and third sentences in Policy P5



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|   | <p>both refer to siting and size/ scale considerations.</p> <p>Paragraph 5.14, sentence 2 refers to development pressure on a particular site. It is suggested that the justification for identifying key views to be protected should be based on the value of the landscape, not whether there has been development pressure on a site. It is suggested that the sentence should be deleted.</p>  |
| <p><b>Policy P6 – Design of Development</b></p> <p>Part A: Residential Development:</p> <p>Where residential development is acceptable in principle the following design principles should be applied:</p> <ul style="list-style-type: none"> <li>• The existing development within the NDP area has a very diverse style that has evolved over many years. New development should be sympathetic and complimentary to the surrounding residential properties and, within that context, should reflect the aspirations set out in paragraphs 5.16 to 5.36 of this Plan.</li> <li>• Extensions and alterations to existing buildings should follow a consistent design approach in the use of materials, fenestration and the roofline to the building. Materials should be chosen to complement the design of a development and add to the quality or character of the surrounding environment.</li> <li>• The use of natural materials from environmentally responsible sources is encouraged. Wherever possible locally appropriate materials should be used such as red brick and plain clay tiles.</li> </ul> | <p>Policy P6 has 2 parts.</p> <p>Part A of Policy P6 sets out 8 general design guide principles for residential development. The design principles address:</p> <ul style="list-style-type: none"> <li>• Local distinctiveness</li> <li>• Complimentary Materials</li> <li>• Natural and local materials</li> <li>• Residential amenity</li> <li>• Off-road parking</li> <li>• Hard surfacing</li> <li>• Landscaping</li> <li>• Bin storage and recycling facilities</li> </ul> <p>Part B of Policy P5 sets out 7 general design guide principles for non-residential development. The design principles address:</p> |

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| <ul style="list-style-type: none"> <li>Proposals should minimise the adverse impact on local residential amenity and give careful consideration to noise, odour and light. Light pollution should be minimised wherever possible.</li> <li>Provision should be made for adequate and safe access and off-road parking</li> <li>Any hard-surfaced areas must be properly drained to prevent rainwater run-off from the site as developed</li> <li>The site should landscaped using native species wherever appropriate and avoid undue expanses of high fences and walls especially to the site frontage</li> <li>Adequate provision should be included for integrated or well screened bin storage or recycling facilities.</li> </ul> <p>Part B: Non-residential Development:</p> <p>The above principles will also be applied to non-residential development wherever practicable, in particular to ensure that new commercial and industrial development:</p> <ul style="list-style-type: none"> <li>Minimises any adverse effect from the landscape qualities of the locality as a result of the siting, bulk and height of new buildings.</li> <li>Uses appropriate materials taking into account both the nature of the development and its setting</li> <li>Minimises adverse impact on the amenity of any nearby</li> </ul> | <ul style="list-style-type: none"> <li>Siting and size</li> <li>Materials</li> <li>Residential amenity</li> <li>Off-road parking</li> <li>Sustainable Drainage</li> <li>Landscaping</li> <li>Bin storage and recycling facilities</li> </ul> <p>The Government is seeking to support high quality design in all new development. The Framework (paragraph 58 or para 126 in the revised draft) says that planning policies should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on an understanding and evaluation of its defining characteristics.</p> <p>Paragraph 124 of the Framework says 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.</p> <p>Paragraph 125 of the Framework says that design policies should be developed with local communities so that they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood Plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development.</p> <p>Paragraph 126 of the Framework says that to provide maximum clarity</p> |
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| <p>residential properties arising from noise, odour and, especially, light pollution</p> <ul style="list-style-type: none"> <li>• Provides adequate and safe access and off-road parking provision</li> <li>• The site is properly drained using SuDS technology wherever possible to ensue minimal run-off</li> <li>• The site is landscaped using native species wherever appropriate and avoid undue expanses of high fences and walls especially to the site frontage, and</li> <li>• Adequate provision is made for waste storage avoiding where practicable open storage of commercial or industrial waste.</li> </ul> | <p>about design expectations at an early stage, plans or supplementary planning documents should use visual tools such as design guides and codes. These provide a framework for creating distinctive places, with a consistent and high quality standard of design. However their level of detail and degree of prescription should be tailored to the circumstances in each place, and should allow a suitable degree of variety where this would be justified.</p> <p>SWDP 21 (Design) seeks to ensure that new development will be of a high quality and integrates effectively with its surroundings and reinforces local distinctiveness. SWDP 21 is supported by the South Worcestershire Design Guide Supplementary Planning Document which was adopted in 2018.</p> <p>The design principles of Policy P6 appear to be consistent with the Framework, SWDP 21, and the South Worcestershire Design Guide SPD.</p> <p>The supporting text for Policy P6 is detailed, but nevertheless provides contextual background information. To assist decision makers apply Policy P6 consistently and with confidence it is strongly recommended that the supporting text is supported by photographs of the types of materials, roofs, windows, dormers, chimneys etc that characterise Broadwas and Cotheridge. Alternatively, the Parish Council may wish to consider preparing a Design Guide to inform the implementation of Policy P6 which could provide additional guidance for applicants and the decision maker.</p> |
| <p><b>Policy P7 – Employment Uses and Farm Diversification</b></p> <p>SWDP 12– Employment In Rural Areas will apply throughout the</p>   | <p>Policy P7 appears to have 4 parts:</p> <ul style="list-style-type: none"> <li>• The first sentence of Policy P7 supports the protection of</li> </ul>  |

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| <p>Neighbourhood Plan Area subject to such development not having undue amenity or environmental effects on nearby land uses including the residential amenities of adjacent and nearby houses. In particular the continued authorised operation of existing small commercial ventures for employment purposes is supported provided that any adverse effects on nearby residential properties can be suitably mitigated. Homeworking throughout the NDP area is also supported subject to the requirement that it should not adversely affect the amenity of the neighbourhood by reason of:</p> <ul style="list-style-type: none"> <li>• Changes to the appearance of any building</li> <li>• Noise disturbance from the use or any increased traffic and parking generated</li> <li>• Unsociable hours of operation, and</li> <li>• The storage of hazardous materials or emissions from the site.</li> </ul> <p>Outside the Development Boundary the expansion of existing employment sites will be supported where they accord with SWDP Policy 12 and where they do not have a significant adverse impact on local roads, residential amenity, public enjoyment of the countryside, landscape, heritage assets or wildlife.</p> | <p>existing employment sites and expansion of existing employment sites in rural areas in accordance with SWDP 12, subject to consideration of the impact of residential amenity on neighbouring properties and environmental effects.</p> <ul style="list-style-type: none"> <li>• The second sentence of Policy P7 supports the continued authorised operation of existing small commercial ventures, subject to suitable mitigation of the impact on nearby residential properties.</li> <li>• The third sentence of Policy P7 supports homeworking, subject to consideration of changes to the appearance of buildings, whether there would be noise disturbance, impact on traffic, adequacy of parking, hours of operation, the storage of hazardous materials and emissions.</li> <li>• The fourth sentence of Policy P7 supports the expansion of existing employment sites outside the development boundary, subject to accordance with SWDP 12 and where the proposals do not have a significant adverse impact on local roads, residential amenity, public enjoyment of the countryside, landscape, heritage assets or wildlife.</li> </ul> <p>The first part of Policy P7 largely reiterates SWDP 12, but adds that consideration should also be given to residential amenity and environmental effects. It is considered that the term “environmental effects” is imprecise and could not be applied consistently and with confidence by decision makers.</p> <p>In relation to the second part of Policy P7, if existing small commercial ventures are authorised and do not require further planning consent</p> |
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|   | <p>then this part of the policy is considered to be unnecessary.</p> <p>The third part of Policy P7 supports home-based working providing that it does not lead to an adverse impact on the amenity of adjacent users and uses. It should be noted that many home-based businesses do not need planning permission.</p> <p>The fourth part of Policy P7 reiterates SWDP 12C relating to the expansion of existing employment sites in rural areas, but adds that consideration should also be given to the impact on local roads, residential amenity, public enjoyment of the countryside, landscape, heritage assets and wildlife.</p> <p>The second and fourth parts of Policy P7 appear to reiterate SWDP 12 and add some local context. The relationship between Policy P7 and SWDP 12, however, is unclear.</p> |
| <p><b>Policy P8 – Built Community Facilities</b></p> <p>Part A – Existing Community Facilities</p> <p>New development will be expected to support the enhancement of community infrastructure and facilities through shared facilities or through developer contributions in accordance with Policy SWDP 37. Development that fails to protect or seeks to change the use of an existing community facility will not be acceptable unless the criteria in Policy SWDP 37B are met. The built community facilities to which this relates are:</p> <ul style="list-style-type: none"> <li>• Broadwas &amp; Cotheridge Village Hall,</li> <li>• Broadwas Primary School,</li> <li>• St Mary Magdalene’s Church Broadwas,</li> <li>• St Leonard’s Church Cotheridge,</li> </ul> | <p>Policy P8 has 3 parts:</p> <p>The first sentence of Policy P8A proposes that new development support the enhancement of 8 named “community infrastructure and facilities” through shared facilities or developer contributions. The first part of the policy suggests that this should be in accordance with SWDP 37 (Built Community Facilities). However, it should be noted that SWDP 37 does not specifically encourage the enhancement of built community facilities through sharing facilities or require developer contributions as suggested in Policy P8. Further, it is considered that developer contributions for facilities such as the public house would not be appropriate.</p> <p>The second sentence of Policy P8A seeks to protect 8 named</p>  |

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| <ul style="list-style-type: none"> <li>• Broadwas Gospel Hall,</li> <li>• The Royal Oak Public House.</li> <li>• Berryfields Play Area and Sports Ground</li> <li>• Stoney Ley Sports Field</li> </ul> <p>Part B – Potential New Community Facilities</p> <p>The provision of new built community facilities or the enhancement of existing facilities will be required to demonstrate that:</p> <ul style="list-style-type: none"> <li>• the siting, scale and design respects the character of the surrounding area, including any historic and natural assets;</li> <li>• the local road network can accommodate the additional traffic without compromising highway safety, and;</li> <li>• adequate off-road vehicle and cycle parking is provided on the site.</li> </ul> | <p>community facilities unless the criteria in SWDP 37B are met. The second part of Policy P8A is considered to be in general conformity with the SWDP.</p> <p>To provide greater clarity for applicants and decision makers it is suggested that the Neighbourhood Plan includes a map showing the location of the community facilities that are to be protected under Policy P8A.</p> <p>The third part of Policy P8, P8B, supports new community facilities or enhancement of existing facilities, subject to 3 criteria being met.</p> <p>Paragraph 70 of the Framework (paragraph 92 of the revised Framework) says planning policies should plan positively for community facilities and guard against the unnecessary loss of valued facilities and services.</p> <p>It is considered that the second part of Policy 8A and Part B of the Policy would be in general conformity with SWDP 37 (Built Community Facilities).</p> |
| <p><b>Policy P9 Renewable Energy and Low Carbon Energy</b></p> <p>With the exception of wind turbines, proposals for stand-alone renewable and low carbon energy proposals will be supported where they meet the requirements of SWDP Policy 27 especially as taken further in the Renewable and Low carbon Energy Supplementary Planning Guidance. Considerations that should be taken into account when assessing proposals include:</p> <ul style="list-style-type: none"> <li>• visual impact in the immediate locality and the wider area</li> <li>• impact on heritage assets and their settings</li> </ul>   | <p>Policy P9 supports proposals for stand-alone renewable and low carbon energy schemes (with the exception of wind turbines), subject to meeting the requirements of SWDP 27 and the associated Renewable &amp; Low Carbon Energy SPD.</p> <p>Policy P9 includes a list of general considerations to be taken into account when assessing proposals.</p> <p>Para 5.41 indicates that the parishes would provide in-principle support for projects which have community benefits. Paragraph 97 of the Framework (paragraph 152 of the revised Framework) says that</p>  |

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| <ul style="list-style-type: none"> <li>• impact on biodiversity</li> <li>• impact on adjoining and nearby uses including noise, vibration or electromagnetic interference</li> <li>• evidence of community consultation.</li> </ul> <p>Stand-alone and renewable low carbon energy proposals will need to include specific assessments relating to the above considerations and consider the wider cumulative impacts.</p>  | <p>local planning authorities should support community-led initiatives for renewable and low carbon energy, including developments outside areas identified in local plans or other strategic policies that are being taken forward through neighbourhood planning.</p> <p>Paragraph 154 of the revised Framework says proposed wind energy development involving one or more turbines should not be considered acceptable unless it is in an area identified as suitable for wind energy development in the development plan; and, following consultation, it can be demonstrated that the planning impacts identified by the affected local community have been fully addressed and the proposal has their backing. Policy P9 is considered to be consistent with the Framework in relation to wind energy.</p> <p>Policy P9 relates to stand-alone renewable and low carbon energy proposals rather than building integrated technologies which are attached to the fabric of a building. It is considered that it would be helpful if this was made clearer in the supporting text.</p> |
| <p><b>Policy P10 Developer Contributions</b></p> <p>Locally determined expenditure arising from developer contributions and other development related sources will initially be directed towards the following projects:</p> <ul style="list-style-type: none"> <li>• Traffic management measures on the A44</li> <li>• Broadband provision for Cotheridge</li> <li>• Improvements to footpaths and bridleways</li> <li>• Improvements to Berryfields Children’s Play Area and Playing</li> </ul> | <p>Policy P10 proposes that developer contributions (Section 106 contributions or CIL) contribute towards the Parish Council’s priorities (which could be subject to subsequent revision by the Parish Council) related to traffic management, broadband provision, improved footpaths / bridleways and improvements to a play area and playing field.</p> <p>The Framework, paragraph 204 (paragraph 56 in the revised Framework) says that planning obligations should only be sought where they meet all of the following tests:</p> <ul style="list-style-type: none"> <li>• necessary to make the development acceptable in planning</li> </ul>  |

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| <p>Field,</p> <ul style="list-style-type: none"> <li>Upgrading the Village Hall</li> </ul> | <p>terms,</p> <ul style="list-style-type: none"> <li>directly related to the development; and</li> <li>fairly and reasonably related in scale and kind to the development.</li> </ul> <p>In light of the above, depending on the wording of the S106 agreements, the Parish Council may not always be able to spend developer contributions on their priorities.</p> <p>For CIL payments, where development that levies a charge occurs in the area, the items in the policy could be paid for (either in full or in part) by the Neighbourhood Planning portion generated through CIL.</p> <p>As currently worded, it is considered that the policy lacks sufficient clarity that a decision maker could apply it consistently and with confidence when determining planning applications.</p> |
| <b>Monitoring and Review</b>   |   |
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| <b>Appendices</b>  |   |
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