

Martley, Knightwick & Doddenham Neighbourhood Development Plan

Regulation 14 Consultation Draft

Consultation 5th September – 17th October 2016

Table 3 Local Residents' and Stakeholders' Responses

Consultee Name Address Ref. No.	Page No.	Para. No.	Vision/ Objective / Policy No.	Support / Object / Comment	Comments received	Parish Council Consideration	Amendments to NP
Martin O'Brien 61 St Peters Drive Martley 3.1					See Attachment 1.	These comments are largely directed to MHDC. The comments will be included in as part of the submission documents, and MHDC officers will have the opportunity to respond if they so wish.	No change.
Martin O'Brien 61 St Peters Drive Martley 3.2	All				1. I submitted a comment about Best and Most Versatile Agricultural Land to Stuart for an earlier draft. Stuart did not include it on the grounds that the matter was already covered by Government policy. I still think it is important to act along the lines I then suggested. Could my comment then please be	Noted. The NPPF advises: in paragraph 112. Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should	No change.

					accepted as a comment on the present draft.	seek to use areas of poorer quality land in preference to that of a higher quality. Therefore protection is already afforded in national government planning policy.	
Clifton upon Teme Parish Council 3.3	All			Support	Clifton upon Teme Parish Council considers that the plan is well written and informed with a clear vision and objectives. There is a good evidence base provided for the local distinctiveness of the Neighbourhood Plan area across the three parishes of Martley, Doddenham and Knightwick and it also highlights the issues of rural living and sustainability. Clifton upon Teme Parish Council supports the plan and its future aims.	Noted.	No change.
Chris Allen Hawksnest Barn Easinghope Lane Martley 3.4		10.2		Comment	In my opinion a footpath from Berrow Green to Martley is every bit as important as Hillside to Martley and Sunningdale to Knightwick. I have written to Martley PC before on this but without acknowledgement	Accepted. Insert additional text to para 10.2.	Amend Plan. Insert additional text into para 10.2: “This makes walking between settlements (such as between Sunningdale and Knightwick or between Hillside and Martley or from Berrow Green to Martley) perilous, particularly at night-time.”
Michael & Peter Kirby	47 - 56	6	MKD5, MKD6,	Object	The proposed housing policies in Section 6 make no attempt to meet	Not accepted.	No change.

<p>Daneswood House, Preston Wynne, Hereford</p> <p>3.5</p>			<p>MKD7 & MKD8</p>	<p>the stated main Objective 3 of the Neighbourhood Plan to respond to the housing needs of people living in the neighbourhood area by supporting the provision of appropriate types of dwellings built to high standards of design in locations which respect the character of our communities and countryside.</p> <p>The plan period is to support the housing needs up to 2030 but the stated policies in Section 6 make no attempt to provide for additional housing other than those which have been constructed or have planning consent.</p> <p>Two past surveys of Martley and the wider parish have stated that about half of the residents support additional housing with the plan acknowledging the result of the 2011 Household Survey that there was a demand for affordable housing including to rent, smaller houses for people who want to downsize, low energy houses, bungalows and sheltered housing.</p> <p>The draft plan is relying on completed houses and those with planning consent to meet what is regarded by the authors as the</p>	<p>The NDP is in conformity with strategic local planning policies as set out in the NDP.</p> <p>MHDC have advised (in response to the Regulation 14 consultation) that <i>“SWDP 2 focuses most development on the urban areas where both housing needs and accessibility to lower-cost public services are greatest.</i></p> <p><i>SWDP 2B says windfall development proposals will be assessed in accordance with the settlement hierarchy. Martley is identified as a Category 1 settlement in the hierarchy and Knightwick is a Category 3 settlement. The role of Category 1, 2 and 3 settlements in the SWDP is predominately aimed at meeting locally identified housing and employment needs. SWDP 2, Table 2 says that infill development within the defined development boundaries is acceptable in principle subject to more detailed Plan policies.”</i></p> <p>MHDC went on to advise that <i>“the Objectively Assessed Housing Need (OAHN) to 2030 in South Worcestershire is 28,370 dwellings.</i></p>	
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				<p>needs of the village and yet those developments clearly do not provide the housing mix that has been identified by the parishioners nor likely the quantity of housing.</p> <p>Martley is a Category 1 village owing to the services that are available within it including a primary and secondary school as well as a shop and public house. The number of dwellings that is considered as being required and which the draft plan is relying upon to state that it has reached its target is only a minimum number of dwellings when the village would benefit from additional housing to meet both the identified requirements of the existing parishioners as well the expansion that South Worcestershire is expected to meet under the National Policy Framework. NPPF states that ‘the planning system should perform a social role by supporting strong, vibrant and healthy communities, by providing a supply of housing required to meet the needs of present and future generations’ as well as an economic role in contributing to building a strong responsive and competitive economy. The draft plan is concentrating on Objective 1 ‘to protect the rural character of the</p>	<p><i>The SWDP makes provision for around 28,400 dwellings to meet this need, including 65 in Martley (51 on land adjacent to the Crown and 14 on land adjacent to the Primary School). In addition there have been further planning approvals for 14 dwellings in Martley since 2013/14.</i></p> <p><i>In light of this, it is considered that there is no immediate need to identify sites for further development in MKD within the Neighbourhood Plan.”</i></p> <p>The NDP is worded positively and supports appropriate small scale development to meet local needs. It is important that the NDP reflects the villages’ roles in the settlement hierarchy; to provide for a significantly greater quantity of housing than that proposed in the SWDP risks undermining the SWDP’s overall strategy for a sustainable pattern of development and may result in the NDP being found not to be in general conformity by an Examiner. Some amendments to policies have been made to increase clarity and provide greater flexibility.</p> <p>Therefore there is no requirement</p>	
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				<p>parishes.....’ to the exclusion of Objective 3 in particular. The effect of MKD6 with the very tightly drawn village settlement boundary and its wording of development only being permitted on previously developed land effectively means that, at best, only the odd individual plot can come forward during the remainder of the plan period and that Policy MKD5 (maintaining the settlement pattern) and MKD8 (housing mix) are superfluous and misleading as in reality they cannot be triggered by the effect of MKD6 new housing development.</p> <p>The draft plan is therefore unbalanced in attempting to meet its stated objectives with Objective 1 predominating over the other objectives and in particular its own Objective 3 as well as the National Planning Policy objectives to support sustainable development. I therefore attach a plan showing a proposed site that could potentially enable the parish to meet Objective 3 with a mix of housing. South Worcestershire policies already assist the parish in meeting its other objectives in terms of appropriate scale and type and the provision of green infrastructure that will ‘break up’ the perception of ‘larger’</p>	<p>for the NDP to allocate a site or sites for housing.</p>	
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					<p>development sites.</p> <p>I would therefore like to propose that the site identified edged red on the accompanying plan is included as an identified site for meeting Objective 3 and that the wording of the other associated housing policies are amended to enable the housing requirements of the parish to be met on the site.</p> <p>MAP ATTACHED AS LAST PAGE OF DOCUMENT</p>		
<p>Peter Kirby As above</p> <p>3.6</p>	34	4.18	MKD1 & Map 11	Object	<p>MKD1 9 has a policy of protecting 'significant' views. The views from points 2 and 3 are not of enough significance to require additional protection within policy MKD1 with many far better views from and towards the village having no protection. The views that have been selected are simply ones that the authors of the plan feel may come under development pressure in the future and bear no relation to the visual quality of what is being seen such as the Maylite industrial estate and the main housing estate.</p>	<p>Not accepted.</p> <p>MHDC supports the inclusion in the NDP of Significant Views that have been identified through the NDP process, provided they are justified. These include both views identified in the Conservation Area Appraisal and Management Plan and those identified by members of the Steering Group and supported through the informal consultation process.</p>	No change.
<p>Hereford & Worcs Earth Heritage Trust University of Worc</p>	All			Support	<p>As the organisation within the county that advises the local authorities on geological conservation issues and recommends locations as Local Geological Sites, we commend this</p>	Noted.	No change.

<p>Henwick Grove</p> <p>3.7</p>					<p>plan for the inclusion of the outstanding and extensive geological interest of the area and the educational and recreational opportunities it offers.</p> <p>Teme Valley Geological Society has been a great champion of this geodiversity. It has around 100 members in just a small parish, liaises with local schools and businesses and has gained a far reaching reputation, with academic researchers and geological interest groups from across the country visiting and spending money in the local area. TVGS and its work was used as a best practice case study (alongside four other projects from across England) at a recent conference in Buxton, Derbyshire supported by the Peak District National Park and the English Geodiversity Forum. A report of the conference can be viewed at englishgeodiversityforum.org/ .</p>		
<p>Whitbourne Parish Council</p> <p>3.8</p>	<p>All</p>			<p>Support</p>	<p>I have examined your N.D.P. and find nothing that adversely effects our parish</p>	<p>Noted.</p>	<p>No change.</p>

<p>James Hyslop Brook Court Martley</p> <p>3.9</p>	<p>All</p>			<p>Comment</p> <ul style="list-style-type: none"> -He likes the areas that you spoke about but used the expression 'not in my back yard' and in regards to the acres of diamonds he is concerned that people should not be looking at change but instead looking at the positives of the change? -He would like to discuss road structures and the centre of the village -Building a community to support well aged parishioners and engage and attract new businesses to sustain existent and inevitable new homes -Respite care homes -Existing building boundaries as in the main it has already developed -New proposed building areas and speaking to new employers and what did they think about it? By attracting new jobs it would help sustain and bring demand for mixed housing such as affordable sustainable housing as well as rented. -Drainage/Sewage concerns with 	<p>Noted.</p> <p>The Parish Council would welcome further dialogue on the issues if required.</p> <p>The NDP addresses traffic / roads, aims to support the local community and economic growth and provide homes for older people and to meet local needs.</p> <p>The graveyard issue is being addressed by the Parish Council.</p>	<p>No change.</p>
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					<p>Severn Trent</p> <p>-New village hall in the 2020's</p> <p>-Graveyard proposed 8 acre site, what is the plan?</p>		
<p>Phil Edwards, Knightwick & Doddenham PC</p> <p>3.10</p>	<p>81</p> <p>27</p>			<p>Comment</p> <p>Just spotted a couple of errors - very minor - on the draft NDP....</p> <p>Page 81, the view to the Malvern Hills is south from Ankerdine common not north,</p> <p>Page 27, Ankerdine Common is said to cover 7.3ha but on page 84 is 3.8ha.</p>	<p>Noted.</p> <p>Amend Plan text as suggested.</p>	<p>Amend Plan.</p> <p>Page 81, the view to the Malvern Hills is south from Ankerdine common not north,</p> <p>Page 84 Ankerdine Common amend to 7.3ha.</p>	
<p>Martley Primary School</p> <p>3.11</p>	All			<p>Comment</p> <p>I have read through it and do not see anything that I wish to comment directly upon at the moment.</p> <p>The housing developments which directly impact on our location regarding the access to land are already well under way. The main thoughts are regarding the safety along the Worcester road immediately outside of school, the lack of parking etc at peak times. I do not know the solution but whether it is the 106 money which needs to be allocated to help improve traffic conditions/pedestrian access etc here I am unsure.</p>	<p>Noted.</p> <p>The NDP supports investment in measures to improve transport and accessibility through amongst other things, parking, provision of safe crossing places, and cycle and walking routes.</p> <p>If the school does wish to expand in the future, the NDP supports investment in local community facilities.</p>	<p>No change.</p>	

					<p>As yet, we have not had an increase in our pupil numbers as a result of the new housing sites. Potentially, in the future this may increase with 2nd generation etc as yet, this has not been the case.</p> <p>Is there or should I be doing something as a result of the plan, in your opinion, that I am not?</p>		
Tony Lewington The Old Hall Martley 3.12	All			Support		Noted.	No change.
<p>The following all attended the drop in event but made no comments but all support the document</p>							
Roy Walford, 20 St Peters Drive, Martley							
Charlie Farley, 1 Heaton House, Martley							
Gary Wroe, 29 Ryecroft Way, Martley							
Lynn Wroe, 29 Ryecroft Way, Martley							
Hayley Wroe, 29 Ryecroft Way, Martley							
Caroline Dunn, The Haven, Martley							
Ian & Karin Logan, 1 School Houses, Martley							
Mandy Gardner, 3 Mortlake Drive, Martley							
Nigel Bruen, Hipplecote Cottage, Martley							
M Jones, The Old Dairy, Hope House Farm, Martley							
W Davies, Thornhill Villa, Martley							
Dr Woodfine, Coach House, Martley							
Jean Hyslop, Brook Court, Martley							
Stuart Cumella, 10 Badger Close, Martley							
Janet Dale, 1 Vernon Close, Martley							

J L Bateman, Elm Lee, Hillside, Martley
J S Nicklin, The Chandlery, Martley
Pat Owen, The Laurels, Jury Lane, Martley

ATTACHMENT 1

The most serious threat

The most serious threat to the implementation of the proposed NDP from Martley's point of view and the most serious threat to Martley's right to enjoy the protections offered by Government and SWDP policies is Malvern Hills District Council.

This is so because MHDC, or at any rate MHDC officers, for reasons which they do not explain, are giving one policy a priority and primacy which is not justified by Government policy or by the SWDP taken as a whole. In fact, their according of this primacy leads to wholesale breach of important National and SWDP policies. This breach takes place, not with an open and transparent weighing of pros and cons, of costs and benefits (in the wide sense) but rather by means of simply ignoring previously published facts.

The policy to which MHDC is giving priority to the extent that other important policies count for nothing is the policy that all new housing in rural areas must be concentrated in Categories 1,2 and 3 villages, that is to say, in villages with some level of services and public transport. The main target is Category 1 villages, being the villages with most service facilities. Martley is a Category 1 village.

Examples

There follow some examples of the way in which MHDC's abusive pursuit of ensuring that there is major housing development in the Category 1 village of Martley leads to the violation of other major SWDP policies, even to the point of becoming self-contradictory and irrational. They demonstrate that the MKD NDP must contain within itself the refutation of these excesses and irrationalities of MHDC, so that the ambitions of most residents of Martley for themselves and their families can be realised, in the face of MHDC opposition. All the examples involve The Scar aka The Nubbins at Martley, to which the NDP drafts produced to date attach considerable importance.

Example (a):

Consider the following quotation from the adopted Local Plan (SWDP), Policy 25 "Landscape Character", Reasoned Justification, para 1, page 151:

"1. The distinctive landscape of south Worcestershire is an important factor in the relatively high quality of life experienced by most residents. The landscape contributes to much of our decision-making e.g. where people choose to live, work and spend their leisure time. The landscape is also a distinctive heritage feature, which is reflected in a relatively buoyant tourism market within the local

economy. To allow inappropriate development would compromise both the general wellbeing and the economic viability of south Worcestershire...." .

This statement adopted by MHDC, together with the other South Worcestershire Councils, gives very considerable importance to preservation of the Malvern Hills landscape. From it follow logically the following points:

- (i) beautiful or striking landscape value is NOT a matter of individual judgement or taste. MHDC commits itself to the belief that there IS, not merely a distinctive English landscape, not merely a distinctive Worcestershire landscape, but even a distinctive South Worcestershire landscape;
- (ii) the distinctive South Worcestershire landscape must be preserved for economic (tourism) reasons but also so that those who remain in or move house to South Worcestershire for a better quality of life can do precisely that;
- (iii) from (i) and (ii) above it is obvious that, in the case of every planning application which might pose any risk whatever to landscape amenity, MHDC has taken on the obligation of ensuring that the planning application is scrutinised by a Landscape Officer and a public report is submitted;
- (iv) it also follows that MHDC's Landscape Officers are appointed on the basis that they can recognise the distinctive landscape character of South Worcestershire when they see it.

The above SWDP policy is put to the test by the current planning application to build a 20-dwelling housing estate on The Quarry Piece (called "Sandyfields" in the application) in front of the western part of The Nubbins. The Nubbins and the open ground in front of it were formally and officially described by MHDC to the Planning Inspector in 2006 as a "prominent and attractive landscape feature" and also in 2006 as an "important" feature in the "unique" setting of the Martley Conservation Area (for fuller references, follow link). Although the most commonly enjoyable views of The Nubbins were suppressed by MHDC in 2013, there still remain significant views, particularly of the exposed quarry faces of pink sandstone.

How then have MHDC planning officers interpreted SWDP Policy 25 in regard to the Quarry Piece application?

They have done nothing; at any rate, no Landscape Officer report has been submitted. I personally have asked why this is the case several times since early May this year and received no reply. The Parish Council has asked the same question, and received no acknowledgement or reply.

That there should be a reply, and that there should be a Landscape report, is all the more necessary and urgent by the treatment which The Nubbins had received from MHDC in 2013 (in fact, in 2011), when views of the eastern part of The Nubbins were destroyed for ever by the decision to build The Hopyard housing estate.

On that, the 2013, occasion, a landscape report was done. But in that report, no reference is made to MHDC's official stance seven years earlier that The Scar [The Nubbins] was a "prominent and attractive landscape feature", the loss of which to housing development would come

at too great a cost to the local environment and community. For the Landscape Officer in 2013, paid to protect the distinctive landscape of South Worcestershire, the "prominent and attractive landscape feature" was merely a wooded scarp handily serving to prevent the proposed housing estate from causing any possible adverse visual impact to the north of the site!

It is not a valid argument to say that perhaps the District's landscape policy was still maturing in 2013 and so the Landscape Officer had no firm policy to use as a guide. MHDC has always had a strong policy of preserving the district's landscape beauty and attractiveness. MHDC's Approved Local Plan of 1998 contains in its Section 7 frequent affirmation of the necessity of preserving the District's very high landscape quality.

Neither is it valid to claim that the withdrawal by the County Council of the designation "Area of Great Landscape Value" (AGLV) left The Nubbins without protection, as District officers claim. This withdrawal was the result of Government guidance in 2004 (Planning Policy Statement 7, Sustainable Development in Rural Areas, paras. 24 and 25) expressing concern that blanket designations were preventing some potentially acceptable housing and employment development. But at the same time the Government told Local Planning Authorities who wanted to protect locally valued landscapes to do so by means of "criteria-based" policies.

Clearly, MHDC did not want to devise, or have devised, such policies in order to protect The Nubbins. Why was this so, and why give an inaccurate reason for their failure to do anything to protect The Nubbins between the time of the Government's guidance (2004) and the Hopyard estate planning application in 2013?

District officers behave as though they do not believe that The Nubbins is a striking landscape feature any more but offer no reason for their apparent denial and clearly resist being drawn into discussion. They appear at times to claim that since 2006 there are new policies. But, as demonstrated, this is clearly false - at least as regards landscape character. At other times they seem to claim that landscape value is a matter of individual judgment. But, as shown above, this too is impossible, since otherwise how can the District deliver on its undertaking in SWDP Policy 25 quoted above? How is it possible that a year after its first submission the planning application to build on The Quarry Piece has not been the subject of a published Landscape report?

Example (b):

Best and Most Versatile Agricultural Land (BMVAL).

The Quarry Piece is classified as Grade 2 farmland, i.e., BMVAL. The application states that the total site affected by the housing estate development is 2.2 hectares. Although the development proper with its access road occupies 1.7 ha, it sterilises for agricultural purposes the remaining 0.5 ha. If there is any doubt about this, the applicants' amended proposal, that the land on either side of the access road be designated "amenity" land and no longer as farmland means that all 2.2 ha of BMVAL will be lost as regards agricultural use.

The SWDP has a policy that comes into play at this point. It states that, where a development proposal entails the loss of more than two hectares of BMVAL, then the applicants must submit their arguments to show that the loss is necessary. No such case has been published.

In fact, the applicants deny that the land is BMVAL, stating thereby by implication that it is not even Grade 3a quality.

In 1988 the Government established criteria for determining the grading of agricultural land. Since the applicants challenge the classification of the land as Grade 2, it is open to them to pay the District the costs of arranging the necessary independent tests to establish precisely what the correct grade of the land is.

No report on such tests has been published, even though the applicants' claim that the land is not BMVAL has been published on the planning portal.

The net result seems to be that:

The land is BMVAL and the applicants must make the case required by the SWDP Policy 13;

The applicants deny that the land is BMVAL and their denial is published on the planning portal;

The District officers have not insisted that the case required by the SWDP be submitted;

Presumably, the applicants stand to increase the sale value of their land from about £37000 per hectare to about £2.5 million per hectare.

District officers have not replied to requests for explanation of this state of affairs.

Other examples

Other examples exist, relating to Conservation of Heritage Assets, site of Geological importance and other SWDP policies.

Action?

I assume that, if legal action to oblige the District to justify its silence or start a genuine dialogue with Martley Parish were feasible, it would be excessively expensive.

The only alternative seems to be to increase pressure by the Parish Council for genuine dialogue with the District on the latter's intentions, which at present seem directed at treating Martley, as a Category 1 village, as a convenient receptacle for as much rural development as it can, no matter what the cost is to the reliability and credibility of the SWDP.

But the Neighbourhood Plan should reflect the arguments which need to be deployed in order to demonstrate the unsoundness - and even illegality? - of MHDC's position.

The NDP can accept perhaps that as a general rule rural development is better placed in villages with facilities. But it needs to show how counterproductive this policy is when it is pursued at the cost of other policies vital to sustainability.

MHDC's de facto policy in regard to landscape character, at least in Martley, has been:

"If you love the distinct landscape character of South Worcestershire, come and live in Martley. You can buy a beautiful modern house that stands slap bang in front of a prominent and attractive landscape feature. If you have the sort of entrepreneurial spirit that we are looking for, you can charge the local people to come and see it again!"

The policy is allegedly based on "sustainability", since putting new houses as close as possible to existing facilities will save some fossil fuel-consuming car journeys. But the policy is pursued even where BMVAL (Grade 2!) has to be sacrificed. So the de facto policy reads something like:

For reasons of sustainability, we must cut down on our use of carbon fuels.

So new rural development must go close to the local pub and shop.

In Martley that means building on Grade 2 farmland.

So we will destroy for ever means of staying alive and of producing alternative sources of vehicle fuel that could replace fossil-based fuels.

The NDP really must be used as an opportunity of highlighting these examples of sheer irrationality, in parallel with the strongest possible efforts by the Parish Council to force the District Council to the discussion table.

A particular abuse of the Category 1 label is the frequent reference by developers to the presence in Martley of our two schools. The Chantry in particular is used as an argument to build houses in Martley.

This sort of "reasoning" is absurd. The Chantry was built and is maintained to be the high school for a large, dispersed catchment area. Not to allow building in parts of the catchment area is in effect to deny the right to live in a new house and the place of one's choice and to expect that one can send one's children to the local high-school.

Again since the SWDP respects the wishes of existing and prospective residents to choose a rural life for themselves and their families, it is contrary to the SWDP to be cramming more and more development into Category 1 villages until they are no longer rural in character but become instead isolated lumps of townless suburbia.

Neighbourhood Plan Policies

Map 3 Proposals Map

