

**THE PARISHES OF
LEIGH AND BRANSFORD
NEIGHBOURHOOD PLAN
BASIC CONDITIONS STATEMENT**

March 2022

2022 to 2041



Leigh and Bransford Parish Council

CONTENTS

	Page No
1. Introduction	3
2. Legal Requirements	3
3. Basic Conditions	4
Table 1 Basic Conditions (a) and (e)	5
Table 2 Sustainable Development	19
.	

1.0 Introduction

1.1 Leigh and Bransford Parish Councils have submitted a Neighbourhood Plan (LBNP) to Malvern Hills District Council. Leigh and Bransford Parish Council is a qualifying body. Before a referendum can be carried out, and a Neighbourhood Plan made, a Neighbourhood Plan must meet basic conditions. This Statement has been prepared to demonstrate the basic conditions have been met.

1.2 Paragraph 16 of the National Planning Policy Framework says, "*Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies*".

In relation to Paragraph 16 this Neighbourhood Plan:

- a) has been prepared with the objective of contributing to the achievement of sustainable development;
- b) has been prepared positively to deliver the visions and objectives of community
- c) has been shaped by early, proportionate and effective engagement between the community and appropriate consultees. This is further explained in the Consultation Statement.
- d) contains policies that are clearly written and unambiguous.,
- e) is accessible on the Leigh and Bransford parish council website
- f) has been compiled to supplement and complement the NPPF, and SWDP, without unnecessary repetition or overlap.

2.0 Legal Requirements

Section 38B of the Planning and Compulsory Purchase Act 2004 states:

(1) A neighbourhood development plan-

(a) must specify the period for which it is to have effect:

The LBNP clearly states that the period for which it has effect is 2022 to 2041. This is stated on the front cover and in the text. The period chosen is consistent with the emerging Local Plan, the South Worcestershire Development Plan

(b) may not include provision about development that is excluded development:

The LBNP does not include provision for excluded development such as, waste or mineral matters, infrastructure of national importance, or other excluded developments.

(c) may not relate to more than one neighbourhood area.

The LBNP relates to the single designated area of the combined parishes of Leigh and Bransford

(2) Only one neighbourhood development plan may be made for each neighbourhood area.

The LBNP is the only neighbourhood plan for the whole, or any part of the designated neighbourhood area.

3.0 Basic Conditions

3.1 The basic conditions to be met by neighbourhood plans are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004.

Paragraph 8(2) lists seven basic conditions (a – g) that a Neighbourhood Plan must meet. These are set out below with the evidence that the LBNP meets the conditions. Conditions (a) and (e) are first considered together in Table 1

Basic Condition (a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order,

Basic Condition (e) the making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),

3.2 The following Table 1 demonstrates how the LBNP policies have been prepared to seek to have regard to the National Planning Policy Framework (NPPF) July 2021 and to be in general conformity with strategic policies in the local plan.

Table 2 demonstrates how the LBNP meets the requirement for sustainable development with regard to Paragraph 8 of the NPPF.

TABLE 1 Basic Conditions (a) and (e)

<p>Policy LB/H/1: New Residential Development within the Leigh Sinton and Bransford Development Boundaries New housing within the Leigh Sinton and Bransford Development Boundaries (as shown on Maps 4a and 4b) will be supported If it meets each of the following criteria:</p> <ul style="list-style-type: none"> a. It does not lead to the loss of community or recreation facilities, or local employment opportunities b. It accords with other relevant policies of the Leigh and Bransford Neighbourhood Plan and the South Worcestershire Development Plan. d. Extensions to the Leigh Sinton Development Boundary are proposed and indicated on Map 4a. e. A new Development Boundary is proposed for Bransford and is indicated on Map 4b. 	<p>In relation to Part 1 of Policy LB/H/1, the adopted SWDP identifies a development boundary for Leigh Sinton, but not for Bransford. The emerging SWDPR proposes revised development boundaries for both Leigh Sinton and Bransford.</p> <p>The Leigh & Bransford NDP seeks to update the existing / proposed development boundaries to include existing development or extant planning permissions co-terminous with the existing / proposed development boundaries. It is considered that the proposed update to the development boundaries are in general conformity with the adopted SWDP and emerging SWDPR. The policy seeks to have regard to NPPF 69c.</p>
<p>Policy LB/H/2: Development in Open Countryside New housing development in open countryside, outside the Development Boundary (as shown on Maps 4a and 4b) will be supported if it meets one or more of the following criteria:</p> <ul style="list-style-type: none"> a. There is an essential need for a rural worker to live permanently at or near their place of work in the countryside. b. It represents the optimum viable use of a heritage asset or would be an appropriate enabling development to secure the future of heritage assets c. It is truly outstanding, reflecting the highest standards in architecture, and would help raise the standards of design more generally in rural areas, and would significantly enhance its immediate setting. d. Affordable housing on an exception site is required to meet an identified local need. e. It is a replacement of an existing dwelling with established use rights and where the replacement dwelling is not disproportionately larger than the existing dwelling and will not exceed the existing gross internal floorspace by more than 30%. f. It accords with other relevant policies of the Leigh and Bransford Neighbourhood Plan and the South Worcestershire Development Plan. 	<p>Policy LB/H/2 seeks to strictly control new development in the open countryside. However, the policy provides some flexibility for new development e.g. rural workers housing, rural exception sites and replacement dwellings.</p> <p>Paragraph 80 of the Framework says <i>“Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply....</i></p> <p>The policy seeks to have regard to NPPF 80; it includes the provision for use of heritage assets and buildings with high standards of architecture. The policy is also in general conformity with SWDP Policies: SWDP 2C Development Strategy and Settlement Hierarchy, SWDP 16: Rural Exception Sites), SWDP 18: Replacement Dwellings in Open Countryside and SWDP 19: Dwellings for Rural Workers.</p>

<p>Policy LB/H/3: Extensions and Subdivisions of Existing Buildings</p> <p>a. Extensions to existing dwellings will be supported providing that they are subordinate to, and do not dominate the character and appearance of the original, or adjacent, dwellings.</p> <p>b. The subdivision of an existing residential dwelling will be supported providing that the development does not have an adversely harmful impact on the area’s visual amenity and landscape character.</p>	<p>Policies LB/H/3 would apply both within and beyond the development boundary. Policy LB/H/3 supports extensions to existing dwellings, and Policy LB/H/4 the subdivision of existing dwellings and the conversion and re-use of redundant or disused buildings, subject to certain criteria being met.</p> <p>Para 84a of the NPPF supports the conversion of existing buildings in rural areas to support the rural economy. The emerging SWDPR 23 (Re-Use of Redundant Building) also supports the reuse or conversion of redundant or disused rural buildings for housing, employment, tourism, recreation and community uses, subject to a number of criteria being met.</p>
<p>Policy LB/H/4: Conversion and Re-use of Redundant or Disused Buildings</p> <p>The conversion and re-use of redundant or disused buildings will be supported providing there is an enhancement to the building’s immediate setting and there is no need for substantial reconstruction and large extensions.</p>	
<p>Policy LB/H/5: Housing: Significant Gap</p> <p>The open character of the Significant Gap within the Neighbourhood Area will be retained in order to maintain the separation between Leigh Sinton and Malvern that protects their individual identities. The Gap protects the existing character of the area, including the views from and to the Malvern Hills (AONB). The Significant Gap is shown on Map3.</p> <p>Acceptable developments may include:</p> <ul style="list-style-type: none"> • The re-use of rural buildings; • Agricultural and forestry-related development; • Playing fields • Other open land uses that maintain the openness of the gap; and • Minor extensions to existing dwellings. 	<p>Policy LB/H/5 seeks to maintain the Significant Gap between Leigh Sinton and Malvern and sets out what types of development would be acceptable. It is considered that Policy LB/H/5 is in general conformity with SWDP 2D which seeks to ensure the retention of the open character of the Significant Gap.</p>

<p>Policy LB/H/6: Housing: Site Allocation</p> <p>a. This Neighbourhood Plan proposes the following site for development to meet the indicative housing requirement to 2041. The site is indicated on Map 2.</p> <ul style="list-style-type: none"> • Site CFS0009, Land off the A4103, Leigh Sinton • Site area: 2.87Ha for residential use for approximately 52 dwellings • Approximately 2.82Ha potentially for sports and recreation use. <p>b. In addition to SWDP requirements for Affordable Housing the housing mix shall be informed by available Housing Needs Surveys and community consultation.</p> <p>c. The development must be designed to ensure that it connects safely to local amenities, and the existing footway, cycleway, and footpath network.</p> <p>c. The development shall be in accordance with other relevant policies of the Leigh and Bransford Neighbourhood Plan and the South Worcestershire Development Plan.</p>	<p>Part (a) proposes the allocation of a 5.69 hectare site on land off A4103 Leigh Sinton (shown on Map 2) for approximately 52 dwellings and 2.82 hectares for sports and recreation use.</p> <p>It seeks to have regard to the strategic objectives in NPPF 7/8, and the policies in NPPF66/67. An indicative housing figure was requested from Malvern Hills District Council. In proposing a site for allocation the policy seeks to have regard to NPPF 60.</p> <p>The Parish Council commissioned a Housing Needs Survey specifically to inform housing need and housing mix consistent with NPPF 61.</p> <p>The proposed site for allocation is the same site proposed for allocation in the emerging revised SWDP.</p> <p>The policy is in general conformity with SWDP Policies:</p> <p>SWDP2: Development Strategy and Settlement Hierarchy SWDP13: Effective Use of Land SWDP15 Meeting Affordable Housing Needs SWDP59: New Housing for Villages</p>
<p>Policy LB/D/1 Design: Maintaining Local Character</p> <p>a. Proposals for new developments should provide evidence to show how they will enhance and reinforce the local distinctiveness of an area. The general scale, mass, and layout of the site, building, or extension should respond to and integrate with local surroundings. Materials should be chosen to complement the development and add character to the surrounding environment. For any proposed development evidence must be provided to show how the existing conditions and the locally distinctive character of the area have been assessed and translated into proposals.</p> <p>b. Innovative designs, including visual impact and approach to energy efficiency and sustainability, will be supported where they make a positive contribution to the character of the area and contribute to local distinctiveness.</p>	<p>LB/D/1 is in general conformity with SWDP21 where a development is required “to integrate effectively with its surroundings, in terms of form and function, reinforce local distinctiveness”.</p> <p>Part (b) of Policy LB/D/1 seeks to have regard to NPPF 134b.</p>

<p>Policy LB/D/2 Design: Parking All residential developments will provide adequate in-curtilage parking spaces. Parking provision must comply with Worcestershire County Council's Streetscape Design Guide⁽⁹⁾ In addition: a) For residential developments greater than five dwellings visitor parking should be provided at one space for every five bedrooms. b) Where dwellings are divided for residential use they must be treated as Houses of Multiple Occupancy but in addition, shall not result in additional on-street parking. With the exception of care homes a sheltered, secure, easily accessible cycle store should be provided for each unit. c) Where extensions to existing dwellings result in additional bedrooms the property must comply with the Streetscape Design Guide for parking. d) All new employment sites should include provision for sheltered, secure cycle parking</p>	<p>SWDP4: Moving Around South Worcestershire, states, <i>"Within the rural areas, where communities are more reliant upon the private car due to more limited transport choices, consideration will be given to a more flexible approach to the application of parking standards, based on site assessment and location. The partner authorities will work with Worcestershire County Council to develop locally specific parking standards through the LTP3 and Supplementary Planning Documents."</i> Policy LB/D/2 recognises the issues in rural areas where off-site parking is generally not available; parking provision has to be provided within developments. The policy has been discussed and agreed with WCC based on their Design Guide</p>
<p>Policy LB/D/3: Design: Construction Waste and Recycling Evidence should be provided to show that consideration has been given to the re-use of waste arising from the construction process.</p>	<p>Policy LB/D/3 This policy has been discussed and agreed with Worcestershire CC, who support the policy <i>".. as this aspect is not covered to the same extent in the Waste Core Strategy or emerging Minerals Local Plan"</i>. It is consistent with NPPF 8c with respect to minimising waste.</p>
<p>Policy LB/D/4: Design: Household Waste and Recycling In addition to the requirements of the Waste Core Strategy integrated or well screened bin storage or recycling facilities should be provided in residential development to minimise visual impact</p>	<p>Policy LB/D/4 is in general conformity with SWDP 33: Waste and has been agreed with Worcestershire CC. The policy seeks to have regard to NPPF8c</p>
<p>Policy LB/D/5: Design: Dark Skies Where external lighting is proposed in a development it must be demonstrated that it is essential for the maintenance of health and safety by road users and building occupiers. Where street lighting is required it should be designed to reduce light pollution to avoid undue adverse impacts on amenity, wildlife and dark skies.</p>	<p>Policy LB/D/6 requires proposals for external lighting to demonstrate that it is essential for the maintenance of health and safety by road users and building occupiers. Also, that any street lighting be designed to reduce light pollution, interference with nocturnal species and protect the "dark sky". The policy seeks to have regard to NPPF 185c which says that planning policies should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.</p>

<p>Policy LB/ E/1: Landscape: Landscape Character</p> <p>Development proposals must demonstrate that each of the following criteria is met:</p> <p>a. the characteristics and guidelines for the Landscape Type of the proposed site, as defined in the latest Landscape Character Assessment, have positively influenced the siting, design, scale, layout, landscaping and boundary treatment of the proposal.</p> <p>b. every available opportunity has been taken to strengthen the landscape character of the relevant Landscape Type, by retaining and conserving existing features such as trees, woodland and hedgerows, and by restoring, enhancing and making new provision where this is appropriate.</p>	<p>The policy seeks to have regard to NPPF 174 which says that planning policies should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. Consistent with NPPF 192/193 a Heritage Environment Record was commissioned for each of the parishes of Leigh and Bransford.</p> <p>The policy is in general conformity with SWDP 25: Landscape Character. The policy was discussed and agreed with Worcestershire CC HER team.</p>
<p>Policy LB/ E/2: Landscape: Local Green Spaces</p> <p>The following areas of land shown on Figures 1 and 2 are proposed as Local Green Space:</p> <ul style="list-style-type: none"> • Land adjacent to Brockamin Lane, Bransford • The orchard adjacent to Kiln Lane <p>Development that would result in the loss or partial loss of the Local Green Spaces will not be supported unless very special circumstances arise which outweigh the need for protection</p>	<p>Policy LB/ E/4 proposes the designation of 2 Local Green Spaces: NPPF101-103 makes provision for a Neighbourhood Plan to identify Local Green Spaces of particular importance to the local community. There is no reason to believe the Local Green Spaces could not endure until the end of the LBNP period.</p>
<p>Policy LB/ E/3 Landscape: Key Views</p> <p>To be supported development proposals must demonstrate that they are sited, designed and of such a scale that they do not substantially harm the key views (identified on Fig 3) when seen from locations that are freely accessible to members of the general public</p>	<p>Policy LB/E/3 identifies 3 key views which are listed and identified in Figure 3.</p> <p>The policy seeks to have regard to NPPF 174 which says that the planning system should protect and enhance valued landscapes.</p>

<p>Policy LB/ E/4: Heritage Protecting Local Heritage Assets:</p> <p>a. To be supported, proposals which affect a non-designated heritage asset (a building or structure on the Local List following adoption by Malvern Hills District Council] must demonstrate how they protect or enhance the heritage asset.</p> <p>b. To be supported, proposals for the renovation or alteration of a non-designated heritage asset (building or structure) must be designed sensitively, and with careful regard to the heritage asset’s historical and architectural interest and setting.</p>	<p>Policy LB/E/4 seeks to protect, and where possible, enhance, non-designated heritage assets on the Local List (following adoption by Malvern Hills District Council).</p> <p>Heritage assets are an irreplaceable resource and NPPF 189 requires that historic assets should be conserved in a manner that is appropriate to their significance.</p> <p>Policy LB/E/4 distinguishes between designated heritage assets (such as listed buildings and conservation areas) and other heritage assets (identified by the local authority). The policy is consistent with NPPF 194 in requiring evidence of assessments of assets and their setting.</p> <p>The policy is consistent with SWDP 6: Historic Environment, and SWDP 24: Management of Historic Environment</p>
<p>Policy LB/E/5: Heritage: Archaeology</p> <p>a. Development proposals should avoid or minimise any conflict with known surface and sub-surface archaeology included in the Worcestershire Historic Environment Record.</p> <p>b. Proposals should also ensure unknown and potentially significant deposits are identified and appropriately considered during development. Lack of current evidence of surface or sub-surface archaeology must not be taken as proof of absence.</p> <p>c. Where proposals are likely to affect heritage assets with archaeological interest, they should be accompanied by a description informed by available evidence, desk-based assessment and, where appropriate, field evaluation to establish the significance of known or potential heritage assets.</p>	<p>Policy LB /E/5a requires all development proposals to avoid or minimise conflict with known surface and subsurface archaeology that are included in the Worcestershire Historic Environment Record (HER).</p> <p>Policy LB/ E/5b proposes that a lack of current evidence of surface or sub-surface archaeology must not be taken as proof of absence.</p> <p>SWDP 24: Management of the Historic Environment: <i>“Where proposals are likely to affect heritage assets with archaeological interest, they should be accompanied by a description informed by available evidence, desk-based assessment and, where appropriate, field evaluation to establish the significance of known or potential heritage assets”.</i></p> <p>The policy seeks to have regard to The policy seeks to have regard to NPPF 194 which says that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.</p>

<p>Policy LB/E/6: Heritage: Farmsteads and Agricultural Buildings Redevelopment, alteration or extension of historic farmsteads and agricultural buildings within the Neighbourhood Area (as shown on Map 9) should be sensitive to their local distinctiveness, materials and form. Due reference and consideration should be made to the Worcestershire Farmstead Assessment Framework.</p>	<p>Policy LB/E/6 says that proposals for the redevelopment, alteration or extension of historic farmsteads should be sensitive to their local distinctiveness and character, materials and form, and take into account their contribution to the character of the landscape. Due reference and consideration should be made to the Worcestershire Farmstead Assessment Framework.</p> <p>SWDP 6: Historic Environment supports development proposals where they conserve and enhance the significance of heritage assets, including historic farmsteads. The also policy seeks to have regard to NPPF 189/190</p>

<p>Policy LB/E/7: Heritage: Conservation Areas Development proposals within Leigh Conservation Area or its setting should preserve or enhance its character or appearance, having regard to its significance and special interest. Proposals will be supported provided that they:</p> <ol style="list-style-type: none"> a. serve to preserve or positively enhance the Conservation Area by virtue of their use, character and design; and b. avoid any demolition of a building or structure if its loss would be harmful to the character of the Conservation Area; and c. respect the prevailing density of buildings and their plan form, recognising the variations that occur in these factors within the Conservation Area; and d. reflect the size, height, scale, form, proportions and detailing of the existing and surrounding built form; and e. use local materials and vernacular techniques wherever possible; and f. ensure that any extensions and service buildings are subsidiary to the main property, are not unduly prominent in the street scene, and use sympathetic materials to the main property; and g. retain important views, open spaces, boundary features, trees and hedgerows; and h. specify local materials or native species for any new boundary treatments such as walls, railings, fencing or hedging; and i. preserve the open countryside setting of the Conservation Area.” <p>The Conservation Area at Leigh is indicated on Map 7.</p>	<p>Policy LB/E/7 says that development proposals in the Leigh Conservation Area should be guided by a Leigh Conservation Area Appraisal.</p> <p>The policy seeks to have regard to NPPF 189 which says that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. The policy is also in general conformity with SWDP 6: Historic Environment</p>
<p>Policy LB/E/8 : Biodiversity Development proposals that impact on local wildlife and habitats, particularly those shown on Map 10 and Map 11, should demonstrate how biodiversity will be protected and enhanced.</p>	<p>The policy is in general conformity with SWDP 22: Biodiversity and Geodiversity which addresses biodiversity at a more strategic level. The policy seeks to have regard to NPPF 8c, 174, and 179</p>

<p>Policy LB/E/9: Biodiversity Net Gain</p> <p>To be supported development proposals must demonstrate a net gain in biodiversity wherever practical and viable by:</p> <ol style="list-style-type: none"> a. Retaining existing wildlife habitats and landscape features (such as watercourses, ponds, unimproved grassland, and orchards) to support biodiversity. b. Creating new wildlife habitats c. Including native flora in replacement planting, and new planting, such as hedgerows, landscaping, and open spaces. d. Creating a biodiversity-friendly environment by including features such as bat boxes, bird boxes, nest cups, and bee bricks e. Including wildlife friendly boundary treatments that facilitate the movement of species. <p>See also Policy LB/I/4e</p>	<p>Paragraph 174d of the Framework says that planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.</p> <p>Paragraph 179b of the Framework says plans should promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.</p> <p>SWDP 22: Biodiversity and Geodiversity addresses biodiversity at a more strategic level.</p> <p>Policy LB/E/9 seeks to have regard to NPPF 174d, and 179b and is consistent with SWDP 22</p>
<p>Policy LB/I/1 Infrastructure: Renewable and Low Carbon Energy (1)</p> <p>To increase the supply of renewable and low carbon energy and heat, all new developments over 100 m² gross or one or more dwellings should incorporate the generation of energy from renewable or low carbon sources equivalent to at least 20% of predicted energy requirements unless it has been demonstrated that this would make the development unviable.</p>	<p>Policy LB/I/1 seeks to have regard to NPPF 155, "to help increase the use and supply of renewable and low carbon energy and heat, plans should provide a positive strategy for energy from these sources, that maximises the potential for suitable development ..." The policy is in general conformity with SWDP 27, and specifically with the emerging policy SWDPR 31: Renewable & Low Carbon Energy which in the SWDPR Preferred Options (November 2019) proposes a 20% renewable or low carbon energy requirement.</p>

<p>Policy LB/1/2 Infrastructure: Renewable and Low Carbon Energy (2)</p> <p>With the exception of wind turbines proposals for stand-alone renewable or low carbon energy projects and associated infrastructure in the Leigh & Bransford Neighbourhood Area will be supported where they can demonstrate that the following requirements can be met. In making this assessment, any other existing, permitted or proposed similar developments in the locality will be taken into account so that cumulative impacts are considered. Wherever possible, proposals should be situated on previously-developed or non-agricultural land which is not of high environmental value. The requirements are that:</p> <ul style="list-style-type: none"> a. any proposed use of agricultural land has been shown to be necessary, that poorer quality land has been used in preference to land of higher quality, and that the proposal allows for continued agricultural use where applicable and practicable, and encourages biodiversity improvements; and b. the impacts on landscape character, views and visual amenity are acceptable, or are capable of being satisfactorily mitigated by a landscaping scheme which is itself acceptable; and c. there will be no undue loss of amenity to the occupiers of residential properties, including by way of security fencing, noise, lighting or the design and siting of any installation; and d. the local highway network and the proposed means of vehicular access can cater safely for both the volume and type of vehicles anticipated, and the proposed access is environmentally acceptable; and e. where relevant, sustainable drainage proposals are included to acceptably manage surface water and avoid risk of pollution, soil erosion and damage to wildlife habitats; and f. there are no unacceptable impacts on the natural and historic environments, taking account of the impact on views important to the setting of heritage assets; and g. there are no unacceptable impacts on the utility and enjoyment of public rights of way. 	<p>Policy LB/1/2 seeks to have regard to NPPF 155 <i>“to help increase the use and supply of renewable and low carbon energy and heat, plans should provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts)”</i>.</p> <p>SWDP 27 C: Stand Alone Renewable and Low Carbon Energy Schemes says with the exception of wind turbines proposals for stand-alone renewable and other low carbon energy schemes are welcomed and will be considered favourably having regard to the provisions of other relevant policies in the Plan.</p>
---	--

<p>Where appropriate, planning conditions will be imposed to ensure that installations are removed when no longer in use and the land is restored to its previous use and condition.</p>	
<p>Policy LB/I/3: Infrastructure: Electric Vehicle Charging Proposals for any new dwelling where parking is provided must have an appropriately located electric vehicle charging point. Proposals for new employment, leisure or retail developments must provide electric charging points for staff and/or users.</p>	<p>Policy LB/I/3 seeks to have regard to NPPF 112e which says applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.</p> <p>Policy LB/I/3 is in general conformity with emerging draft Policy SWDPR 3E.</p>
<p>LB/I/4: Infrastructure: Flooding and Drainage In addition to the requirements of SWDP28 (Management of Flood Risk) and SWDP 29 (Sustainable Drainage Systems) all developments will be required to:</p> <ol style="list-style-type: none"> a. Adopt the principles of the South Worcestershire Water Management and Flooding SPD and the Worcestershire County Council Sustainable Drainage Design and Evaluation Guide. b. As a minimum, demonstrate that for a greenfield site, the post-development surface water run-off rate will not increase and for brownfield sites show that post development run-off will result in a 30% reduction in surface water run-off compared with the brownfield situation. c. Where any soakaway drainage/ infiltration solutions are proposed: Undertake permeability / porosity tests from guidance in BRE Digest 365 “Soakaway Design” by a suitably qualified professional and provide full test results. d. Take opportunities for drainage (ditches, swales, balancing ponds etc) to enhance biodiversity and biodiversity corridors e. Provide details of future maintenance requirements for solutions adopted 	<p>Policy LB/I/4 seeks to have regard to NPPF 159-161 in that it requires a sequential approach but supplements it with a site-based approach for individual developments. It is also in general conformity with SWDP 28 Management of Flood Risk and SWDP 29: Sustainable Drainage Systems. The policy was agreed with Worcestershire CC Flood Risk Management.</p>

<p>Policy LB/1/5: Infrastructure: Communications (1) Any new development within the Neighbourhood Area should be served by full fibre broadband connections unless it can be demonstrated through consultation with the NGA Network providers that this would not be possible, practical or commercially viable. In such circumstances, suitable ducting should be provided within the site and to the property to facilitate future installation.</p> <p>LB/1/6: Infrastructure: Communications (2) Improvement and development of new mobile telecommunication infrastructure will be supported provided that:</p> <ul style="list-style-type: none"> a. Its design and placement seeks to minimise impact on the visual amenity, character or appearance of the surrounding area; and b. Its design and siting does not have an unacceptable effect on historical features and buildings, visually sensitive landscape or views. c. Where freestanding masts are proposed it is demonstrated that there are no viable options for siting the equipment on or in existing buildings or structures. 	<p>Policy LB/1/5 seeks to have regard to NPPF 114 and is in general conformity with SWDP 26A: Telecommunications and Broadband. Policy LB/1/6 supports the development or improvement of mobile telecommunication infrastructure, subject to three criteria and seeks to have regard to NPPF 115.</p>
<p>Policy LB/1/7: Infrastructure: Moving Around Where possible, new housing should be designed to ensure that it connects safely to local amenities, and the existing footway, cycleway, and footpath network</p>	<p>Policy LB/1/7 seeks to have regard to NPPF 92a which says planning policies should aim to achieve healthy, inclusive and safe places which promote social interaction. It is also in general conformity with SWDP 21Bix: Design.</p>

LB/WB/1: Amenities, Health and Well Being: Community Facilities (1)

The following are identified as important community facilities in the Plan area:

- Royal Oak Public house, Leigh Sinton (Asset of Community Value)
- Leigh and Bransford Memorial Hall
- Leigh Sinton Shop and Post Office
- Leigh and Bransford Primary School
- 1st Leigh Scout Group HQ

Any proposal that would result in the loss of any of these community facilities will only be supported if the criteria set out in SWDP Policy 37B or successor Policies are met.

LB/WB/2: Amenities, Health and Well Being: Community Facilities (2)

The provision of new built community facilities or the enhancement of existing facilities will be required to demonstrate each of the following:

- a. The siting, scale and design respects the character of the surrounding area, including any historic and natural assets.
- b. The local road network can accommodate the additional traffic without compromising highway safety.
- c. Adequate off-road vehicle and cycle parking is provided on the site.
- d. There will be no significant adverse impact on residential amenity.

Policies LB/WB/1, and 2 seek to have regard to NPPF 93c which says planning policies should plan positively for community facilities and guard against the unnecessary loss of valued facilities and services.

Policy LB/WB/1 is also in general conformity with SWDP 37B: Built Community Facilities.

<p>LB/WB/3: Amenities, Health and Well Being: Health Impact Assessments</p> <p>In accordance with the South Worcestershire Supplementary Planning Document, Planning for Health⁽¹⁹⁾, Health Impact Assessments (HIA) will be required for development proposals:</p> <ul style="list-style-type: none"> • Residential and mixed use sites of 25 or more dwellings • Employment sites of 5 hectares or greater • Retail developments of 500 square metres or more. • Any other proposals considered by the local planning authority to require a HIA. <p>In order to be supported proposals should demonstrate how they have addressed the Health and Well Being principles in the HIA</p>	<p>Policy LB/WB/3 seeks to have regard NPPF 92c which says planning policies and decisions should aim to achieve healthy, inclusive and safe places which enable and support healthy lifestyles.</p> <p>The South Worcestershire Planning for Health in South Worcestershire Supplementary Planning Document (September 2017) requires a Health Impact Assessment (HIA) for residential and mixed use sites of 25+ dwellings, employment sites of 5+ ha and retail developments of 500+ square metres.</p> <p>It is considered that this policy is in general conformity with the SWDP.</p>
---	---

Table 2: Sustainable Development

In relation to **Basic Condition (a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order**, Paragraph 8 of the NPPF also states,

“Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives”):

The three strategic overarching objectives for achieving sustainable development are set out below with evidence of how they are met by the LBNP

An economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

Policy LB/H/6 of the LBNP proposes a site allocation for housing development. There are also specific policies for mobile communications and broadband reflecting that in rural areas, particularly with increased home working, these facilities are essential (Policies LB/I/2, and 3). Policies LB/WB/1, and 2 protect local community facilities/ businesses are protected, in particular the local shop and Post Office, and the Royal Oak public house and restaurant.

A social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being;

Policy LB/H/6 of the LBNP proposes a site allocation for housing development and requires recent Housing Needs Surveys to be taken into consideration for housing mix in new developments. Policy LB/WB/1 protects existing community facilities and policy LB/WB/2 supports the provision of new and enhanced community facilities. Design policy LB/D/1 ensures developments reflect local character, and supports innovative designs). There is little provision of public transport in the parishes and Policy LB/I/7 requires new housing to be designed to ensure that it connects safely to local amenities, and the existing footway, cycleway, and footpath network. The overall capacity for new developments to provide a safe, healthy environment is important and Health Impact Assessments are required for all significant developments in LB/WB/3

<p><i>An environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.</i></p>	<p>Leigh and Bransford parishes are rural with dispersed settlements. Protection of the landscape character (Policy LB/E/), and biodiversity (Policy LB/E/8, and 9) whilst supporting development were key issues for the local community. The area also has a wide range of designated assets and historic farmsteads; conditions for development are identified whilst at the same time protecting character and setting in Policies LB/E/1, LB/E/4, and LB/E/6. Dark skies were identified by the community an important factor to limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nocturnal species Policy (LB/D/6) There is a specific policy (LB/E/7) for Conservation areas: Leigh is a designated Conservation Area. Following consultation with Worcestershire County Council as Waste Authority the LBNP includes policies for assessing waste in construction (LB/D/3), and recycling household waste in individual dwellings (LB/D/4). Policies for improved broadband (LB/I/5) and mobile phone technology (LB/I/6) will increase working from home, and make it more reliable; this will reduce travelling and pollution. Policy LB/I/2 provides for development of renewable energy projects and Policy LB/I/1 requires dwellings to incorporate the generation of energy from renewable or low carbon sources equivalent to at least 20% of predicted energy requirements.</p>

Basic conditions b, c, d, f, and g:

(b) having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order,

The SWDP6: Historic Environment has a specific policy for designated assets and this has not been repeated. The LBNP addresses non-designated assets in Policy LB/HLB/4

[NB: This Basic Condition only applies to neighbourhood development orders but has been included for the sake of completeness].

(c) having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order,

There is currently one Conservation Area in the Neighbourhood Area. LBNP Policy LB/E/7 addresses Conservation Areas.

[NB: This Basic Condition only applies to neighbourhood development orders but has been included for the sake of completeness].

(d) the making of the order contributes to the achievement of sustainable development,

Paragraph 8 of the NPPF sets out three overarching objectives for achieving sustainable development. Section 3 Table 2 demonstrates how the LBNP meets these objectives. The relationship to the LBNP is demonstrated in Section 3 Table 1 of this statement, which demonstrates that the LBNP is in general conformity with the strategic policies of the SWDP.

(f) the making of the order does not breach, and is otherwise compatible with, retained EU obligations.

In this context the Basic Conditions Statement will address: (i) Strategic Environmental legislation, (ii) The Water Framework Directive, and (iii) Human Rights

(i) The basis for Strategic Environmental Assessment (SEA) legislation is European Directive 2001/42/EC, which was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations. Further to a request from Leigh and Bransford Parish Council a screening report was prepared by Malvern Hills District Council to determine whether or not the content of the draft Leigh and Bransford Neighbourhood Plan required a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004. The Screening Opinion, provided in December 2021 concludes that neither a strategic Environmental Assessment, nor Habitat Regulations Assessment is required. The Screening Opinion is included separately with this submission.

(ii) Water Framework Directive: Local planning authorities have a general responsibility not to compromise the achievement of United Kingdom compliance with the Water Framework Directive (WFD (68)) (Directive 2000/60/EC). More specifically, the SWDP has to take into account the River Severn Basin Management Plan, which in itself is a requirement of the WFD. The LBNP has supplementary, site-based provisions for sustainable drainage but no policies contradict the SWDP or affect the Water Framework Directive.

(iii) Human Rights: The LBNP is considered fully compatible with the European Convention on Human Rights. It has been prepared in accordance with national planning policy and guidance, and South Worcestershire planning policies, each of which separately is in compliance with the European Convention. The local community have been consulted during its compilation and it will be externally and independently examined.

(g) prescribed conditions are met in relation to the order and prescribed matters have been complied with in connection with the proposal for the order.

This Statement demonstrates the prescribed conditions have been met and prescribed matters have been complied with in connection with the proposal for the order.