

Martley, Knightwick & Doddenham (MKD) Neighbourhood Development Plan

Regulation 16 Consultation Draft

Malvern Hills and Wychavon District Council Officer Comments

June 2017

Draft Policies	Officer Comments
<p>General Comments</p> <p>As a context for our comments, the National Planning Policy Framework (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 DCLG's Planning Practice Guidance (PPG) on Neighbourhood Planning.</p> <p>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:</p> <p><i>“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”.</i></p> <p><i>“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”.</i></p> <p>The supporting text for a number of policies in the Draft Martley, Knightwick & Doddenham Neighbourhood Plan provide an interesting commentary on environmental, social and economic aspects of the three parishes. However, for some policies it is considered that the background information is either not directly relevant to the policy or does not adequately explain the choices made and the approach taken.</p>	

In order to be effective, it is considered that some of the draft policies could be more concise and made clearer to help decision makers apply them consistently and with confidence when determining planning applications. In particular, it is considered that Policy MKD1 seeks to address too many different issues and, as currently drafted, does not provide a practical framework within which planning applications can be assessed with a high degree of predictability and efficiency, as required by paragraphs 17 and 154 of the Framework.

Whilst the Neighbourhood Plan provides flexibility for infill housing development within the Martley development boundary or outside the development boundary for use by rural workers, rural exception sites and replacement dwellings, when combined with the environmental protection policies (including 25 significant views) it is not entirely clear where sustainable development in the neighbourhood area might be supported.

Introduction to Neighbourhood Plan Policies

It is suggested that the Policies Map is renamed “Proposals Map”.

Paragraph 3.3.2 – It is suggested that the final sentence be replaced by the following text: The proposed development boundary is in three sections, and differs from that proposed in the South Worcestershire Development Plan because it includes development which has been [allocated in the SWDP, together with other extant planning consents coterminous with the existing development boundary approved subsequent to the completion of the SWDP.](#)

It is noted that the Policies / Proposals Map does not show the proposed significant views (which are shown on maps 12 – 14).

4.0 Landscape

Policy MKD1 - Landscape Design Principles

All new proposals for built development should demonstrate the following:

1. The key features of any Significant Views can continue to be enjoyed, including distant buildings, natural features, features of importance, areas of landscape, and the juxtaposition of settlement edges and open countryside. Significant Views are identified in Appendix 1 and are shown on Maps 8, 12 and 13. Development which impacts on these views will only be supported where the

MKD1 tries to address too many different issues. The policy is seeking to protect 25 Significant Views, address design and layout, boundary treatments, protect undefined biodiversity assets, protect trees, address the possible development of polytunnels, glasshouses and solar farms, encourage sustainable drainage systems and protect a range of geological and landscape features.

As currently drafted, it is considered that MKD1 does not provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency, as required by paragraphs 17 and 154 of the Framework.

scheme is sited and designed sensitively, and development is of an appropriate scale, to ensure that the key features are not unduly obscured.

2. The design and layout of new development is in keeping with the scattered settlement character of the villages and hamlets. In areas of principal timbered farmlands additional individual dwellings could be accommodated within the dispersed settlement pattern but they should not occur in sufficient density to convert the pattern to wayside or clustered status. The historic dispersed settlement pattern should be maintained. Modern development favouring groups or clusters of new houses would not be appropriate in this landscape. In areas of principal wooded hills occasional additional dwellings could be assimilated, but the density should remain extremely low. In riverside meadows settlement is typically absent and new development should be exceptional. The Landscape guidelines suggest building or road construction works should be avoided.

3. Boundary treatments should favour, where appropriate, planted hedges of native species, reclaimed brick that matches local examples or sandstone walls.

4. Where appropriate, landscaping proposals in new development should take into account the latest Worcestershire Landscape Character Assessment and its guidelines in accordance with SWDP 25. The following landscape design guidelines should be incorporated into schemes where appropriate:

In areas of principal timbered farmlands and wooded estate lands these are to:

- Maintain the tree cover character of hedgerow oaks, and enhance the age structure of the hedgerow oak population.

There is also a lack of robust, proportionate, evidence to support the approach proposed in relation to many issues covered in MKD1.

Policy MKD1 says that “all new development proposals must demonstrate the following:”. Is the intention of the policy to apply to all development proposals, irrespective of size and location? The policy does not say how applicants should demonstrate that their proposals have regard to MKD1 (1) to (8).

MKD1(1) Significant Views

Policy MKD1(1) seeks to minimise the adverse impact of new development on 25 Significant Views identified in Appendix 1 and on Maps 8, 12 and 13.

Whilst national and local planning policy protects local character, it 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 carefully and appropriately worded.

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).

A clear justification needs to be provided for the protection of each view.

It is important that the views and vistas to which policies and proposals apply are clearly identified in order to provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency as required by paragraphs 17 and 154 of the Framework. The inclusion of Maps 8, 12 and 13 and photographs taken from viewpoints is a helpful feature of the Draft MKD

<ul style="list-style-type: none"> • Conserve all ancient woodland sites and restock with locally occurring native species. • Seek to bring about coalescence of fragmented relic ancient woodlands (see Glossary). • Encourage the planting of new woodlands, reflecting the scale, shape and composition of the existing ancient woodland character, favouring oak as the major species. • Conserve and restore tree cover along water courses and stream lines. • Seek opportunities to enhance tree cover along highways and other non- farmed locations. • Conserve and restore the pattern and composition of the hedgerow structure through appropriate management, and replanting. • Conserve the organic pattern and character of the lane networks. • Maintain the historic dispersed settlement pattern. <p>In areas of <u>principal wooded hills</u> these are to:</p> <ul style="list-style-type: none"> • Conserve and restore the ancient broadleaved character of all woodlands. • Seek to restore the wooded character of the area through large scale woodland planting in areas where the interlocking pattern has become diluted. • Conserve and restore the irregular pattern of assarted fields. • Strengthen the wooded character of hedge lines and stream lines through replanting or natural regeneration. • New woodland planting and felling coupes should be carefully designed to take particular account of their visual impact. <p>In areas of <u>riverside meadows</u> these are to:</p>	<p>Plan providing additional clarity to assist decision making.</p> <p>The policy proposes that development within these views could be supported subject to careful siting, design and development being of an appropriate scale.</p> <p>MKD1(2) Design and Layout</p> <p>MKD1(2) seeks to ensure that the design and layout of new development is in keeping with the scattered settlement character of the villages and hamlets.</p> <p>The supporting evidence for MKD1(2) appears to be paragraph 4.17 but the justification for what is proposed appears to be weak.</p> <p>It is considered that MKD1(2) lacks sufficient clarity for a decision maker to apply it consistently and with confidence when determining planning applications.</p> <p>MKD1(3) Boundary Treatments</p> <p>MKD1(3) encourages boundary treatments across the MKD neighbourhood area involving, where appropriate, hedges of native species, reclaimed brick or sandstone walls.</p> <p>The rationale for the MKD1(3) appears to be based on Martley Conservation Area Appraisal and Worcestershire Landscape Character Assessment (paragraph 4.14C). Without more specific references, the policy could be considered aspirational and not supported by evidence.</p> <p>MKD1(4) Worcestershire Landscape Character Assessment</p> <p>The purpose of MKD1(4) appears to be to enhance local landscape character.</p>
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- Seek to retain the unity of the linear form of these landscapes
Conserve all existing areas of permanent pasture.
- Seek opportunities to encourage the conversion of arable land back to pasture.
- Conserve and enhance continuous tree cover along hedge lines, ditches and watercourses.
- Conserve existing wetland habitats and seek opportunities for further wetland habitat creation.
- Avoid building or road construction works.
- Avoid further drainage of waterside meadows.
- Explore opportunities to return to patterns and processes of natural flooding cycles.

In areas of unenclosed commons, these are to:

- Conserve and enhance the unenclosed visual distinctiveness of open common areas.
- Conserve and enhance the spatial pattern, scale and specific character of wayside dwellings associated with commons.
- Seek to integrate wildlife benefit, current recreational interests and other uses, together with the historical interest.

5. Development that damages or results in the loss of ancient trees, or trees and hedgerows of aboriginal and amenity value, will be resisted. Proposals should be designed to retain such features.

6. Proposals for poly-tunnels, glasshouses and solar farms should seek to minimise their negative visual impact on the landscape as well as any loss of, or detriment to, public amenity. Where planning permission is required, particular attention should be given to the following:

MKD1(4) seeks to ensure that new development takes local landscape character into account in order to protect and enhance the 3 landscape character areas covering the MKD area.

Concerns about MKD1(4) include:

- Planning Practice Guidance says that policies should be concise and precise.
- The landscaping proposals are considered to be aspirations rather than policy and unlikely to be delivered as a result of development proposals.
- It is not clear how the policy will be applied.

In brief, clear justification is required and the policy needs sufficient clarity for a decision maker to apply it consistently and with confidence when determining planning applications.

MKD1(7) Sustainable Drainage Systems

It is considered that the rationale for SuDs is to minimise flood risk, rather than it being a landscape design issue.

MKD1(8) Geographical and Local Landscape Features

MKD1(8) seeks to protect 8 local landscape features and their settings and views towards these features.

It is unclear how applicants should demonstrate that their proposals have regard to MKD1 (8), making it difficult for a decision maker to apply it consistently and with confidence when determining planning applications.

- Encouraging the use of brownfield sites wherever possible, or land of lower agricultural value.
- Consideration of visual impact of any structures, particularly on identified significant views (see Appendix I and Maps 8, 12 and 13)
- Ensuring heritage assets are conserved in a manner appropriate to their significance, and considering any adverse impacts of proposals on views important to their setting.
- Use of appropriate landscaping such as hedgerows to provide screening, and encouraging management of the site to enhance environmental and biodiversity wellbeing.

7. Where possible, new development should incorporate Sustainable Drainage Systems which are fully compliant with the most recently adopted national and local standards, in order to minimise flood risk.

8. The following significant local geological and landscape features and their settings are protected: Ankerdine Common, Berrow Hill, The Nubbins, The Millennium Green, Martley Rock, Penny Hill Quarry, Kingswood Weir, Rodge Hill (see Maps 6 and 7). Development on these sites will not be supported. Development which impacts on the setting of these sites or views towards them will be required to demonstrate that careful consideration has been given to design and siting, so that any adverse visual impacts are minimised. Such proposals should aim to protect the feature(s), and where possible incorporate information and interpretation facilities explaining the feature's significance.

5.0 Built Heritage

Policy MKD2 Building Design Principles in Martley Conservation Area and its Immediate Setting

1. New development in Martley within the Conservation Area or which impacts on its setting will be supported only where the type, character and design of the development actively enhances the Conservation Area.
2. New buildings or extensions should reflect the overall pattern of buildings within and around the setting of the Conservation Area, in terms of size and scale, form, proportion and detailing. Use of local materials is encouraged. However, good quality, modern materials used in an innovative or challenging design which complements those qualities which contribute to character and appearance will also be acceptable. Extensions should be in materials sympathetic to the main building.
3. New buildings or extensions should be sited according to the locally prevailing building pattern within the village, and service buildings such as garages and outbuildings sited so as to be subsidiary to the main house and not unduly prominent within the street scene.
4. Proposals should retain significant views and open spaces, trees and hedgerows or boundary features that are within the Conservation Area or affect its setting (see Map 8).
5. New boundary or dividing walls, railings or hedging should be built from suitable local materials or of native species and be designed into new developments to suit the character of the village.

Policy MKD2 seeks to establish design principles for all new development within the Martley Conservation Area and its immediate setting.

In relation to Building Design, it is suggested that the Parish Council could prepare a Village Design Statement to inform the implementation of the policies and provide additional guidance for applicants and the decision maker.

MKD2(5). Can this be stipulated as much of boundary treatments are permitted development?

<p>6. Development proposals that would result in the demolition of a building or structure if its loss would be harmful to the character of the Conservation Area will not be supported.</p>	
<p>Policy MKD3 Building Design Principles Outside Martley Conservation Area</p> <p>All new development proposals must meet the following requirements:</p> <ol style="list-style-type: none"> 1. New development should enhance and reinforce the local distinctiveness of the area and proposals should show clearly how the general character, scale, mass, and layout of the site, building or extension fits in with the 'grain' of the surrounding area. Care should be taken to ensure that building(s) height, scale, and form, including the roofline, do not disrupt the visual amenities of the street scene and impact on any significant wider landscape views. Generic house styles that do not reflect the distinct local character will not be acceptable. 2. New 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. Elevations should be of traditional red brick, red sandstone or grey limestone. Roofs should be of grey slate or tiles. Window frames and doors should be of wood. 3. The use natural materials from environmentally-responsible sources, the use of energy saving materials, and materials of high quality, which have been reclaimed, salvaged or recycled is encouraged. 4. Redevelopment, alteration or extension of historic farmsteads 	<p>Policy MKD3 seeks to establish design principles for all new development outside of the Martley Conservation Area.</p> <p>MKD3(5) seeks to minimise street lighting. Whilst the desire to keep light pollution to a minimum is acknowledged, the provision of street lighting is not a matter controlled by a Neighbourhood Plan.</p> <p>MKD3(6) proposes that driveway and entrance gates should be of traditional wooden or metal field design. It is suggested that this is very prescriptive. There does not appear to be any evidence to support the proposal.</p> <p>In relation to Building Design, it is suggested that the Parish Council could prepare a Village Design Statement to inform the implementation of the policies and provide additional guidance for applicants and the decision maker.</p> <p>MKD3(6). Can this be stipulated as much of driveways and gates are permitted development.</p>

<p>must be sensitive to their distinctive character, materials and form. Due reference and consideration should be made to the Worcestershire Farmstead Assessment Framework.14</p> <p>5. Lighting that ensures public safety should be limited so that it does not lead to light pollution that detracts from the area's dark skies.</p> <p>6. Driveway and entrance gates should reflect the rural nature of the Parish and be of traditional wooden or metal field design.</p>	
<p>Policy MKD4 Protecting Local Heritage Assets</p> <p>Proposals requiring consent which affect a building or structure on the proposed Local List must demonstrate how they protect or enhance the heritage asset.</p> <p>The renovation or alteration of buildings or structures identified on the local heritage list should be designed sensitively, and with careful regard to the heritage asset's historical and architectural interest and setting.</p>	<p>Policy MKD4 seeks to protect non-designated heritage assets on the MHDC Local List.</p> <p>There are a number of buildings / assets within the parish that have local heritage value which may not be appropriate for national listing, but could be locally listed. Whilst the Local List will be designated and maintained by Malvern Hills District Council, it is considered appropriate for the Parish Council to nominate non-designated heritage assets for consideration in the MHDC Local List SPD through the neighbourhood plan process. As non-designated heritage assets these buildings would be afforded some protection through local planning policy.</p> <p>It would be helpful if proposed non-designated heritage assets were identified in an Appendix with a short explanation of the significance of each asset, based on the adopted Local List SPD criteria.</p> <p>Policy MKD4 should only seek to protect heritage assets on the Local List, not proposed assets. It is therefore suggested that the word "proposed" be deleted.</p>
<p>MKD5 - Archaeology</p>	<p>Policy MKD5 requires development proposals in areas shown on the Worcestershire Archive and Archaeological Service Historic Environment Record Maps to take account of known surface and</p>

<p>Development proposals in areas shown on Worcestershire Archive and Archaeological Service Historic Environment Record (HER) Maps should take account of known surface and subsurface archaeology and ensure unknown and potentially significant deposits are identified and appropriately considered during development.</p> <p>In all instances the Worcestershire Historic Environment Record should be consulted at an early stage in the formulation of proposals.</p>	<p>subsurface archaeology and ensure unknown and potentially significant deposits are identified and appropriately considered during development.</p> <p>It is suggested that a map showing sites of known archaeological interest be included in the neighbourhood plan to assist applicants and decision makers.</p> <p>It is suggested that it might be possible to take account of potentially significant deposits, based on evidence of the potential, but it is not possible to take account of unknown deposits. It is therefore suggested that the words “unknown and” are deleted.</p>
<p>Non Land Use Policy 1 – Action for the Parish Council - Martley Conservation Area</p>	
<p>Parish Councils’ Action 1 - Martley Conservation Area</p> <p>The Parish Councils recommend that Malvern Hills District Council extend the current boundaries of Martley Conservation Area to include the full length of the Nubbins escarpment from the Village to Kingswood Lane. As noted above, the Nubbins is a distinctive landscape feature, comprising wooded sandstone cliffs. It includes small quarries, which provided material for local buildings, probably including the Parish Church and certainly restoration work at the beginning of the 1900s. Following the construction of the Crown Meadow Estate, the Nubbins is adjacent to the settlement boundary. Designation of an extended Conservation Area to include the full length of the Nubbins would help protect this unique feature (Map 9). It is not proposed that the Nubbins be public open space, but it should continue to be accessible by designated rights of way as at present.</p>	<p>Planning Practice Guidance says that wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non land use matters should be clearly identifiable. For example, set out in a companion document or annex.</p> <p>The aspiration to extend the boundary of the Martley Conservation Area is included in the body of the Neighbourhood Plan but is clearly labelled as an Action for the Parish Councils and shaded in a different colour to distinguish it from the land-use policies.</p> <p>The Parish Council’s recommend that Malvern Hills District Council extend the boundary of Martley Conservation Area to include the Nubbins escarpment.</p> <p>Conservation Areas were established by the 1967 Civic Amenities Act and were defined as being areas of “special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”.</p>

	<p>Martley was designated as a Conservation Area in 1981. The Conservation Area boundaries were reviewed and re-drawn in 2006.</p> <p>It should be noted that conservation areas are ‘areas of special architectural or historic interest’, they are not landscape protection designations.</p> <p>In relation to the Martley Conservation Area, it is considered that the focus would have to be on the historic association or relationship of the Nubbins with the built historic core of Martley. As background, there are cases where traditional remnant orchards have been included within conservation area boundaries where the settlements historic evolution within a wider fruit growing landscape has been demonstrated. Similarly, ridge and furrow land has been included in a conservation area where it adjoins the historic built settlement and there is evidence of its association with the historic development of the settlement. Such areas would not been included within a conservation areas if by doing it would include significant areas of land and buildings which do not adjoin the historic built settlement or could not demonstrate sufficient historic or architectural interest.</p>
<p>Non Land Use Policy 2 – Action for the Parish Council - Area of Outstanding Natural Beauty</p>	
<p>Parish Councils’ Action 2 - Area of Outstanding Natural Beauty</p> <p>The Parish Councils recommend that Malvern Hills District Council prepare a bid to Natural England for the designation of the former Teme Valley Area of Great Landscape Value (AGLV) into an Area of Outstanding Natural Beauty (AONB). This extends north from the existing Malvern Hills AONB to include the Teme Valley North of the Neighbourhood Area up to the County boundary, as well as Abberley Hill. This would provide</p>	<p>The aspiration to extend the boundary of the Malvern Hills AONB is included in the body of the Neighbourhood Plan but is clearly labelled as an Action for the Parish Councils and shaded in a different colour to distinguish it from the land-use policies.</p> <p>The MKD Parish Councils recommend that Malvern Hills District Council prepare a bid to Natural England to extend the boundary of the Malvern Hills AONB to include an ex-County Council designation, the Teme Valley Area of Great Landscape Value (AGLV).</p>

<p>significantly greater legal protection for the landscape of great beauty and biodiversity (The River Teme is a SSSI), and also funding for conservation. The most appropriate management for the area would be to extend the Malvern Hills AONB, a small part of which already falls within the Neighbourhood Area.</p>	<p>AONB's are national designations. Natural England has the power to designate AONB's under the Countryside and Rights of Way Act 2000. AONB is not a local designation, it is of national significance. The AGLV designation was a County Council designation, not a national one. The AGLV classification no longer exists. It would have been drawn up with different criteria to the AONB, and therefore cannot simply be converted to AONB status. It is considered that a strong case would have to be made to Natural England to see this as a national priority for assessing the merits of the area for a further AONB designation.</p> <p>The proposed Parish Council Action does not include evidence that the ex-AGLV designation meets AONB criteria.</p>
<p>Non Land Use Policy 3 – Action for the Parish Council – Preparation of a Local List of Heritage Assets</p>	
<p>Preparation of a Local List of Heritage Assets</p> <p>The Parish Councils will work to prepare a list of heritage assets which are not designated on the Statutory List of Buildings of Special Architectural or Historic Interest. These will be forwarded for consideration by MHDC for inclusion in the Local List Supplementary Planning Document (SPD).</p>	<p>The Parish Councils intention to nominate heritage assets for consideration in the MHDC Local List is included in the body of the Neighbourhood Plan but is clearly labelled as an Action for the Parish Councils and shaded in a different colour to distinguish it from the land-use policies.</p> <p>It would be helpful if proposed non-designated heritage assets were identified in an Appendix with a short explanation of the significance of each asset, based on criteria within the adopted Local List SPD.</p>
<p>6.0 Settlement Pattern and Housing</p>	
<p>Policy MKD6 Maintaining the Settlement Pattern in Martley, Knightwick and Doddenham</p> <p>All new housing developments in Martley, Knightwick and Doddenham must be designed to continue the existing settlement pattern of scattered dwellings, with many open spaces and piecemeal development in varied styles and with irregular layouts.</p>	<p>Policy MKD6 seeks to ensure that the existing settlement pattern of scattered dwellings with open spaces, varied styles and irregular layouts is maintained.</p> <p>The intention to maintain existing patterns (or lack of them) is laudable in principle, but in practice the policy does not provide a practical framework within which decisions on planning applications can be made</p>

<p>Developments will be required to meet the following settlement design principles:</p> <ol style="list-style-type: none"> 1. New developments must be small in scale (less than six houses) and retain the open spaces surrounding settlements. 2. New developments must be fully integrated into the existing settlement through layouts which promote permeability¹⁶ and accessibility to neighbouring residential areas, open spaces¹⁷ and facilities. 3. Infill developments should be in keeping with the scale of the immediate surrounding area and not adversely affect the amenity of neighbouring properties by way of privacy and outlook. Proposals will be required to demonstrate that proposed buildings on infill plots will not result in the unacceptable loss of open spaces which are characteristic of the dispersed and scattered settlement pattern. 	<p>with a high degree of predictability and efficiency in accordance with paragraphs 17 and 154 of the Framework.</p> <p>Maintaining the existing settlement pattern may have merit in landscape terms, but other dimensions of sustainable development (economic and social) may also be relevant.</p> <p>It is not clear whether the policy relates to development within the settlement boundary (MKD7) and / or outside the development boundary (MKD8).</p> <p>MKD6(1) proposes that new developments must be no more than 5 dwellings. Is there any evidence to support the maximum 5 dwelling threshold? If all new developments are required to be a maximum of 5 dwellings then there will be no opportunity to provide for affordable housing from development in the future (based on SWDP 15).</p>
<p>MKD7 New Housing Development in Martley Village</p> <p>New housing development within the Martley village development boundary (Map 3 Policies Map) will only be supported if:</p> <ol style="list-style-type: none"> 1. It is infill development, or involves the conversion, re-use or extension of an existing building; 2. It does not lead to the loss of community or recreation facilities or local employment opportunities; and 3. It accords with other relevant policies of the Martley, 	<p>Policy MKD7 seeks to support new development within the Martley village development boundary, providing it is infill or the conversion, re-use or extension of an existing building.</p> <p>As background to MKD7, 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 39 dwellings in Martley since 2013/14. In light of this, it is considered that there is no immediate need to identify sites for further development in Martley, Knightwick and Doddenham within the Neighbourhood Plan. The Framework stipulates that Plans should be positively framed it does not require new or additional policies where local needs can be shown to be already met.</p>

<p>Knightwick and Doddenham Neighbourhood Plan and South Worcestershire Development Plan.</p>	<p>Notwithstanding the above, Policy MKD7(1) and MKD7(3) provide flexibility and support development within the development boundary, providing it accords with other policies in the Plan and SWDP.</p> <p>Policy MKD7(1) and MKD7(3) are considered to 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. Martley village is identified as a Category 1 settlement in the hierarchy. The role of Category 1 settlements in the SWDP is predominately aimed at meeting locally identified housing and employment needs.</p> <p>The SWDP identifies a development boundary for Martley. The development boundary includes sites allocated for development outside and adjoining an existing settlement boundary (including SWDP 59/12 and SWDP59k). Where a housing allocation is not coterminous with the development boundary, it has not been included in the boundary.</p> <p>The Neighbourhood Plan proposes to update the development boundary, generally applying the principle adopted in the SWDP.</p> <p>Map 3 shows the proposed revised development boundary for Martley including SWDP allocations coterminous with the development boundary and subsequent planning approvals coterminous with the development boundary. It is noted that the Neighbourhood Plan also proposes a new development boundary to include The Orchards and the SWDP 59k allocation.</p>
<p>Policy MKD8 New Housing Development Outside the Martley Settlement Boundary</p>	<p>Policy MKD8 seeks to strictly control housing development in the open countryside. The policy provides flexibility for new development for use by rural workers, rural exception sites, replacement dwellings, house</p>

<p>New housing development in the open countryside, outside the Martley village development boundary (Map 3), will be only supported when it is:</p> <ol style="list-style-type: none"> 1. A dwelling clearly necessary for use by rural workers including persons employed in agriculture, horticulture, forestry or a rural enterprise; or 2. Affordable housing on an exception site to meet identified local need; or 3. A replacement of an existing dwelling with established use rights and where the replacement dwelling does not exceed the original footprint by 30%; and 4. It accords with other relevant policies in the Martley Knightwick and Doddenham Neighbourhood Plan and South Worcestershire Development Plan. <p>Extensions to existing dwellings will be supported, providing that they are subordinate to, and do not dominate the character and appearance of the original dwelling.</p> <p>Conversions or the re-use of existing buildings will be supported providing there is no need for substantial reconstruction or need for large extensions.</p>	<p>extensions and conversions.</p> <p>Paragraph 55 of the 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.</p> <p>Policy MKD7 provides a clear local interpretation of SWDP 2C as it relates to housing development in the open countryside.</p> <p>Reference is made in the supporting text to SWDP 16 (Rural Exception Sites), SWDP 18 (Replacement Dwellings in the Open Countryside), SWDP 19 (Dwellings for Rural Workers).</p>
<p>Policy MKD9 Housing Mix</p> <p>New housing development schemes of 5 or more dwellings should contribute towards an overall mix of housing types, sizes and tenures across the neighbourhood area. In particular, the following are encouraged:</p>	<p>Policy MKD9 encourages housing proposals of 5+ dwelling to provide a mix of housing sizes, types and tenures without setting out what specific mix would be required.</p> <p>It should be noted that SWDP 14 (Market Housing Mix) only relates to developments of 5+ dwellings (and Policy MKD6 proposes that new developments be a maximum of 5 dwellings). There appears to be a</p>

<ol style="list-style-type: none"> 1. Properties with either one or two bedrooms to meet the needs of first time buyers and small families; or 2. Properties designed to be suitable for the elderly, which are located close to key facilities; or 3. Plots for individual self-build houses. 	<p>conflict between Policy MKD6 which only supports new development with a maximum 5 new dwellings and MKD9 which relates to residential development of 5+ dwellings.</p> <p>As currently worded, it is considered that the policy is insufficiently precise to provide clarity for prospective developers and decision makers.</p> <p>Paragraphs 6.18 – 6.19 indicate an unmet need for smaller dwellings for elderly people and land for self-build houses. The neighbourhood plan does not, however, clearly indicate where this need is likely to be met in the three parishes.</p>
7.0 Open Spaces	
<p>Policy MKD10 Local Green Spaces</p> <p>The Local Green Spaces as identified on Map 3 and Map 10 will be protected from development except in very special circumstances.</p> <p>The protected Local Green Spaces are:</p> <p>(see Map 3)</p> <ol style="list-style-type: none"> 1. Chantry Academy Conservation Area 2. Millennium Green 3. Badger Green 4. Hollins Lane banks 5. Martley Playing Field 6. Crown Orchard 7. Hopyards Green 8. Crown Meadow and 	<p>Policy MKD10 identifies and seeks to protect 9 Local Green Spaces. The identified Local Green Spaces are:</p> <ol style="list-style-type: none"> 1. Chantry Academy Conservation Area; 2. Millennium Green; 3. Badger Green; 4. Hollins Lane banks; 5. Martley Playing Field; 6. Crown Orchard; 7. Hopyards Green; 8. Crown Meadow; 9. Ankerdine Common. <p>Table 2 sets out the justification for the 9 sites. Map 3 (Proposals Map) shows the location of proposed Local Green Spaces 1 to 8. Map 10 shows the location of Site 9 (Ankerdine Common).</p> <p>In relation to Ankerdine Common, it should be noted that paragraph 77 of the Framework says that the Local Green Space designation should</p>

<p>(see Map 10) 9. Ankerdine Common.</p>	<p>be reasonably close proximity to the community that it serves. It should also be noted that the law restricts the kind of activities that can be carried out on commons.</p> <p>It is noted that proposed Local Green Spaces 6, 7 and 8 are either within or adjacent to the new Crown Meadow development. Paragraph 77 of the Framework says that Local Green Space designation should only be used where the green area is demonstrably special and holds a particular local significance, for example because of its beauty, historic significance, recreational value, tranquillity or richness of its wildlife.</p>
<p>Policy MKD11 Providing Green Infrastructure</p> <p>New development proposals are encouraged to include ecological enhancements as part of landscaping and building design. Proposals could include enhancements such as sustainable drainage systems, re-naturalising watercourses, woodland planting, roosting opportunities for bats, the installation of bird nest boxes and the use of native species in the landscape planting.</p>	<p>Policy MKD11 encourages all new development to include ecological enhancements as part of landscaping and design.</p> <p>The intention behind MKD10 is laudable. However, the policy seems to relate more to biodiversity rather than the wider aspects of green infrastructure.</p> <p>It is also unclear whether Policy MKD 11 could be applied consistently and with confidence when determining planning applications.</p>
<p>8.0 Community Life</p>	
<p>Policy MKD12 – Promoting Health and Well Being</p> <p>Where possible new development should contribute to the health and wellbeing of local communities through:</p> <ol style="list-style-type: none"> 1. Encouraging healthy lifestyles through providing opportunities for active travel and fresh food growing; 2. Enhancing opportunities for community cohesion through creation of environments that encourage residents to get outdoors 	<p>Policy MKD12 seeks to support health and wellbeing in new development by encouraging healthy lifestyles, opportunities for community cohesion, public transport provision, seating areas and clear signage. Policy MKD12 also encourages developers to submit a Health Impact Assessment on “larger schemes”.</p> <p>It is considered that the policy does not really provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency as required by paragraphs 17 and 154 of the Framework.</p>

<p>and participate in social interaction;</p> <p>3. Considering routes and public transport provision which offer convenient, safe and attractive access to employment, homes, schools and public facilities;</p> <p>4. Catering for the need of all age groups, in particular the elderly, through the provision of seating areas, shading and simple and clear signage.</p> <p>Developers are encouraged to include a Health Impact Assessment where possible for larger schemes (see Glossary).</p>	<p>MKD12 encourages the submission of a HIA on “larger schemes”. The Glossary defines Major Development as 10+ dwellings &/or 1,000sq m non residential use. As context, MKD6(1) proposes that new developments be a maximum of 5 dwellings. It is considered that the submission of a Health Impact Assessment is likely to be overly onerous for small developments.</p>
<p>Policy MKD13 Providing, Enhancing and Protecting Recreation Open Space</p> <p>Subject to the provisions of Policy SWDP 38, the existing recreation open space within the Parishes listed below should be retained. These are:</p> <ul style="list-style-type: none"> • Sport Martley facilities at the Chantry School; and • Playing field and play area next to Martley Memorial Hall; <p>New developments will be required to contribute towards the provision of open space uses which meet local need, including children’s play areas, sports pitches, allotments and amenity open space in accordance Policy SWDP 39.</p>	<p>Policy MKD13 seeks to protect sports facilities at Chantry School and playing fields next to Martley Memorial Hall. MKD13 also requires new development to make a contribution towards the provision of open space in accordance with SWDP 39 (Provision for Green Space and Outdoor Community Uses in New Development).</p> <p>In relation to playing field next to Martley Memorial Hall it should be noted that Policy MKD9 (Local Green Space) already seeks to protect the land from development except in very special circumstances.</p> <p>The supporting text in paragraphs 8.7 to 8.12 provide an interesting commentary on local community facilities in MKD and community aspirations. However, some of the commentary is not related to land-use planning nor directly relevant for the justification of policies MKD13 and MKD14.</p>
<p>Policy MKD14 Providing and Protecting Local Community Facilities</p>	<p>Policy MKD14 seeks to:</p> <ol style="list-style-type: none"> 1. Support the provision of new community and leisure facilities and enhancement of 10 existing community and leisure facilities

<p>The provision of new community and leisure facilities or the enhancement of existing facilities is supported. Development proposals that provide community and leisure facilities will be required to demonstrate that:</p> <ol style="list-style-type: none"> 1. The siting, scale and design respects the character of the surrounding area, including any historic and natural assets; 2. The local road network is capable of accommodating the additional traffic movements; and 3. Adequate parking is provided on the site. <p>Changes of use to Martley Playing Field and Sport Martley will be resisted unless it can be demonstrated that the existing use is no longer economically viable or equivalent or better provision of the facility to be lost is made in an equally or more accessible location. If the existing use is no longer economically viable, evidence should be provided to show that the site has been actively marketed, at the market rate current at the time, for at least 12 months and that no sale or let has been achieved during that period.</p> <p>Where it is not demonstrated that there is no longer an existing need for the facility, re-provision of alternative community facilities of equivalent size and quality will be required to be provided in an equally or more-accessible location and in any case within a safe walking-distance of no more than 800 metres from the community which it serves.</p>	<p>(identified on Map 11), subject to the facilities respecting the character of the area, the local road network being able to accommodate additional traffic and there being adequate car parking, and</p> <ol style="list-style-type: none"> 2. Protect Martley playing field and Sport Martley, unless it can be demonstrated that the facilities are no longer economically viable or equivalent or better provision is made in an equally or more accessible location. <p>The second part of MKD14 which resists change of use to Martley Playing Field and Sport Martley largely duplicates Policy MKD13 and is considered unnecessary.</p> <p>The relationship between MKD14 and SWDP 37 (Built Community Facilities) is unclear and potentially detracts from the clarity in policy approach that is required by the Framework. SWDP 37A relates to the provision of new community facilities, whereas SWDP 37B relates to proposals that would result in the loss of existing community facilities.</p>
<p>Non Land Use Policy 4 – Action for the Parish Councils – Community Assets (Assets of Community Value)</p>	
<p>Parish Councils’ Action 4 - Community Assets</p>	<p>The aspiration of the Parish Councils to nominate potential Assets of</p>

<p>It is proposed that the Parish Councils will nominate the following assets (and any others which come forward through the consultation process) to be registered on the Community Asset register with Malvern District Council:</p> <ul style="list-style-type: none"> • The Talbot Hotel • The Admiral Rodney Public House • The Crown Public House • The Parish Hall, Martley (former pupil referral unit) • Martley Central Stores and Post Office. 	<p>Community Value (ACV) is included in the body of the Neighbourhood Plan but is clearly labelled as an Action for the Parish Councils and shaded in a different colour to distinguish it from the land-use policies.</p> <p>The MKD Parish Councils propose to nominate 5 buildings for consideration as ACV's to Malvern Hills District Council, "together with any that may come forward through the neighbourhood plan consultation process". At the time of writing, no further ACV proposals appear to have come forward during the Regulation 16 consultation.</p> <p>It should be noted that the driving principle of the ACV legislation is to provide a Community Right to Bid should such assets come onto the open market thereby offering communities an opportunity to seek to acquire and operate a local asset for the benefit of the local and wider community.</p> <p>It would be helpful if the supporting text summarised the purpose of nominating potential assets and why it is considered that the proposed assets would meet the definition of an ACV as set out in Section 88 of the Localism Act 2011. It should be stressed that there is no guarantee that ACV nominations will be successful. Furthermore, if the assets (such as the Parish Hall) are already in community ownership, there may be no need to nominate them.</p>
<p>9.0 The Local Economy</p>	
<p>Policy MKD15 Re-Use of Redundant or Disused Buildings for Economic Uses</p> <p>The reuse of redundant or disused buildings for business, leisure or residential purposes will be supported, provided that the proposed use meets all the following criteria:</p>	<p>MKD 15 supports the reuse of redundant or disused buildings for business, leisure or residential purposes, provided that the development enhances the immediate setting, respects the character of the building, is compatible with neighbouring uses, the original building is a permanent and substantial construction without the need for major reconstruction, and is without the need for substantial alteration, extension, ancillary buildings.</p>

<ol style="list-style-type: none"> 1. The development would lead to an enhancement to the immediate setting. 2. Design proposals respect the character and significance of the redundant or disused building. 3. The proposal is compatible with neighbouring uses, including any continued agricultural operations and would not cause undue environmental impacts. 4. The buildings are of permanent and substantial construction capable of conversion without major or complete reconstruction; and 5. The building is capable of accommodating the proposed new use without the need for substantial alteration or extension, ancillary buildings, areas of hard standing or development which individually or taken together would adversely affect the character or appearance of the building or have a detrimental impact on its surroundings and landscape setting. 	<p>To promote a strong rural economy, paragraph 28 of the Framework says that neighbourhood plans should support the sustainable growth and expansion of businesses and enterprise in rural areas, including through the conversion of existing buildings. Paragraph 55 of the Framework says that isolated homes in the countryside should be avoided unless there are special circumstances, such as where development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting.</p> <p>The intention of Policy MKD15 appears to be consistent with paragraph 28 of the Framework. MKD 15 is considered to be consistent with SWDP 8 (Providing the Right Land and Buildings for Jobs).</p> <p>Policy MKD 15 adds value to the SWDP in its more detailed approach to the re-use of redundant or disused buildings.</p> <p>It is unclear how Policy MKD15 would relate to proposals for a conversion/ change of use for more than 5 dwellings. Would Policy MKD6 (which proposes that new development be no more than 5 dwellings) override MKD15?</p>
<p>Policy MKD16 Supporting Local Employment</p> <p>The following forms of employment development will be supported.</p> <ol style="list-style-type: none"> 1. Intensification of existing business (B1), general industrial (B2) and warehousing development (B8) and uses at Maylite Trading Estate and Edgar Estate; 2. Extensions to existing rural B1, B2 and B8 premises and new tourism and leisure related development where they do not conflict with other policies in this plan and the SWDP; 	<p>Policy MKD13 supports the following development of land for employment uses:</p> <ol style="list-style-type: none"> 1. Intensification (but not expansion) of Business (B1), general industrial (B2) and warehousing (B8) uses at the Maylite and Edgar trading estates, 2. Extensions to existing B1, B2 and B8 premises and new tourism and leisure-related development (providing it does not conflict with other policies in the Neighbourhood Plan and SWDP), 3. Rural diversification at existing agricultural businesses (subject

<p>3. Rural diversification at existing agricultural businesses providing:</p> <ul style="list-style-type: none"> • The proposed new use does not detract from, or prejudice, the existing agricultural undertaking or its future operation; and • The scale of activities associated with the proposed development is appropriate to the rural character of the area; and • Wherever possible, existing buildings are used to reduce the need for additional built development. <p>4. Extensions to existing dwellings to support home-based working where this would not lead to an adverse impact on the amenity of adjacent users and uses and subject to other policies in the Martley, Knightwick and Doddenham NDP and SWDP.</p>	<p>to conditions relating to scale and not prejudicing existing agricultural operations), and</p> <p>4. Extensions to existing dwellings to support home-based working.</p> <p>Paragraph 9.1 says that there is a need to make provision for the expansion of Chantry School. It also says that Martley Primary School may expand and sites must be designated to enable this. No evidence appears to be provided on the need for expansion. Whilst Policy MKD14 potentially supports the expansion of these schools, Policy MKD16 does not make specific provision for the expansion of the schools.</p> <p>MKD13(2) is broadly consistent with SWDP 12 (Employment in Rural Areas). SWDP 12C says that the expansion of existing employment sites in rural areas will be supported where it has been demonstrated that intensification of the existing site is not viable or practical.</p> <p>MKD13(3) is consistent with SWDP 12D.</p> <p>MKD13(4) supports extensions to existing dwellings to support 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 some home-based businesses do not need planning permission, and extensions would be considered on their general design merits rather than in relation to a business use. It is considered that MKD16(4) could be quite permissive and could lead to extension applications under the justification of being for “home based working” space.</p>
<p>Policy MKD17 - Supporting New Communication Technologies</p> <p>Improvements to broadband infrastructure will be supported. Any new development within the Parish should be served by a superfast</p>	<p>Policy MKD17 seeks information technologies to be included in all development.</p> <p>Policy MKD 17 is consistent with SWDP 26 and adds value in its more</p>

<p>broadband (fibre optic) connection unless it can be demonstrated through consultation with the NGA Network providers that this would not be possible, practical or economically viable. In such circumstances, suitable ducting should be provided within the site and to the property to facilitate future installation.</p>	<p>detailed approach.</p> <p>Given that new communication technologies are required in all new development, it is suggested that it may be more appropriate to include the policy requirement in the design principles rather than the Local Economy chapter.</p>
<p>Non Land Use Policy 5 – Action for the Parish Council – Promoting Rural Walking</p>	
<p>Parish Councils’ Action 5 - Promoting Rural Walking</p> <p>The Parish Councils will work with local employers and the Local Enterprise Partnership to promote the neighbourhood area as a destination for rural walking.</p>	<p>The aspiration of the MKD Parish Councils to work with local employers and the Local Enterprise Partnership to promote the neighbourhood area as a destination for rural walking is included in the body of the Neighbourhood Plan but is clearly labelled as an Action for the Parish Councils and shaded in a different colour to distinguish it from the land-use policies.</p> <p>The purpose of the action appears to be to encourage tourism.</p>
<p>10.0 Transport and Travel</p>	
<p>Policy MKD18 Transport Management</p> <p>Developer contributions and other funding will be sought to improve accessibility, transport and traffic management measures in the neighbourhood area. The following measures will be supported:</p> <ul style="list-style-type: none"> • Investment in public transport provision. • Provision of pavement, cycle and walking routes and safe crossing places for pedestrians on major roads. • Introduction of measures designed to slow vehicular speed and • Car parking. 	<p>Policy MKD18 seeks to support traffic management measures in the parishes. Specifically, MKD18 seeks to support:</p> <ul style="list-style-type: none"> • Investment in public transport • Walking and cycling routes • Measures to slow vehicular speed • Car parking <p>In relation to traffic management measures, Planning Practice Guidance says that neighbourhood plans can consider what infrastructure is needed to support development. Policies should, however, relate to additional infrastructure needed to enable development proposals to be delivered in a sustainable way.</p>

<p>New development should be designed in such a way to encourage slower speeds in keeping with the local area, in accordance with standards recommended by Worcestershire County Council.</p> <p>Car parking should be accordance with the standards adopted at the time²³.</p>	<p>The concerns and proposals outlined in paragraphs 10.1 – 10.5 largely relate to existing transport issues in the parishes. They do not specifically relate to dealing with the effect of additional traffic generated by development proposals.</p> <p>In relation to measures to slow vehicular speed, it is understood that traffic calming is not something that the County Council encourages within new developments as they should be designed in a way to encourage slower speeds without the need for physical measures.</p> <p>In relation to car parking, it is noted that the Policy MKD18 supports standards recommended by Worcestershire County Council.</p>
<p>Non Land Use Policies 6 – Actions for the Parish Council – Transport Sustainability</p>	
<p>Parish Councils’ Action 6 Transport Sustainability</p> <p>The Parish Councils will work with Worcestershire County Council to:</p> <ul style="list-style-type: none"> • Build footpaths along the roadside from Sunningdale estate to Knightwick village, and from Hillside to Martley Village (including the primary and secondary schools). • Install raised paving at the junction of the B4197 and the B4204 in Martley Village. • Take action to continue to restrict HGV traffic over 17T MGW on the B4197 between the Talbot Hotel and Berrow Green. • Review the impact of development proposals on the existing environment to ensure it is sustainable in terms of infrastructure, road safety and the standards required to maintain peaceful and safe rural parishes. • Promote street furniture and signage which is practical, of 	<p>The aspiration of the MKD Parish Councils to work with Worcestershire County Council to explore opportunities to address existing road safety concerns is included in the body of the Neighbourhood Plan but is clearly labelled as an Action for the Parish Councils and shaded in a different colour to distinguish it from the land-use policies.</p>

<p>modest with local surroundings. Street furniture and signage within the conservation area should follow the principles outlined in the Conservation Area Character Appraisals.</p>	
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