

Kempsey Neighbourhood Plan
Kempsey Parish Council and Malvern Hills District Council
Response to Examiner's Clarification Note (19 May 2017)
6 June 2017

Points for Clarification	Response from Kempsey Parish Council and Malvern Hills District Council (MHDC)
<p><u>Policies Map – Local Green Spaces</u></p> <p>For the purposes of development management they [the Local Green Spaces on the Proposals Map] do not show the sites with sufficient clarity. Subject to any comments at this stage I will be recommending in my report that the local green spaces are shown on separate insets maps of an appropriate scale for accurate identification purposes.</p>	<p>We agree that the boundaries of the Local Green Spaces should be clearer.</p> <p>MHDC will prepare separate inset maps for the proposed Local Green Spaces.</p>
<p><u>Identification of policies</u></p> <p>You may wish to consider including the policies themselves in text boxes. This is a technique used in many other neighbourhood plans and local plans. It makes it easier for the reader of any plan to be able to identify the policies at a glance.</p>	<p>We are happy to be guided by the Examiner and include the Neighbourhood Plan policies in text boxes to make it easier for the reader of the plan able to identify the policies at a glance.</p>
<p><u>Policy K4</u></p> <p>Is there any specific reason why the second part of the policy [relating to possible acceptable types of development in the Significant Gap] has been included?</p>	<p>This text is included to ensure the policy is positively worded as required in NPPF i.e. it sets out those types of development that will be supported.</p> <p>Paragraph 8 of the Reasoned Justification for SWDP 2 sets out development uses that may be acceptable in the Significant Gap. The second part of Policy K4 is consistent with the supporting text for SWDP 2, but by including the possible acceptable types of development in Policy K4 it provides greater clarity that a decision</p>

	maker can apply it consistently and with confidence when determining planning applications
<p><u>Policy K7</u></p> <p>Figure 11 has not reproduced in a particularly clear fashion. I will be recommending that this matter is remedied.</p> <p>Figure 11 will also need a key. In particular, the overlap is not clear between the final part of the policy and the green infrastructure shown on figure 11. Please can this point be clarified?</p>	<p>MHDC will prepare a clearer map showing the location of valued landscapes for inclusion in Policy K7 and a clearer map showing the Green Infrastructure Network for inclusion in Policy K12. As suggested, the maps will include a key.</p>
<p><u>Policy K8</u></p> <p>What would be the intended relationship between the application of this policy and Policy 37 of the SWDP on a day-to-day basis?</p>	<p>K8 should be read alongside SWDP37.</p> <p>SWDP 37 relates to the enhancement of existing facilities (particularly where they have resulted from neighbourhood planning) and sets out criteria that should be met in relation to proposals that would result in the loss of a community facility.</p> <p>Based on local priorities, Policy K8 identifies specific community facilities in Kempsey that the community wish to protect or improve.</p>
<p><u>Policy K10B</u></p> <p>How will the assessment of criteria a) and b) take place?</p>	<p>In relation to criteria a), this will require a statement from the Parish Council stating that it has examined all options, but the only way that land and sufficient funding can be secured for the delivery of K10Bi is if the land east of Pixham Ferry Lane, was made available for enabling housing development.</p> <p>In relation to criteria b), this would involve the submission of a statement from the Parish Council outlining the costs of providing the community, recreation and sports provision and the funding available.</p>

<p><u>Policy K10B</u></p> <p>What will be the respective roles of the Parish Council and MHDC (as the local planning authority) in this process?</p>	<p>MHDC will assess the planning application using established procedure, including e.g. the financial appraisal and evidence supplied on need and lack of alternatives. The Parish Council would help evidence the need for the development e.g. lack of alternative funding.</p>
<p><u>Policy K10B</u></p> <p>How will the minimum amount of enabling development be determined? Will the limit be on the number of houses to be delivered or on the extent of land-take within the site shown in the neighbourhood plan or the minimum necessary for the enabling development to be viable?</p>	<p>The calculation will be based upon the level of contribution per dwelling for off-site recreation provision. The level of contribution will be determined through MHDC established methodology for securing recreation land from new development, which will also be informed by independent land valuation of the site.</p> <p>It will therefore be the minimum number of units necessary for the enabling development to provide the level of funding to cover the provision of the land required for the off-site recreation.</p>
<p><u>Policy K10B</u></p> <p>Should the Plan include any further guidance on how the enabling development should be delivered?</p>	<p>The proposed development should provide the Dwelling Mix and Tenure relevant to the needs of the community and in line with Policy K3 of the draft NDP document.</p>
<p><u>Policy K10B</u></p> <p>Should the Plan include any further guidance on how the land for community, recreation and sport is delivered?</p>	<p>The planning application should be a joint application for the enabling development and the recreation land. This will be covered by a Section 106 agreement. Planning approval will only be granted on receipt of a signed Section 106 agreement transferring the land for the recreation to Kempsey Parish Council.</p> <p>The Parish Council will ensure that the land for Community Recreation and Sport will be conveyed to their ownership on a freehold basis</p>

	upon a grant of outline consent. The sports land (identified in policy K10b) will be protected in perpetuity for community sports and recreation use.
<p><u>Policy K10B</u></p> <p>To what extent can the proposed recreation area be satisfactorily accessed from Pixham Ferry Lane?</p>	<p>The recreation area can be fully accessed via Pixham Ferry Lane with the entrance just inside Old Road South. Access via Old Road South from a northerly direction will be discouraged through appropriate traffic management.</p>
<p><u>Policy K10B</u></p> <p>Have either MHDC or Worcestershire County Council come to a decision on the acceptability or otherwise of the proposed passing places in Pixham Ferry Lane as described in the Planning Statement (paragraph 6.25) submitted with the current planning application (16/01396)?</p>	<p>The design of the proposed passing places on Pixham Ferry Lane was done in consultation with the Responsible Highways Officer of Worcestershire County and is fully consistent with his preferred design. See design drawing no. MID4011-SK006 revision A to planning application 16/01396.</p>

AFF
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