Malvern Hills District Council

Clifton upon Teme Neighbourhood Plan

Decision Statement

Clifton upon Teme Neighbourhood Plan

I confirm that the Clifton upon Teme Neighbourhood Plan, as revised by the modifications set out in Table 1 below, complies with the legal requirements and Basic Conditions set out in the Localism Act 2012, and can therefore proceed to Referendum, which will be held on Thursday 5 October 2017.

I also declare that I have no disclosable personal or disclosable prejudicial interest in respect of this decision.

Signed

Gary Williams
Head of Housing and Planning Services, Malvern Hills District Council

Summary

Following an independent examination, Malvern Hills District Council now confirms that the Clifton upon Teme Neighbourhood Plan will proceed to a Neighbourhood Planning Referendum on Thursday 5 October 2017.

Background

On 24 September 2013, Malvern Hills District Council designated the area comprising the Parish of Clifton upon Teme as a Neighbourhood Area for the purposes of preparing a Neighbourhood Plan.

Extensive community consultation culminated in the draft Clifton upon Teme Neighbourhood Plan Regulation 14 consultation which took place from 4 July to 26 August 2016. The consultation responses fed into the final version of the Clifton upon Teme Parish Neighbourhood Plan which was submitted to Malvern Hills District Council in November 2016, along with the associated Basic Conditions Statement, Consultation Statement and Strategic Environmental Assessment Screening Opinion.

The Clifton upon Teme Neighbourhood Plan and associated documentation was then publicised and representations were invited. The publicity period ran from 16 December 2016 to 10 February 2017.

Malvern Hills District Council appointed an independent Examiner, Richard High of High Associates, to review whether the Plan should proceed to referendum in May 2017.

Having considered each of the recommendations made by the Examiner's report and the reasons for them, in consultation with the Parish Council, Malvern Hills District Council has decided to make the modifications to the draft Clifton upon Teme Neighbourhood Plan as detailed in Table 1 below in order to ensure the Plan meets the Basic Conditions as set out in the legislation.

Decisions and Reasons

Malvern Hills District Council will make the following modifications, as proposed by the Examiner and agreed by the Parish Council, to ensure that the Clifton upon Teme Neighbourhood Plan meets the Basic Conditions.

Table 1 – Schedule of Examiner's Recommended Modifications and Malvern Hills District Council's response

Part of Document	Examiner's Recommended Modification(s)	MHDC Response
Policy CL1, pages 31-32 **Paragraph 4.1.11, page 31**	In policy CL1: - delete the third paragraph; and - in the introductory section of the policy on each of the 4 Landscape Character Areas, after "landscaping schemes must demonstrate" delete "that they:" and insert "how they respond positively to opportunities consistent with the scale of development to:" Rephrase the last paragraph of policy CL1 to read "In developments which propose the re-use of waste such as subsoils arising from the development process on site, schemes will be expected to conform with policies in the Waste Core Strategy and Environment Agency Advice." In paragraph 4.1.11 after "…noise attenuation." add "However, to prevent inappropriate development, these kinds of proposals will be considered against Policy WCS 5: Landfill and disposal."	Agreed, policy and supporting paragraph updated accordingly.
Maps 7a and 7b, page 42	Modify maps 7a and 7b to show the boundary of the parish of Clifton upon Teme and increase the size of the text on the maps and the keys to make them legible.	Agreed, map(s) revised accordingly.
Policy CB1, pages 48-49	In policy CB1 2. after "…not exceed two storeys" insert "unless it can be demonstrated that the significance of the building and the quality of the design would ensure that it makes a positive contribution to the Conservation Area." Modify CB1 6. to read "Development proposals are required to provide	Agreed, policy updated accordingly.

Part of Document	Examiner's Recommended Modification(s)	MHDC Response
	integrated or well screened bin storage or recycling facilities."	
Policy CB2, page 52	Modify the last sentence of policy CB2 1. to read "Proposals should demonstrate how they take account of the locally distinctive character of the area in which they are to be sited." In policy CB2 3. delete the second sentence. Modify policy CB2 5. to read "Development proposals are required to provide integrated or well screened bin storage or recycling facilities".	Agreed, policy revised accordingly.
Map 10, page 55	Replace Map 10 with the overview map and enlarged Maps 1-6 which were provided during the examination.	Agreed, map replaced accordingly.
Policy CB5, page 58	Add a third paragraph to policy CB5 which reads "Where a proposal would result in harm to the significance of an asset on the Local Heritage List, the extent of the harm and the significance of the asset should be balanced against the benefits of the proposal."	Agreed, policy updated accordingly.
Policy CH1, pages 64-65	Delete subsection 1 of policy CH1. Delete the section of policy CH1 that relates to car parking standards.	Agreed, policy amended accordingly.
Policy CH2, pages 65-66	In the heading to policy CH2, delete "New". Delete the last section of the policy which relates to car parking provision.	Agreed, policy revised accordingly.
Policy ET1, page 69	Reword the last sentence of the first paragraph of policy ET1 to read "Development of existing and new employment generating uses on existing employment sites, or where this is not possible the expansion of existing	Agreed, policy updated accordingly.

Part of Document	Examiner's Recommended Modification(s)	MHDC Response
	sites, will be supported when:" In subsection 1 after "It" delete "is to support expansion of an existing use on an existing employment generating site and" In subsections 2 and 3 delete "They" and insert "It".	
Policy ET2, page 70	In the second line of policy ET2 delete "are not significant" and insert "meet the requirements for extensions in policy CH2".	Agreed, policy amended accordingly.
Policy CR3, page 78	Delete the first sentence of policy CR3 and insert: "The areas identified on Map 14 are allocated as Local Green Spaces. In these areas development which is not consistent with the role and character of these spaces as Local Green Spaces will only be permitted in very special circumstances."	Agreed, policy revised accordingly.
Policy CR4, page 79	Delete policy CR4	Agreed, policy deleted.
Policy CI2, page 83 **Paragraph 4.6.4, pages 82-38**	Delete the first paragraph of policy CI2 and at the end of paragraph 4.6.4 insert a new "These measures cannot be the subject of a policy in the Plan but will be pursued by the Parish Council (see Appendix 8 point 7)."	Agreed, policy and supporting paragraph updated accordingly.
Policy CI4, page 85	Delete policy CI4	Agreed, policy deleted.