

Objective 2 – To maintain the Significant Gap between Kempsey and Worcester city.

POLICY K4 –THE SIGNIFICANT GAP

The open character of the Significant Gap (as shown on Figure 4) between Kempsey and Worcester will be retained to provide a clear separation and the individual identities of Kempsey and Worcester.

The following development may be acceptable in the Significant Gap:

- a) The re-use of rural buildings;
- b) Agricultural and forestry-related development;
- c) Playing fields
- d) Other open land uses that maintain the openness of the gap; and
- e) Minor extensions to existing dwellings.

Comment [Robert Ga1]: See comment re: Policy K2. Unlike other policies this does not then cross reference

Comment [Robert Ga2]: Insert '...between...'

Comment [Robert Ga3]: Insert 'village'

Comment [Robert Ga4]: How defined?

Comment [Robert Ga5]: Add "where the open character of the Significant Gap is not significantly adversely affected." This would ensure compliance with Strategic Objective of Policy SWDP2(d) and accord with 5.20 below

Background/Justification

5.19 The SWDP identifies a number of Significant Gaps. These, including the Significant Gap between Kempsey and Worcester, are identified on the SWDP Policies Map (see Figure 4 in this Plan). Policy SWDP2(d) seeks to ensure that development proposals retain the open character of the Significant Gaps.

5.20 The purpose of maintaining the Kempsey Significant Gap is to provide additional protection to open land that may be subject to development

pressures. The SWDP acknowledges that Significant Gaps help to maintain a clear separation between smaller settlements and urban areas in order to retain their individual identity. As the city of Worcester expands southwards due to the urban extension at Broomhall Community (SWDP45/1) the separation between the city and Kempsey has, and will be, reduced. Whilst the strategic growth of the city is supported, the need to preserve the separation of Kempsey and the smaller settlements in the parish from the city becomes even greater. This policy will preserve the openness of the “Significant Gap” between Kempsey, and the smaller settlements, and the expanding city, whilst allowing for appropriate forms of development that would not impact on this area’s openness.

Comment [Robert Ga6]: Insert ‘...adversely ...’

Objective 3 – To conserve and enhance the historic environment

POLICY K5 – DESIGNATED HERITAGE ASSETS

Development proposals that conserve, enhance and respect the setting of the parish’s Listed Buildings and Conservation Area (see Figure 7) will be supported.

Comment [Robert Ga7]: This phrase does not adequately reflect the statutory requirements, partly set out below. It should more effectively start “Development proposals will be required to conserve etc etc ...”

The Listed Buildings in Kempsey are found in Appendix 1.

Comment [Robert Ga8]: This should not form part of the policy and anyway is not a complete list of the designated heritage assets subject to his policy. Both this and Figure 7 could be referred to in the justification

Background/Justification

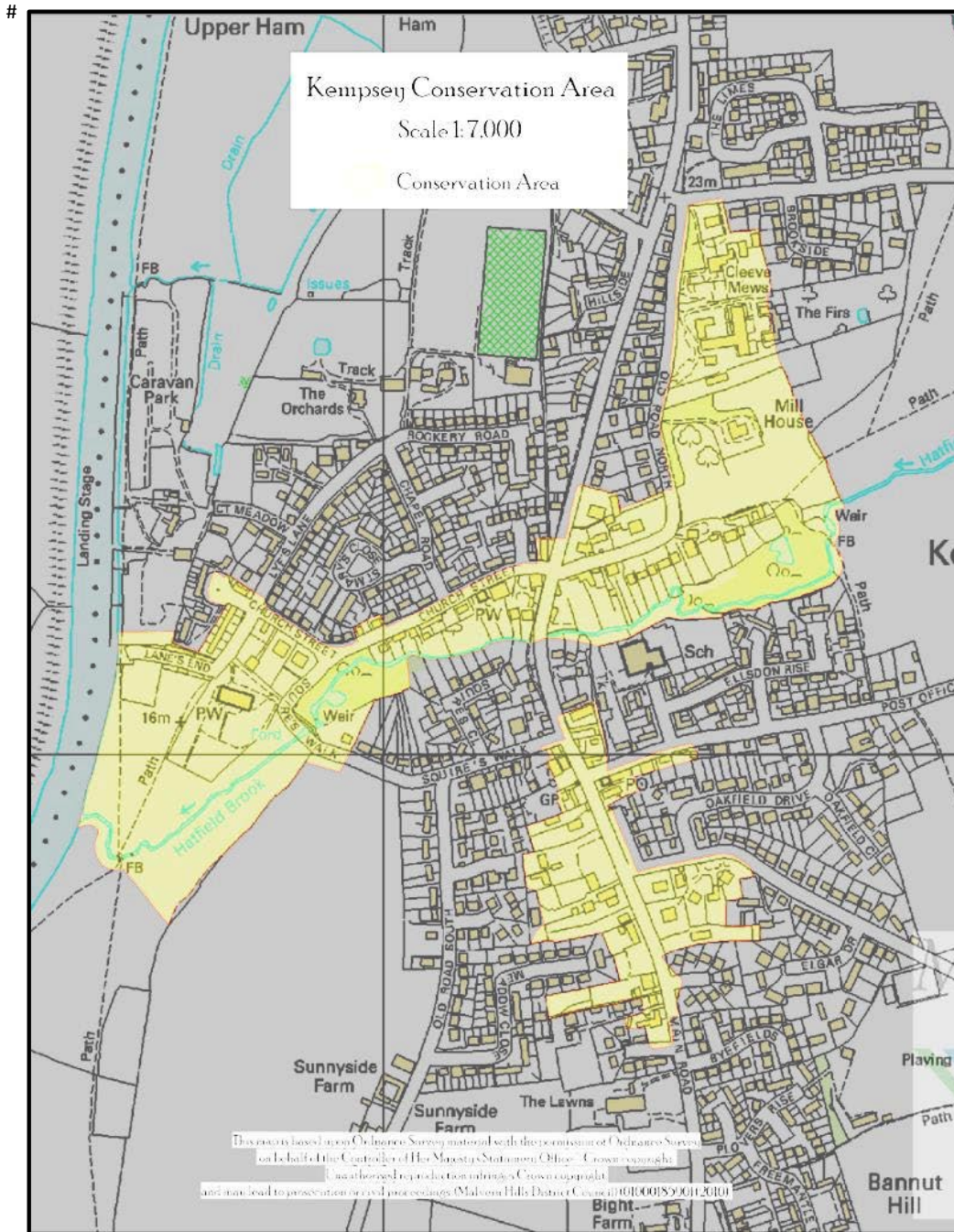
- 5.21 National Planning policy seeks to preserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. Our Neighbourhood Plan policy will do this by seeking to conserve, enhance and respect the Parish’s Listed Buildings and Conservation Area and their settings.**
- 5.22 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision makers to have special regard to the desirability of preserving a listed building or its setting. Section 72(1) of that Act requires decision makers to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. All development proposals relating to designated historic assets are subject to these statutory tests, which affords them a high degree of protection.**
- 5.23 In developing Policy K5 a Historic Environment Record (HER) search was carried out by Worcestershire Archive and Archaeology Service for the whole parish of Kempsey in May 2013. Within the parish there are 4 scheduled monuments (not shown in Appendix 1) and 28 listed buildings. The majority of the buildings were found to date from 17th-19th century, however a 15th Century and 16th Century building was identified in addition to the church of St Mary’s the Virgin dating from the 13th century.**

5.24 Policy K5 should be read in conjunction with Policies SWDP6 Historic Environment and SWDP24 Management of the Historic Environment.

Figure 7 – Kempsey Conservation Areas

©Crown copyright and database rights [2015] Ordnance Survey 100055940 Kempsey Parish Council (Licensee) License number 0100053313

Comment [Robert Ga9]: Should this be singular?



POLICY K6 – NON-DESIGNATED HERITAGE ASSETS

Following adoption by Malvern Hills District Council, proposals requiring planning consent which affect a building or structure on the Local List must demonstrate how they protect or enhance the heritage asset,

The renovation or alteration of buildings or structures identified on the Local List should be designed sensitively, and with careful regard to the heritage asset's historical and architectural interest and setting.

Background/Justification

5.25 Kempsey parish has a number of buildings/structures that have local heritage value which may not be appropriate for national listing but could be listed in the Malvern Hills District Council Local List. As non-designated heritage assets these buildings would be afforded protection through local planning policy.

5.26 Through work on the Neighbourhood Plan a number of potential non-designated heritage assets have been identified for protection in recognition of their significance and important contribution to the locally distinctive character of the parish. These are set out in Appendix 2 and Figure A2. Development of these non-designated heritage assets requiring planning permission will be required to demonstrate how they conserve and enhance those assets and their settings.

5.27 Once identified on the Local List, future development proposals affecting the parish's non-designated heritage assets will have to be in accordance with Policy K6.

POLICY K7 – VALUED LANDSCAPES

Valued landscape areas in the neighbourhood plan area will be protected and enhanced for their visual, cultural, historical, archaeological and architectural interest. These valued landscapes are:

- Kempsey Common
- Normoor, Kerswell Green and Stonehall Common
- Ashmoor Common
- north and south Hams
- The confluence of Hatfield Brook and the River Severn in Kempsey village.

The Commons and Hams are shown on Figure 11.

Comment [Robert Ga10]: Adoption of what? The KNDP? If so, a totally unnecessary qualification. If the Local List, then the policy has no effect at all until the Local List is adopted – which it may never be. A policy in such anticipation of a possible future event is inappropriate

Comment [Robert Ga11]: 'Permission' is used in 5.26 which is correct. However, if a proposal does not require planning permission it would not be subject to the policy anyway! This is unnecessary.

Comment [Robert Ga12]: Add "Proposals for the ..."

Comment [Robert Ga13]: Renovation per se is unlikely to be development requiring planning permission.

Comment [Robert Ga14]: Replace with '... have...'

Comment [Robert Ga15]: Insert '-'

Comment [Robert Ga16]: Replace with 'affecting' since their setting may be affected by development other than that of the asset itself, as 5.27 seems to recognise.

Comment [Robert Ga17]: remove

Comment [Robert Ga18]: The policy says 'or' not 'and'

Comment [Robert Ga19]: As before, does this para establish that K6 cannot apply until the Local List is adopted, in which case the final sentence of para 5.26 is premature!

Comment [Robert Ga20]: Superfluous, the plan does not apply anywhere else!

Comment [Robert Ga21]: These should properly be referred to as the Upper and Lower Hams, as Fig 11

Comment [Robert Ga22]: But not the area referred to in the final bullet point. To be effective the location and extent of the 'confluence' area must also be identified. In particular, elsewhere "in Kempsey village" means within the development boundary. That cannot apply here to be meaningful and the term should be removed - and from 5.29. The Conservation Area boundary at this point also extends outside the development boundary, but not to ...

Background/Justification

5.27 The parish lies within the Severn valley and is characterised by the separate areas listed in Policy K7 and identified in Natural England's National Landscape Character Assessment Area as part of the Severn and Avon Vales National Character Area (NCA) 106. NCA 106 identifies four Statements of Environmental Opportunity:

- Protecting and managing the landscape and heritage associated with the river valleys and unimproved grasslands along floodplains.
- Safeguarding and enhancing the area's distinctive patterns of field boundaries, ancient hedgerows, settlements, orchards, parkland, small woodlands, chases, commons and floodplain.
- Reinforcement of existing landscape structure as part of any identified urban growth.
- Protect geological exposures and maintain restore and expand semi-natural habitats.

5.28 In addition, the Neighbourhood Plan has been prepared using the Worcestershire Villages Historic Environment Resource Assessment. This has used the principles of Historic Landscape Characterisation to identify and assess the distinctive character areas across the settlement.

5.29 These key documents have been used to help inform the preparation of the Neighbourhood Plan and the identification of valued landscapes in the neighbourhood plan area. National planning policy sets out that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. These valued landscapes are:

- Kempsey Common - an historic area of open land that also has views of the Malvern and Clent Hills (Photo 1)
- Normoor, Kerswell Green, Ashmoor Common (Photo 3) and Stonehall Common (Photo 2) - areas of historic, open land. Ashmoor Common is also a Site of Special Scientific Interest.
- north and south Hams – areas of rare lammas land (common land for half the year) providing access to uninterrupted views of the Malvern Hills, and to the Severn Way; and
- The confluence of Hatfield Brook and the River Severn in Kempsey village - this is a wildlife corridor as well as providing essential land drainage for a large area extending well outside Kempsey.

Comment [Robert Ga23]: Upper and Lower Hams

Comment [Robert Ga24]: Delete, see above



Photo 1: Kempsey Common, looking west towards The Malvern Hills



Photo 2: Stonehall Common



Photo 3: Ashmoor Common



Photo 4: North Hams

Comment [Robert Ga25]: Upper Ham



Photo 5: South Hams

Comment [Robert Ga26]: Lower Ham



Photo 6: The confluence of Hatfield Brook and the River Severn in Kempsey village.
Objective 4 – To maintain, improve and expand community and recreation facilities

Comment [Robert Ga27]: It is the land leading and around the confluence which is relevant not the confluence itself!

POLICY K8 – PROTECTION AND IMPROVEMENT OF COMMUNITY FACILITIES

Proposals leading to the loss or change of use of the community facilities identified on Figure 5 the Policies Map, and listed below, to noncommunity uses will not be supported unless the following can be met:

- a) There is clear justification by the applicant that the facility is no longer economically viable in its current form and location to continued community use. If a site is considered to be no longer economically viable for continued community use, evidence should be provided by the applicant to show that the site has been actively marketed for community uses for a period of at least 12 months, including in the neighbourhood area and that no sale or let has been achieved during that period; or
- b) The proposal includes alternative provision, on a site within the parish, of equivalent or enhanced facilities. Such sites should be accessible by public transport, walking and cycling and have adequate car parking.

This policy applies to the following:

- K8/1 Kempsey Community Centre
- K8/2 Seabourne Inn
- K8/3 Shop and Post Office
- K8/4 Crown Inn
- K8/5 St Mary's Church
- K8/6 Parish Hall
- K8/7 Talbot Inn
- K8/8 Walter de Cantelupe Inn
- K8/9 Anchor Inn
- K8/10 Kempsey Youth Centre
- K8/11 The Huntsman Public House

Background/Justification

5.30 Local facilities are vital to the health and well-being of an area. Kempsey has a number of well used facilities. The majority of residents use these at least once a week, see Figure 9 below.

Comment [Robert Ga28]: Change of use would also cause 'loss' so is unnecessary but should add "... or would otherwise prejudice the continued provision ..." which would, for eg, ensure that the loss of car parking or other supportive open areas is fully considered. This would also mean that a) would need to be adapted so that evidence that the loss of such supporting space would not prejudice the continued viability of the facility.

Comment [Robert Ga29]: Insert 'or'

Comment [Robert Ga30]: 'or'

Comment [Robert Ga31]: 'for'

Comment [Robert Ga32]: Replace with, "Such justification should include evidence"

Comment [Robert Ga33]: Replace with 'facility'

Comment [Robert Ga34]: It is not the sale or let which is relevant, it is whether there has been a reasonable offer to buy or rent. The test as written could be easily met.

Comment [Robert Ga35]: Policy SWDP 37B already sets out the parameters when considering the loss of community facilities – either the K8 a) and b) version is unnecessary or, as elsewhere in this document, SWDP 37 should cross-referenced