

# **Parish of Hanley Castle Neighbourhood Development Plan**

## **Comments Upon Regulation 16 Representations – April 2018**

### ***Bruton Knowles on behalf of Sir Nicholas Lechmere***

The Neighbourhood Plan has not addressed the sites suggested within this representation as they had not previously been suggested during the development of the plan. This representation is the first time these issues have been raised.

It should be noted that the status of the village of Hanley Castle has been further impaired by the loss of any timetabled public transport services.

### ***Gladman Developments Limited***

#### **Policy MnGR 5- Scale of New Development**

The villages within the parish are small and residents strongly expressed a desire to limit the size of developments whilst accepting development is needed. This policy follows others previously approved in neighbourhood plans.

#### **Policy MnGr 6 – Incremental Growth**

This policy is about the ability of a community and its infrastructure to assimilate new developments without major impacts to the local character of the community. We are aware we may be breaking new ground with this approach.

#### **MnGr – Preferred Site Allocations**

Gladmans are misinformed about the need for an SEA as Historic England ultimately decided an SEA was not necessary.

#### **RE 2 – Settlement Identity**

The policy is aligned with that of the SWDP.

#### **BHN 1 – Protection of Buildings or Structures on the Local List of Heritage Assets (Local List)**

#### **BHN 2 – The Environs of Heritage Asset**

Both policies have been developed along with MHDC. The Local List is at this stage a proposal, yet to be evaluated by the planning authority.

#### **BHN 5– Protected Local Green Spaces**

It is not clear why Gladmans think the proposed Local Green Spaces are extensive tracts of land because they are not.

## **Malvern Hills District Council**

### **General Comments**

'The Neighbourhood Plan proposes that land-use policies are shaded in pale orange whilst wider community aspirations / actions for the Parish Council are shaded in pale green. To provide clarity for decision makers and applicants it is suggested that actions for the Parish Council could be included in an Appendix to the Plan.'

The Parish Council has deliberately integrated NDP policies and PC Responsibilities as contextually they belong together in addressing the same issues. The PCRs are clearly identified as has been done in other NDPs.

### **Policy MnGr 1 - Housing Mix**

We prefer the statement on self build to be retained.

### **Policy MnGr 3 - Allocation of Affordable Housing**

To have the lettings policy incorporated as a condition for planning will give it more weight.

### **Policy MnGr 4 - Infill / Backland Housing in the Parish**

'The wording of MnGr4 appears to potentially support plots for self-build up to 3 bedrooms even if it does not meet criterion i) to iv). Is this what is intended?'

The answer is no! Perhaps it would be better to just incorporate point v in point iv.

### **Policy MnGr 6 - Incremental Growth**

'This may be contrary to the Framework'

This policy is about the ability of a community and its infrastructure to assimilate new developments without major impacts to the local character of the community. The NPPF does not seem to address this issue so we are aware we may be breaking new ground with this approach.

### **Policy MnGr 7 - Preferred Site Allocations**

'Paras 22 and 23 – The position regarding Site 7 is not clear in Policy MnGr7 and does not provide a practical framework within which planning decisions can be made with a high degree of predictability and efficiency. Para 23 says that planning consent has been granted for Phase 1 development, but it is not clear from Para 22 whether the Neighbourhood Plan is allocating land for Phase 2 or not.'

This is a case of being overtaken by events; full planning permission has been granted for Phase 1 and work is due to begin this summer. Phase 2 utilising the land behind the buildings and shown on the accompanying plan has outline permission but detailed designs are yet to be approved. The NDP is not allocating land as the decision has already been taken to proceed, however we thought it better to retain this site within the plan because of its significance.

### **Policy MnGr 8 - Siting of Local Businesses**

'The Framework and the SWDP are seeking to actively promote economic development. It is considered that the first part of the policy may not be in strict conformity with the SWDP 12 (Employment in Rural Areas) which supports the expansion of existing employment sites in rural areas where it has been demonstrated that intensification of the existing site is not viable or practical.'

We have set out in para 21 why we have taken the approach we have.

### **Policy MnGr 9 - Heavy Goods Traffic**

'It is suggested that it should be made clearer that Policy MnGr 9 would only apply to change of land use to land use classes B2 and B8 that would generate significant amounts of movement.'

We believe para 3 explains this.

### **Policy MnGr 12 - Developer Contribution Policy**

'It is suggested that the policy related to the spending of developer contributions would be more appropriate in the section of the Plan related to Implementation or actions for the Parish Council.'

Our professional advisors felt this was a land use policy.

### **Policy RE 1 – Sympathetic Design**

'It is suggested that Policy RE 1 is deleted or integrated into Section 8 relating to Design Policies.'

Maintaining rurality is important to our residents but increasingly difficult, therefore we felt having a separate policy would give more emphasis to this issue.

### **Policy BHN 3 – Protection of the Archaeological Environment**

'However, Policy BHN3 para 3 says that the 5 listed sites is not a definitive list of sites of archaeological interest in the parish. Para 3 does not provide a practical framework within which planning decisions can be made with a high degree of predictability and efficiency.'

Paras 3, 4, 9 and 10 also provide slightly mixed messages. Whilst paras 4 and 9 say the policy is based on up-to-date and robust evidence, paras 3 and 10 suggest that the list of known archaeological sites may be subject to change.'

We were advised by the County Council not to state that the 5 sites are the only sites. They have records of other but less significant finds and it must be true that by the nature of archaeology other previously unknown sites could be found.

'With regard to this policy, particularly the final sentence and the 5 sites that are subsequently identified by bullet points, we would note that the parish possesses a rich archaeological heritage and the Worcestershire Historic Environment Record (HER) contains details of other known and suspected sites of archaeological interest, while the potential for the discovery of new, as yet completely unknown sites must also be acknowledged.

Therefore, while we support this policy we would advise that WAAS and/ or the LPA may advise that archaeological works are required/ archaeological considerations are to be addressed in connection with development proposals elsewhere in the parish and the five

bullet pointed sites noted in the policy wording should not be taken as a definitive or exhaustive list of sites/ areas of archaeological interest in the Parish / Neighbourhood Plan area.

#### **Policy BHN 4 - Preserving Ancient Trees, Woodland, Trees, Hedges**

'it is suggested that the location of ancient trees, or trees and hedgerows of arboricultural and amenity value would need to be mapped.'

Previously agreed with MHDC that this was impracticable.

#### **Policy BHN 6 - Sites of Biological Interest**

'Paras 9 and 10 list the WCC Health & Wellbeing Strategy and WSDP Health SPD as relevant National & Local Strategies. Surely, the purpose of BHN6 is to protect the wellbeing of wildlife on the sites of biological interest, not the health and wellbeing of people?'

Included because of comments by the County Council on public health.

#### **Policy Des 1 – General Building Design Principles**

Para 13 reference to Appendix E should be to section V in the supporting documentation.

#### **Policy Des 2 – Renewable and Low Carbon Energy**

'In particular, it is not clear whether Policy Des 2 is intended to compliment or replace SWDP 27C.'

Complement not replace.

#### **Policy Des 3 - Integrating New Developments with the Existing Community**

'It is suggested that Policy RE2 which seeks to focus new development within development boundaries and strictly control development in the open countryside could potentially achieve the objective that Policy Des 3 is seeking to achieve.'

We disagree because this policy specifically deals with issues relating to the connectivity and integration, both physical and community, of new developments with the existing.

#### **Policy Trf 1 - Highways and Traffic Principles**

Trf1(i) appears to be proposing that there be a review of the traffic impact arising from all development proposals. It would not be proportionate to require all planning applications for new development to be accompanied by a traffic impact assessment.

Agreed, which is why Trf1(i) says 'an appropriate level of detail' and the Section Introduction says that the impact of additional traffic movements should be assessed in accordance with WCC standards.