

Please state which part of the draft Neighbourhood Plan (i.e. which section, objective or policy) your representation refers to (please use a separate form for each representation):

Figure 5 – Kempsey Neighbourhood Development Plan Policies Map

Please use the space below to make comments on this part of the Neighbourhood Plan.

We generally support the draft Neighbourhood Development Plan (NDP) which recognises that development within the sustainable settlement of Kempsey can be accommodated. However, we do not consider the draft NDP conforms with the Basic Conditions as set out in Sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 (as amended). Paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 as replaced by Schedule 10 (Part 2) of the Localism Act states 8 (2) – a draft plan meets the basic conditions if:

- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan.
- b) The making of the plan is in general conformity with the strategic policies contained in the development plan for the area of the authority.
- c) The making of the plan does not breach, and is otherwise compatible with, EU obligations, and
- d) Prescribed conditions are met in relations to the plan and prescribed matters have been complied with in connection with the proposal for the plan.

The proposed village development boundary defined on the draft Policies Map (Figure 5) is not consistent with the development boundary within the adopted South Worcestershire Development Plan (SWDP) Policies Map.

As explained at paragraph 5.4 of the draft NDP, part of the SWDP 59f 'Land north of Brookend Lane (adjacent to the Limes)' allocation has been excluded from the proposed village development boundary as it is identified as an anomaly in the Plan. The draft NDP states that the site is green space within the Significant Gap which is to be retained as open space in the planning permission for the site.

It is not necessary to amend the village development boundary to exclude this part of the SWDP 59f allocation. This parcel of land is protected as open space under strategic policy SWDP 5 part B, because the planning permission for the residential scheme has been implemented (ref. 13/00417/OUT). Policy SWDP 38 seeks to safeguard open space from development unless exceptional circumstances can be demonstrated. Therefore, the complete SWDP 59f allocation should remain within the village development boundary, as per the SWDP.

It should also be noted that part of this open space is currently subject to a full planning application for residential development comprising 4 bungalows (ref. 17/00101/FUL). The proposals have been sensitively designed to ensure that adequate and useable open space remains within the wider development, and that there would be no overall net loss of open space provision in Kempsey. In line with the requirements of SWDP 38, an Open Space Assessment has been submitted to support the application. The scheme proposes two 2-bedroom semi-detached and two 3-bedroom detached bungalows. This is reflective of the housing need identified within the Worcestershire SHMA (2014) and consistent with draft

NDP policy K3 which encourages a mix of housing sizes and types within housing developments.

It is also noted that village development boundary has been amended to include land at Kings Hill which has planning permission for residential development (ref. 14/00709/OUT), despite it not yet being implemented. To ensure consistency across the NDP, other sites in Kempsey with planning permission should be included if they are coterminous with the development boundary. Land at Post Office Lane which has planning permission for residential development should be included within the village development boundary (ref. 14/000625/FUL). Although not yet implemented, this is included within Malvern Hills District Council's 2015/16 housing trajectory and is considered as being a deliverable site within the next 5 years.

Land at Pixham Ferry Lane/Old Road South is identified within the draft NDP as a suitable location for future community, sport and recreation provision (ref. K10Bi). In order to deliver this provision, the draft NDP recognises that housing development may be required on the adjacent site (ref. K10Bii). Again, these sites should be included within the village development boundary. The draft NDP criteria based policy K10 refers to potential enabling development for these sites. This policy should remain as it is currently drafted to ensure that a suitable development is proposed to assist with the delivery of the community facilities.

In summary, the draft NDP is generally supported. There are however several inconsistencies which should be addressed, and the NDP should comfortably rely upon the adopted SWDP policies where necessary, rather than exclude parcels of land contrary to the adopted SWDP.

Please use a separate form for each representation.

Future Notification

Please state whether you would like to be notified of the decision on the Neighbourhood Plan proposal:

Yes No

Signature ...R.Bibby..... **Date** ...20/02/2017.....

Thank you for completing this form.