

## Welland NDP – Regulation 16 Comments

The Malvern Hills AONB Unit has worked closely with Welland Parish Council in developing the NDP and supports the Regulation 16 draft. However, we do wish to see one or two corrections and amendments as follows:

Plan ref (paragraph/page number/section)	Suggested changes
<p>2.7 - The incorrect paragraph number is used in relation to the AONB. It is paragraph 176 NOT 177 which relates to 'major development' in an AONB. It is appreciated that the NPPF is likely to be updated imminently (i.e. later this year).</p> <p>It may also be worthwhile also referring to the AONB Partnership Position Statement on Setting, in defining the setting of the AONB.</p>	<p>Replace Paragraph 177 with Paragraph 176.</p> <p>Add footnote linking to POSITION STATEMENT 1: DEVELOPMENT AND LAND USE CHANGE IN THE SETTING OF THE MALVERN HILLS AONB - <a href="https://worcestershire.moderngov.co.uk/documents/s23433/9%20DEVELOPMENT%20AND%20LAND%20USE%20CHANGE%20IN%20THE%20MH%20AONB.PDF">HTTPS://WORCESTERSHIRE.MODERNGOV.CO.UK/DOCUMENTS/S23433/9%20DEVELOPMENT%20AND%20LAND%20USE%20CHANGE%20IN%20THE%20MH%20AONB.PDF</a></p>
<p>3.1 - Again, it may be worthwhile referring to the AONB Partnership Position Statement on Setting.</p>	<p>Add footnote linking to POSITION STATEMENT 1: DEVELOPMENT AND LAND USE CHANGE IN THE SETTING OF THE MALVERN HILLS AONB - <a href="https://worcestershire.moderngov.co.uk/documents/s23433/9%20DEVELOPMENT%20AND%20LAND%20USE%20CHANGE%20IN%20THE%20MH%20AONB.PDF">HTTPS://WORCESTERSHIRE.MODERNGOV.CO.UK/DOCUMENTS/S23433/9%20DEVELOPMENT%20AND%20LAND%20USE%20CHANGE%20IN%20THE%20MH%20AONB.PDF</a></p>
<p>4.4 - suggest re-wording The AONB is not a land use designation</p>	<p>The Key Diagram also includes the Malvern Hills <b>Area of Outstanding Natural Beauty Boundary Designation</b> (in opaque green) providing a key landscape designation relevant to the WNA.</p>
<p>Policy SD1 – just be mindful that 'sustainable development', if using the UN definition, may be unpicked at Examination.</p>	<p>No change just drawing attention.</p>
<p>Policy SD2 – Is it possible to add footnotes to direct interested parties to the AONB Guidance Documents/Management Plan?</p> <p>As a suggestion, can the key issues identified under 5.1.12 relating to landscape and visual impacts be brought into Policy SD2? It helps to make clear to interested parties that issues like glare/glint, colour and effect on the skyline are all important which some may consider an afterthought or not at all.</p> <p>Suggest rewording policy to accord with Policy I2.</p>	<p>Add footnote to direct interested parties to AONB Guidance Documents/Management Plan. The PC will be aware that asking for external guidance to be considered/taken into account carries less weight than if wording from that guidance was incorporated into the NDP. We are unsure how much weight would apply to a simple reference to external guidance.</p> <p>Maybe point 1 should expand to add: landscape character, visual amenity or other special qualities e.g. tranquillity in particular.</p>

	<p>Proposals requiring planning permission ...individually or cumulatively, have an unacceptable impact on:</p> <ol style="list-style-type: none"> <li>1. Landscape character, visual amenity or other special qualities, having particular regard to the Malvern Hills AONB Management Plan and associated guidance.</li> </ol>
<p>Policy SD3 – It would be appropriate to include a reference in needing to accord with the Welland Design Guide and Code, as well as the AONB Guidance on Building Design.</p>	<p>To update Policy SD3 to include: “Due regard shall be had to the proposals being informed by guidance within the Welland Design Guide and Code, and, where relevant to the specific development and location of the site, AONB Partnership Guidance, including on Building Design”.</p>
<p>Policy DB1 – No comments to offer in principle, although does this mean that any ‘full householder’ application would need to meet this policy? A bit unclear as to where the line is drawn as when you first read it, it gives the impression that full householder applications are also included in this.</p>	<p>Separate ‘full householder’ policy?</p>
<p>Policy G1 – would suggest strengthening the policy further to state that any development of these sites would only be permitted in exceptional circumstances. Appeal decisions in Green Belt have been allowed in the past. May be worth looking at Colwall NDP (Policy CF3).</p>	<p>“Development of these sites shall only be permitted in exceptional circumstances”</p>
<p>Policy G2 – No comments.</p>	
<p>Policy B1 – Where is the line being drawn on which types of applications will be required to provide this? Are we reasonably expecting a ‘full-householder’ to do this? Even the BNG guidance is likely to state that only major applications in the first instance will be required to meet this.</p> <p>Of course, the AONB Nature Recovery Plan would support such measures, in principle, in helping to conserve and, where possible, enhance biodiversity assets.</p> <p>Previously Paul had suggested that any off-site delivery should be in the parish wherever possible. The policy is unclear where off-site delivery should be achieved.</p>	<p>Provide clarification as to the types of applications which need to do this and where off-site delivery is limited to i.e. parish of Welland then adjoining parishes etc.</p>
<p>Policy LC1 – Would insertion of a couple of Carly’s figures showing sensitivity and capacity strengthen this policy further? See Colwall and Cradley NDPs.</p> <p>There is a need to demonstrate that levels of effects are acceptable, and that the scheme has been sited and</p>	<p>Add the following: The information required in the assessment study should be proportionate to the type and scale of development proposed. They will accord with guidance produced by the AONB Partnership</p>

<p>designed sensitively and appropriately, reflecting, respecting, and where possible, enhancing the landscape context within which it is situated. The information required in the assessment study should be proportionate to the type and scale of development proposed. We had previously said that it's not reasonable to expect all development to be subject to an LVIA.</p> <p>It may be of benefit to bring the wording of 5.5.6 within the Policy. Applicants may demonstrate that they have met the policy and unfortunately the Policy is not clear as to when adverse effect threshold is breached, meaning subsequent clear adverse effects to landscape character and visual amenity. This policy should be strengthened.</p> <p>Does point 2 (response to the landscape context) include avoiding/minimising adverse impacts on views to and from the AONB, through adherence to the AONB Management Plan and relevant guidance? If not suggest this needs to be incorporated into the policy itself?</p>	<p>to reduce the adverse effects of development on the AONB and its setting.</p> <p>Point 2 (response to the landscape context) includes avoiding/minimising adverse impacts on views to and from the AONB, through adherence to the AONB Management Plan and relevant guidance? If not, I suggest this needs to be incorporated into the policy itself?</p> <p>Add the following: Development proposals which would establish unacceptable adverse effects that cannot be mitigated to an acceptable degree when compared to baseline condition will not be supported.</p>
<p>5.5.1 - Paragraph 176 NOT 175 in relation to 'great weight' given to AONBs</p>	<p>Change paragraph 175 to 176.</p>
<p>Policy C1 – No comments to offer.</p>	
<p>Policy C2 – Can the policy include measures which conserve and enhance landscape character, through additional planting for example, depending on landscape character type?</p>	
<p>Policy HE1 – No comments to offer.</p>	
<p>Policy I1 – No comments to offer.</p>	
<p>Policy I2 – Encourage any cables to be buried underground or any existing overhead cables to be buried underground. 'Unacceptable impact' here which would not be supported by AONB.</p>	
<p>Policy I3 – No comments to offer.</p>	
<p>Policy I4 – to expand on this including any harm to either the landscape character and visual amenity, including setting of the Malvern Hills AONB.</p>	<p>To add: along the corridor, <b>including the setting of the Malvern Hills AONB, and tranquility.</b></p>
<p>Policy D1 – Suggest adding that proposals will be supported where they do not harm local character as well as nature conservation and biodiversity. This may be helpful re. any attempts to urbanise the route through lighting, kerbing etc.</p>	<p>To add: "proposals will be supported where they do not harm local character as well as nature conservation and biodiversity"</p>

<p>Policy D2 – There is no mention of sensitivity of corridor design to the local landscape, tranquillity etc. We are thinking about potential development of the old railway line that people may want to kerb, tarmac, light etc all of which can have considerable impacts on the AONB and its Special Qualities</p>	
<p>5.9.3 - Are we including steel sheets as being reflective on roofs? If so, how does this fit with non-reflective zinc/steel which is mentioned a little bit further down the list?</p>	<p>Review wording/examples.</p>
<p>Policy HLP – The windfall element states that new residential development may be supported outside the settlement boundary albeit subject to ‘open countryside’ policies. Is this the correct interpretation or is it to read that new open market housing may still be permissible?</p>	
<p>Policy H1 – No comments to offer. As part of the Policy Justification, you may wish to link back to Policy BDP3 of the AONB Management Plan - Development in the AONB should be based on convincing evidence of local need.</p>	
<p>Policy H2 – No comments to offer</p>	
<p>Policy H3 – No comments to offer</p>	
<p>Policy H4 – could the policy be strengthened further in that proposals are genuinely landscape-led, having regard to the AONB Partnership draft Position Statement on ‘Landscape-led Development’. Can we ask for an Environmental Colour Assessment to be provided, in line with 4 to promote integration with the landscape? Provision of additional GI in these areas, particularly boundaries? Would Parish Council consider undertaking an indicative layout? There is a query as to what happens to the land to the north of the proposed development site? Is this effectively ‘off-limits’ being outside of the settlement boundary? What prevents this area being developed in the future, perhaps under an amended settlement boundary? Has consideration been given to making this another potential Open Green Space?</p>	
<p>5.10.39 - Is this breakdown of types what would be considered to be ‘affordable’ - we appreciate that the Housing Evidence Paper may provide clear justification for this.</p>	<p>Suggest that paragraph 5.10.39 actually be brought into Policy H4</p>
<p>Policy LE1 – No comments to offer</p>	

Additional comments

Do you need a tourism/holiday accommodation policy? It is not clear within the policies above.

We had said previously that there doesn't appear to be anything in this policy which relates to employment and particularly agricultural developments, which can have a far more significant impact on the special qualities of a place, due to their siting, scale etc. It may be worth taking a look at the Colwall NDP to see how they have covered this: <https://www.herefordshire.gov.uk/downloads/file/21682/neighbourhood-development-plan-january-2021> The Colwall Plan has separate policies on agricultural buildings, polytunnels etc.