

**THE PARISHES OF LEIGH AND BRANSFORD: NEIGHBOURHOOD PLAN**  
**Consultation Representations to Regulation 16 Submission March 2022**

**Parish Council Responses**



**Leigh and Bransford Parish Council**

**LEIGH AND BRANSFORD NEIGHBOURHOOD PLAN: REGULATION 16 CONSULTATION**

Organisation/ Individual	Regulation 16 Representation	Parish Council Response to Representation
1. Malvern Hills District Council Officers		
	<p><b>Contents</b> Page 6 – It is suggested that Map 1 be amended to “Designated Neighbourhood Area for Leigh and Bransford ”</p>	Agreed
	<p><b>Introduction</b> Paragraph 1.5 – It is suggested that the 2nd word “report” be replaced by “document”.</p> <p>Paragraph 1.6 – For accuracy and clarity, it is suggested that the first sentence could be amended to read “Planning applications will be determined by Malvern Hills District Council in accordance with the development plan (including the made LBNP), unless material considerations indicate otherwise.”</p> <p>Paragraph 1.7 – The word “emerging” should be deleted from the made version of the LBNP.</p>	<p>Agreed</p> <p>Agreed</p> <p>Noted</p>
	<p><b>2. Neighbourhood Plans</b> Paragraph 2.2 – For accuracy, it is suggested that in the first sentence the word “as” is replaced by “it will form” and that the words “it will form” are replaced by “which provides”.</p> <p>Paragraph 2.5, bullet point 8 – For accuracy, the District Council prepared (past tense) an SEA / HRA Screening Opinion which was submitted at the Regulation 15 stage.</p>	<p>Agreed</p> <p>Agreed</p>

	<p><b>HOUSING</b></p> <p><b>Policy LB/H/1: Housing: New Residential Development within the Leigh Sinton and Bransford Development Boundaries</b></p> <p>Subject to the outcome of the NDP examination, it is considered that Map 2 [current development boundary (not “Area”)] will be replaced and can be deleted from the NDP.</p> <p>It is therefore suggested that the Reasoned Justification (paragraph 5.1.1) explain the proposed changes to the development boundary, but that criteria c and d are deleted from Policy LB/H/1</p> <p>Whilst Map 2a does not include the proposed site allocation in Policy LB/H/6, paragraph 5.1.1 sentence 4 indicates that it is within the development boundary. It is suggested that sentence 4 is deleted. To address the eventuality of site LB/H/6 being allocated in the NDP, it is suggested that the following sentence be added to paragraph 5.1.1 – <i>“The boundary of sites allocated for development outside and adjoining an existing development boundary will form the basis of an extension to the development boundary as set out in Maps 2a and 2b.”</i></p>	<p>Noted</p> <p>Agreed</p> <p>Agreed</p>
	<p><b>Policy LB/H/2: Housing: Development in Open Countryside</b></p> <p>To have regard to paragraph 80 of the Framework it is considered that criterion e be replaced with <i>“It would re-use redundant or disused buildings, enhance its immediate setting and accord with Policy LB/H/4.”</i></p>	<p>Agreed</p>

	<p>It is considered that Policy LB/H/2 is in general conformity with strategic policies in the SWDP, and in particular SWDP 2, SWDP 16, SWDP 18 and SWDP 19. However, it is considered that the Reasoned Justification in paragraphs 5.1.3 and 5.1.4 is, in places confused and slightly misleading:</p> <ul style="list-style-type: none"> <li>• Paragraph 5.1.3 says that SWDP 2 is based on a range of local services and facilities. This is not wholly accurate. SWDP 2 is based on 6 principles (which are outlined in SWDP 2A).</li> <li>• Paragraphs 5.1.3 and 5.1.4 include a number of extracts from the adopted SWDP 2 (February 2016) and the SWDPR Preferred Options consultation document (November 2019). The status of these documents is different and for clarity it is strongly suggested that quotes / extracts from the adopted SWDP and emerging SWDPR are separated.</li> </ul> <p>Paragraph 5.1.6 relates to existing or expanding businesses and does not explain the choices made or approach taken in Policy LB/H/2 (which relates to housing). It is suggested that the paragraph be deleted.</p>	<p>Agreed</p> <p>Agreed</p> <p>Agreed</p>
	<p><b>Policy LB/H/3: Housing: Extensions and Subdivisions of Existing Dwellings</b></p> <p>It is considered that the principle of part (b) has regard to paragraph 80 of the Framework (which applies specifically to the open countryside). However, it is suggested that “adversely harmful” be replaced with “significant harmful”. It is not clear why the subdivision of an existing dwelling would have an impact on the area’s landscape character. It is therefore suggested that the criterion be deleted. Also, rather than reference to Policy</p>	<p>Suggested amendment, “The subdivision of an existing residential dwelling will be supported providing that the development does not have a significantly harmful impact on the area’s visual amenity and landscape character and meets the requirements for Policy LB/D/2: Parking”. We feel the reference to parking policy is required because where additional bedrooms are created it is likely there will be an additional requirement for parking. Reference to parking policy makes situation clear.</p> <p>“</p>



**LB/H/6: Housing: Site Allocation**

It is considered that the principle of the proposed site allocation and a requirement for a mix of housing is acceptable, but the policy wording lacks sufficient clarity that it could be applied consistently and with confidence by decision makers. It is considered that the policy does not provide a link to the Concept Plan, lacks clarity about the required housing mix and lacks clarity about the amenities and footpaths / cycleways that the development should connect to.

Based on the information provided in the Reasoned Justification, it is suggested that policy wording along the following lines would provide greater clarity:

*Proposals for the development of land of land off the A4103 at Leigh Sinton (shown on Map 4) will be supported, subject to meeting the following requirements:*

- a. An indicative figure of 52 dwellings are provided; and*
- b. Approximately 5.5 sports and recreation land is provided; and*
- c. The scheme is designed in accordance with the Indicative Layout (Map 4a) and incorporates the existing Public Right of Way; and*
- d. 40% of the dwellings are provided as affordable housing available in perpetuity for those in local housing need unless it can be satisfactorily and independently demonstrated that the affordable housing provision sought would not be viable in which case the maximum proportion of affordable housing (either on or off-site) will be sought that does not undermine the development's viability; and*
- e. The housing mix should take account of the*

Agreed, except that c should read," The scheme is designed broadly in accordance....."

*requirements of the most up to-date local Housing Needs Assessment; and*

*f. Vehicular access is taken from the A4103; and*

*g. Connection to local amenities and the existing footway, cycleway and footpath network in accordance with Policy LB/I/7; and*

*h. A sustainable urban drainage strategy is provided to satisfactorily address surface water and foul drainage. The strategy should avoid discharging surface water to the public sewerage system where possible.*

*i. Provision is made for a green buffer around the south and south-eastern boundary to mitigate any impact on nearby heritage assets.*

Paragraph 5.1.11 – 5.1.12 – It is considered that these paragraphs do not explain the intention and rationale of the proposed site allocation. Further, Housing Needs Surveys undertaken in 2009 and 2011 are historical and no longer relevant in light of the 2021 Housing Needs Survey.

Paragraph 5.1.13 – For accuracy, replace “... SWDP Review carried out in 2018/19 ...” with “current SWDP Review ...” For accuracy, delete “ ... with a small addition to the original 2030 target.” It is suggested that reference to paragraph 66 of the Framework is related to paragraph 5.1.14 and should either be a new paragraph or be included in paragraph 5.1.14.

Agreed delete 5.1.11. Agreed delete sentence relating to 2009/11 HNS in 5.1.12

Agreed, except reference to SWDP is better dated. “Current” could be confusing in future reading of document.

	<p>Paragraph 5.1.14 – It is considered that the 6th sentence relating to community aspirations to “avoid urbanisation and commuterisation” do not explain the intention and rationale of the proposed site allocation and should be deleted. For accuracy, it is suggested that the 7th sentence is preceded by “Some sections of the community considered that” because to benefit from the protection conferred by paragraph 14 of the Framework the housing requirement could not be met solely by windfall development.</p> <p>Paragraph 5.1.17 – It is inaccurate to say that “one reason for SWC’s Choice of preferred site was that it provided a large area of community sports facility.” The SWC’s considered that a smaller cut of site CFS0009 met the SHELAA site selection criteria for housing and that the site could also meet the shortfall in playing pitches identified in the Playing Pitch and Outdoor Sports Strategy. Reference to the 2021 Housing Needs Survey is not considered to be relevant to the proposed sports and community facilities – the purpose of the survey was to identify housing needs, not sports and recreation needs. It is considered that the final sentence, which says that the Housing Needs Survey and further consultation will assist the decision making for new amenities is both inaccurate and misleading and should be deleted.</p>	<p>Agreed</p> <p>Noted: Agreed that the reference to HNS in relation to community assets is misleading. As the HNS was to be delivered to each household in the Neighbourhood area it was agreed by SWC that an additional question could be added to try to determine the views of the community on what amenities/ facilities they would use. This is not strictly part of the HNS. Amended text required to make this clearer.</p> <p>Suggested last five sentences of para 5. 1.17: The parish council commissioned a Housing Needs Survey in the summer of 2021 and included additional questions regarding community facilities. Whilst the community facility survey did not clearly identify any particular facility it highlighted the overall lack of current facilities. The open space would effectively provide a village green and space for village events in addition to general green space. The use of the pitches by LBBFC would not be exclusive. The community facilities survey will be used to promote further consultation with the community to assist the decision making process for new facilities/ amenities.</p>
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	<p>Paragrph 5.1.18 – The purpose of 5.1.18 seems to be to justify the policy requirement that development proposals for the site allocation take account the requirements of the most up-to-date Housing Needs Survey. It would therefore have been helpful if paragraph 5.1.18 had drawn out the key findings of the 2021 Housing Needs Survey, such as 60% of unmet housing need identified was for open market housing, and that there is a particular need for smaller family housing of 3 bedrooms or less and bungalows. It is considered that references to population change and extracts from SWDP 14 cloud the issue rather than provide clarity for decision makers.</p> <p>Paragraph 5.1.19 - The purpose 5.1.19 could be simplified to say that development proposals for the site allocation should provide affordable housing in accordance with SWDP 15. It would be helpful if the Reasoned Justification explained that if the 40% proportion of affordable housing would not be viable (as demonstrated by an independent viability assessment), the maximum proportion of affordable housing will be sought that does not undermine the development’s viability.</p> <p>Paragraph 5.1.20 – The purpose of this paragraph is unclear in relation to the proposed site allocation. The MHDC Rural Lettings Policy is about the management of lettings and would not inform decision makers with an indication of how they should react to a development proposal for the site allocation.</p>	<p>Noted</p> <p>Noted</p> <p>Agreed. Could delete</p>
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	<p>Paragraph 5.1.21 – It is suggested that text after the 3<sup>rd</sup> sentence is deleted. Reference to the site being larger than some in the community would like does not support the site allocation and the requirement for affordable housing is already addressed in paragraph 5.1.19. The need for a housing mix is already addressed in paragraph 5.1.18, and reference to the housing mix being subject to community consultation is misleading and factually incorrect.</p> <p>Paragraph 5.1.22 – It is suggested that this paragraph is amended. The purpose of this paragraph is to indicate that there are 4 Listed Buildings in close proximity to the proposed site allocation. The extracts from the SEA / HRA Screening Opinion relate specifically to whether a Strategic Environmental Assessment is required for the Neighbourhood Plan, not whether the proposed site allocation would have a detrimental impact on the Listed Buildings. It is suggested that paragraph 5.1.22 should be amended to say that the proposed Indicative Layout seeks to mitigate the impact of the proposed allocation on Listed Buildings in close proximity to the site by proposing a green buffer around the south and south-eastern boundary of the site. It is suggested that this requirement is picked up in Policy LB/H/6.</p>	<p>Agreed</p> <p>5.1.22 says, “There are four designated assets (listed buildings) in close proximity to the proposed site for allocation. A map and details of the properties are included in Appendix C. A Screening Opinion for a Strategic Environmental Assessment concluded that: “Further to Historic England’s advice, input was sought from Malvern Hills District Council’s Senior Conservation Officer and Archaeology and Planning Advisor, with the following conclusions drawn: “It is considered that the proposed housing allocation site, if developed, would not cause substantial harm to the heritage assets in the vicinity, though a lower level of less than substantial harm could result. Consequently, it is not considered that the proposal would requires a Strategic Environmental Assessment”.</p> <p>The statement about SEA was based on a consideration of harm. Suggest adding: The proposed Indicative Layout seeks to mitigate the impact of the proposed allocation on Listed Buildings in close proximity to the site by proposing a green buffer around the south and south-eastern boundary of the site. A suggested amendment to Policy LB/H/6 policy has been made to this effect.</p>
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	<p>Appendix J – says “there are local reports there are local reports that in times of sustained rain, or intense rain, the adjacent section of the A4103 has been flooded to the extent it was only passable with care. Parts of the site remain waterlogged after heavy rain.” This is not supported by evidence available to the South Worcestershire Councils. The proposed site allocation is not in Flood Zones 2 or 3 and does not appear to have been subject to historic flooding. Environment Agency data suggests that very small pockets of land (possibly 1% or 2 % of the site) in the north-west and south-west corners of the site are subject to 1-in-100 year surface water flooding. These pockets of possible surface water flooding appear to have been taken into account in the landscape buffering within the Indicative Layout.</p> <p>Nevertheless, it is suggested that this is picked up in Policy LB/H/6 with a requirement for a sustainable urban drainage strategy to address surface water and foul drainage.</p>	<p>Noted</p> <p>Agreed</p>
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<b>DESIGN</b>	
<p><b>LB/D/1: Design: Maintaining Local Character</b>  The principle of Policy LB/D/1a appears to have regard to the Framework and to be in general conformity with SWDP 21. However, it is considered that the generic nature of Policy LB/D/1 and the lack of information on the defining characteristics in Leigh &amp; Bransford may make it difficult for decision makers to ensure that the special qualities of the Neighbourhood Area are reflected in development.  It is however, considered that the evidence an applicant is required to provide in the second part of Part (a) may not be fairly and reasonably related to the first part of the Policy. It is suggested the second part of Part (a) could be amended along the following lines – <i>“A Design and Access Statement or similar should be provided to show how the design principles in Policy LB/D/1 have been addressed and positively influenced the proposed design solution.”</i></p>	<p>Agreed</p>
<p><b>LB/D/2: Design: Parking</b>  In light of the above, it is suggested that Policy LB/D/2 be amended along the following lines – <i>“Development proposals should provide car parking provision and cycle storage in accordance with Worcestershire County Council’s Streetscape Design Guide(9)”</i></p>	<p>Partly agree. Could delete a, and b and replace as suggested. However, the Streetscape Design Guide is essentially for new developments and does not address extensions or subdivisions. Suggest c) reads:  <i>“Where extensions to, or subdivisions of existing dwellings, result in additional bedrooms parking provision should comply with Worcestershire County Council’s Streetscape Design Guide”</i>.  d) has specifically been requested by WCC as it is not included in the Design Guide.</p>
<p><b>LB/D/3 Design: Construction Waste and Recycling</b>  It is considered that the principle of Policy LB/D/3 promotes good practice. However, it is not clear whether the policy could be applied consistently and with</p>	<p>We do not consider “encouraged” is a policy in respect of this important issue. WCC Waste Regulation supported this policy, “as this aspect is not covered to the same extent in the Waste Core Strategy or emerging Minerals Local Plan”.</p>

	<p>confidence by decision makers. In particular, it is not clear how decision makers would use the information to determine whether a development proposal was acceptable in planning terms.</p> <p>In light of the above, it is suggested that Policy LB/D/3 be re-worded along the lines of <i>“The re-use of waste arising from construction on-site is encouraged in accordance with relevant policies in the Worcestershire Waste Core Strategy”</i> or that the policy be deleted.</p>	<p>Suggest amendment: <i>A Design and Access Statement or similar should be provided to show consideration has been given to the reuse of waste arising from the construction process.</i></p>
	<p><b>LB/D/5 Design: Dark Skies</b></p> <p>It is considered that the first sentence of Policy LB/D/5 has regard to the Framework. However, whilst the first sentence relates to health and safety of road users and building occupants, the second sentence introduces “security” lighting which is not necessarily related to health or safety. It is considered that it would be appropriate to replace the second sentence of Policy LB/D/5 with</p> <p><i>“External lighting should avoid undue adverse impacts on amenity, wildlife and dark skies.”</i></p>	<p>Agreed</p>

HERITAGE, LANDSCAPE, AND BIODIVERSITY

**LB/E/1: Landscape Character**

Whilst Policy LB/E/1 is considered to be in general conformity with SWDP 25, it is considered that the Reasoned Justification should be tightened to explain succinctly the intention and rationale of the policy. In particular, it is considered that:

- Reference could helpfully be made to SWDP 25 which provides a strategic context for the policy.
- The relevance of paragraph 5.3.1 to Policy LB/E/1 is unclear and could be deleted.
- Sentences 1 and 2 of paragraph 5.3.4 could be replaced by “The Worcestershire Local Character Assessment (2011)(10) identifies two Landscape Types in the Neighbourhood Area (see map 5). In the 4th sentence it is suggested that the word “report” is replaced by “Guidance”.

Paragraph 5.3.7 – The Worcestershire Green Infrastructure Framework does not appear to be relevant to Policy LB/E/1. It is therefore suggested that the paragraph is deleted.

Agreed

Agreed

Replace “report” with “guidance”

Not agreed: It was not considered necessary to have a specific GI policy as many of the issues are covered in Landscape, Heritage, and Biodiversity Policies. Nevertheless, we consider that there should be recognition of the GI Framework and its aims; the link to GI in Evidence and Justification text is important. “Policies in LBNP seek to address issues in relation to GI”.

	<p><b>LB/E/2/ Landscape: Local Green Spaces</b></p> <p>Figure 3 identifies the location and direction of the proposed Key Views. To provide a practical framework for decision makers (and applicants) it would be helpful if the scale of the map was reduced so that the precise location of the key views was clearer. If the scale of the map was reduced it may be possible to see the A4103 and Stocks Lane without the need to for arrows (which can be confused with the arrows for the key views).</p> <p>It is important that objective criteria are established for the identification and grading of views and it is noted that the proposed views have been assessed against criteria listed in Appendix F of the NDP. For clarity and consistency, it is suggested that <i>“criteria set out in Appendix F”</i> is inserted between the words <i>“using”</i> and <i>“a report”</i> in the the final sentence of paragraph 5.3.11.</p> <p>To provide robust evidence, it would have been helpful if Appendix F had shown how the proposed key views scored in the assessment process compared with any other views that may have been considered.</p>	<p>It has proven difficult to get map/plan which shows viewpoint and target within the page constraints. The viewpoints are clearly indicated and described. However, a separate viewpoint map could be added.</p> <p>Agreed</p> <p>Noted</p>
	<p><b>LB/E/4: Local Heritage Assets</b></p> <p>Paragraph 5.3.13 –</p> <p>For clarity and accuracy, it is suggested that the final sentence be amended to read “The nomination identification of potential proposed non-designated assets is included as a task for the Parish Council in Appendix A, Parish Tasks (Task 32).</p> <p>Paragraphs 5.3.14 and 5.3.15 – It is considered that these paragraphs do not explain the intention at rationale of Policy LB/E/4 and should be deleted.</p>	<p>Noted</p> <p>Not agreed</p>

	<p><b>LB/E/5: Archaeology</b></p> <p>It is considered that the principle of Policy LB/E/5 has regard to the Framework and is in general conformity with SWDP 24. However, it is not necessary or appropriate for development proposals to meet all 3 criteria. To address this issue, the following amendments to Policy LB/E/5 are proposed:</p> <ul style="list-style-type: none"><li>• Delete the first sentence which starts with “To be supported ...”</li><li>• Delete the lettering “a.” and start the first paragraph “Development proposals should” avoid or minimise ...</li><li>• Delete the numbering “b.” and start the paragraph with “Proposals should also” enure unknown ...</li><li>• Delete the numbering “c.”</li></ul> <p>Paragraph 5.3.17 - Map 6 helpfully shows sites of known surface and sub-surface archaeology in the parishes of Leigh and Bransford. In order to provide greater certainty for applicants and to enable decision makers to apply Policy LB/E/5 consistently and with greater confidence it would be helpful if these sites of archaeological interest were listed in the Reasoned Justification or an Appendix.</p> <p>Whilst paragraph 5.3.18 (unnumbered) provides a weblink to the HER searches for Leigh and Bransford, it is considered that the Reasoned Justification should provide a link between between the HER searches and Policy LB/E/5 in order that decision makers can apply the policy consistently and with confidence. It is suggested wording along the following lines be added to the final paragraph – “<i>The HER lists the known archaeological</i></p>	<p>Where appropriate development proposals should meet all criteria.</p> <p>Extensive lists are not considered necessary when links are provided to up to date information.</p> <p>Agreed</p>
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<b>INFRASTRUCTURE AND ENERGY</b>	
<p><b>LB//1 Renewable and Low Carbon Energy</b></p> <p>Paragraph 5.4.1, sentence 3 – For accuracy, only Policy LB//2 (not LB//1) supports stand-alone renewable or low carbon energy projects.</p>	<p>Agreed</p>
<p><b>LB//3: Electric Vehicle Charging</b></p> <p>In relation to proposals for new employment, leisure or retail developments, it is suggested that the word “appropriate” be inserted between “provide” and “electric”. It should be noted that the difficulty in prescribing a specific requirement for employment development is that what is “appropriate” will vary greatly depending on the nature and size of the proposed development.</p>	<p>Agreed</p>
<p><b>LB//4: Infrastructure: Flooding and Drainage</b></p> <p>D) Where any soakaway drainage/ infiltration solutions are proposed or required: Undertake permeability / porosity tests from guidance in BRE Digest 365 “Soakaway Design” by a suitably qualified professional and provide full test results.</p> <p>Criterion d - Soakaway requirements are covered under part H of the Building Regulations - paragraph 3.28 deals specifically with Percolation tests). In light of this, it is not considered prudent to try and deal with it within planning policies as Building Regulations may change.</p>	<p>It is imperative with local conditions of relatively impermeable soils and high water tables that proper tests are carried out where soakaways are required. In Section H of the Building Regulations: Use of Guidance it says, “<i>Approved Documents are intended to provide guidance... ..Thus there is no obligation to adopt any particular solution contained in an Approved Document if you prefer to meet the relevant requirement in some other way</i>”. Agreed the text of the Policy should be amended to delete BRE 365 as a prescribed method but the policy must ensure tests are carried out to inform design to ensure adequacy of soakaways. Suggested amended text: LB//4 d) <i>Where any soakaway drainage/ infiltration solutions are proposed or required soakaways must be designed following appropriate testing to a recognised standard.</i></p>

	<p><b>LB/I/5: Infrastructure: Communications</b> It is suggested that some elements of paragraph 5.4.12, such as reference to poor public transport (2nd sentence) are not directly relevant to Policy LB/I/5.</p>	<p>The text is to emphasise the importance of broadband to working from home and reducing journeys. Working from home is important where public transport is poor.</p>
	<p><b>LB/I/7: Infrastructure: Moving around</b> It is considered that the principle of Policy LB/I/7 has regard to paragraph 92a of the Framework and is in general conformity with SWDP 21Bix. It is, however, suggested that Policy LB/I/7 should apply to all development to be consistent with the Framework. It is therefore suggested that “Where possible, new housing” is replaced with “Development proposals, as appropriate”</p>	<p>Agreed</p>
<p><b>AMENITIES, HEALTH AND WELL BEING</b></p>		
	<p><b>LB/WB/2: Community Facilities</b> In relation to the Reasoned Justification, paragraph 5.5.3 says “proposals will be expected to take community views into consideration.” This is inaccurate and misleading. Planning law requires that applications be determined in accordance with the development plan (including, SWDP 37A and LB/WB/2) unless material considerations indicate otherwise.</p>	<p>This text is to ensure the community has been consulted on the type of facility being provided.</p>
	<p><b>Appendix D: Historic Environment Records</b> The relevance of Map 11 (Buildings in Leigh and Bransford Recorded on 1st Edition Ordnance Survey Map) to the Neighbourhood Plan is unclear. The map does not appear to relate to Policy LB/E/8 (Biodiversity).</p>	<p>Map 11 is not referenced to, or by, LB/E/8. It is a record of buildings of possible historic interest</p>

	<p><b>Appendix E: Ecological Search for the Leigh and Bransford Neighbourhood Plan</b></p> <p>The relevance of Maps 12, 13 and 14 to the Neighbourhood Plan are unclear. The maps do not appear to relate to Policies LB/E/5 (Archaeology) or LB/E/6 (Farmsteads and Agricultural Buildings).</p>	<p>Maps 12, 13, and 14 relate to ecology and biodiversity and are referenced in the text in Appendix E.</p>
8. Herefordshire and Worcestershire Heritage Earth Trust	<p>There is just one point that needs correction. Paragraph 5.3.1 refers to Eldersfield Mudstone Formation, which is a local name used in older literature. Following rationalisation by the British Geological Survey across the country, this name is now obsolete and the name Sidmouth Mudstone Formation is used</p>	<p>Agreed</p>
12. Sport England	<p>What is unclear from the policy wording is whether the policy only requires the developer to provide the land, or whether the developer would be responsible for delivering the provision of the pitches and ancillary facilities? If the development is not required to fully fund the provision of the facilities, how will this be delivered? Will the developer be expected to contribute to the cost of these works? How will such a contribution be derived? Sport England would recommend that the policy and reasoned justification are appropriately amended to address these points, including for instance appropriate references to existing Development Plan policies for developer contributions in the South Worcester Local Plan (or any successor policies). Sport England would advocate that the reasoned justification should make appropriate.</p>	<p>The landowner/ developer has agreed with MHDC to gift the land in concession of paying reduced S106 funds. It is most likely that the Parish council will accept allocation of the land. As described in the NP the Parish Council is consulting with the community and MHDC about the most appropriate use of the land. S106 funds are already available from previous developments. If it is decided pitches are required in accordance with the playing pitch strategy then external funds will be sought from Sport England/Football Federation/ FA. It is not considered necessary to include the outcome of the community decision as policy in the NP.</p>

<p>14. Fisher German on behalf of Diocese of Worcester</p>	<p>There is mention of the site in relation to the creation of a village green, but this does not hold any weight in the consideration of how people view or utilise the site at present. There is no question or evidence provided to the level of use of the footpath and it should be noted that this is a linear feature across the field for which the wider recreational use of the site would not be permitted. It is important to note that the National Planning Practice Guidance (NPPG) within paragraph 018 (ref ID:37-018-20140306) states that ...'there is no need to designate linear corridors as Local Green Space simply to protect rights of way, which are already protected under other legislation'... Whilst the green space is not proposed in a linear shape, if the main evidential basis for the allocation is the protection of the public right of way and its amenity, the above guidance makes it clear that protection should be maintained through the existing, other legislation that protects public rights of way.</p>	<p>There is no mention in the NP of this parcel of land being used as a village green. The parcel of land is not a linear feature, nor is the policy intended to protect the public footpaths per se, but the land through which the public footpaths pass.</p>
<p>15. Pegasus Group on behalf of Mr P Maley and Ms C Harfoot</p>	<p>The LBNP proposes an amendment to the development boundary at Map 2a which picks up proposed changes to the development boundary for the village proposed by the South Worcestershire Development Plan Review (SWDPR) evidence base (Development Boundaries Review Sept 2019) plus an additional extension to the southwest of the village which extends into the area current designated by the SWDP as 'Significant Gap' (SG). No justification is provided in the LBNP for the extension of the development boundary into the SG to the southwest of the village nor is this extension of the development boundary supported by the current</p>	<p>The area included to the south west of Leigh Sinton in the proposed revised development boundary has already been developed. The development had just been finished when the NP was being prepared and no mapping current at the time showed the development.</p> <p>The site was fully considered using information from the SA.</p>

	<p>published evidence base of the SWDPR.</p> <p>It is considered therefore that our client’s site, which is well located within the existing form of the village, has been prejudiced with regard to its potential allocation owing to not being thoroughly considered through the SHLEAA process.</p>	
<p>17. Lone Star Land Ltd</p>	<p><b>Policy LB/H/6 – Housing Site Allocation</b></p> <p>We object to the allocation of this site as the site appraisal is flawed. While the site is in the draft SWDP, there are objections and this draft allocation has not been subject to independent examination. Therefore, little weight can be given to that factor. In term of the detailed site assessment, it is flawed for the following reasons;</p> <ul style="list-style-type: none"> <li>• Leigh Sinton is not a Category 3 village but a Category 2 village in the SWDP. Objections have been made to the downgrading of the village Category 3 in the SWDP Review. The identification of Leigh Sinton as a Category 2 village is a strategic policy in the SWDP and this Neighbourhood Plan cannot be in general conformity with the SWDP tests out that the village should sit in a different part of the District settlement hierarchy. This fails to meet basic condition ‘e’ as it is in conformity to the adopted development plan. Therefore this status should not be taken forward within the proposals as the downgrading of Leigh Sinton as a settlement have not been tested at examination, as a result the Category 2 village has to be carried forward into this NDP.</li> </ul>	<p>The purpose of the VFRTS is to assess the relative availability of key facilities and sustainable transport options throughout the settlements and report factual information. The VFRTS provides technical evidence for the SWDP Review. The evidence in latest VFRTS (September 2019) indicates that Leigh Sinton is classified as a Category 3 settlement and the settlement has gone down the ranking compared with the VFRTS undertaken in 2012. The Neighbourhood Plan has sought to be informed by the most up-to-date and robust evidence.</p>

The proposed allocation is separated from these amenities within the village such as the Primary School, pub, shop and takeaway by the A4103 which acts as a considerable barrier to sustainable movement. The development proposals will introduce additional vulnerable road users to the A4103 most noticeably primary school children and their carers who will likely be accompanied by younger sibling  
show may be push chairs accessing Leigh and Bransford Primary School by crossing the busy Worcester to Hereford A road. (See MEC technical note **Appendix 4**). The NDP assessment also comments in the summary that there are 'Possible access issues' yet continues to allocate the site without assessing whether this site can be accessed safely. Policy SWDP21 it states that developments should maximise opportunities for pedestrian and cycle linkages to local services and should generally be accessible for all users, including those with disabilities. This reflect policy in the NPPF 112. At the very least some form of signalised junction or crossing will be required as a minimum but there is no evidence that such a control is desirable or feasible from either a highway perspective or a heritage perspective.

**Map Commentary**

- Map 2: Map does not show consented and built development on A4103 by Bromford Homes (Bluebell Walk) therefore incorrect Development Boundary. (Map is out of date)
- Map 3: Does not show the Bromford development site which should not be included in the significant gap (Map

Excluding the development at Bluebell Walk to the extreme west of Leigh Sinton, which has no continuous footway to the village, there are five side roads along the south side of A4103 in Leigh Sinton. Nearly all pedestrian journeys to school involve crossing Malvern/ Leigh Sinton Road, and Stocks Lane. It is likely that a controlled crossing would involve less hazard and risk than the current situation at the other side roads.

At the time the NP was prepared there were no mapping systems that showed the recently completed Bluebell Walk (Bromford) development. It was considered that highlighting the site may have been confusing. The boundary is in the correct position. The SWDP will address the Significant Gap Boundary.

	<p>is out of date)</p> <ul style="list-style-type: none"> <li>• Map 3a: (as above) Does not show the Bromford development site which should not be included in the significant gap (Map is out of date)</li> <li>• Map 4: Does not include the consented and built out Bromford site within the Existing Development Area (Map is out of date)</li> </ul> <p><b>Policy LB/E/3 Key Views</b></p> <p>While there is no objection to the key views policy, we have identified an issue with key view (view 3). This appears to be taken from a Private Road off Kiln Lane / Malvern Rise and is therefore not a view from the public realm, This is very misleading as it has not been clearly indicated where the image has been taken from and in commentary mentions public views which this is not. The Key view from this location should be taken from the public open space by the play area within Malvern Rise. It is also our view that, using the criteria in Appendix E there are other key views that should be set out in this plan.</p>	<p>The view was identified from a location freely available to the public. Roads on the development are currently proceeding through the Section 38 adoption process. It is not possible to access the landscaped public realm without using these roads footways so the views are public.</p>
<p>20. Mrs Farr and Mr Froggatt</p>	<p>The Leigh and Bransford Neighbourhood Development Plan as submitted March 2022 references the tightly drawn Development Boundary at Leigh Sinton and points out that it provides little scope for development. Policy LB/H/1 of the LBNDP proposes to extend the boundary to include the parcel of land CFS0009.</p>	<p>Map 2a Leigh Sinton Proposed Development Boundary does not show CFS0009 as part of the proposed revision to the development boundary. Policy LB/H/1 does not propose to extend the development boundary. However, para 5.1.1 sentence 4 may require amendment in this respect.</p>



