



10th October 2023

Andrew Ford
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By e-mail

Dear Andrew,

Welland Neighbourhood Planning Working Group (NPWG) Comments on the Welland Neighbourhood Plan Reg. 16 Consultation Representations.

The NPWG would wish to thank the Examiner for the opportunity to comment on the representations received in response to the Regulation 16 consultation on the submitted Draft Neighbourhood Plan (“The Plan”).

The NPWG is providing the responses to the representations on behalf of Little Malvern and Welland Parish Council, the Qualifying Body. We have identified representations from 18 bodies or individuals and have responded at three levels.

Level 1. Respondents’ comments are marked as “noted”. We have no comments to provide in response and have no suggested action required.

Level 2. Responses to respondents’ comments are set out in a numbered schedule that is presented in a separate file. Some responses suggest changes or amendments to the Plan that might be considered by the Examiner while some responses provide a rationale for the Plan to remain unamended in respect of the particular representation.

Level 3. Responses to the two representations from Debbie Brookes are summarised in this cover document.

Representation	NPWG Response
001 Castlemorton Parish Council	Noted
002 Natural England (1)	Schedule 002
002 Natural England 16 Policy (2)	Schedule 002
003 Ashley Fawke	Schedule 003
004 Environment Agency Part 1	Noted
004 Environment Agency Part 2	Noted
005 McLoughlin Planning Part 1	Schedule 005
005 McLoughlin Planning Part 2	Schedule 005
006 Michael Jones (Fosse Planning)	Schedule 006
007 Worcestershire County Council Part 1	Schedule 007
007 Worcestershire County Council Part 2	Schedule 007
008 James Shackley	Schedule 008
009 Cerda Planning (Michael Robson)	Schedule 009
010 L and S McGeorge	Schedule 010
011 Historic England	Noted

012 Roger Cousins	Schedule 012
013 MH AONB Unit 2	Schedule 013
014 Severn Trent	Schedule 014
015 Coal Authority	Noted
016 Joanna Hindle (NHS)	Noted
017 WDC and MHDC	Schedule 017
018 & 019 D. Brookes	Summarised below

Please note that the response to 002 Natural England (1) and (2) has been discussed with and agreed by Malvern Hills District Council as it concerns the HRA screening opinion for which they are responsible and a policy requirement in the emerging SWDPR.

Representations 018 and 019 - Summary

The first representation from Debbie Brookes who, as DB Land and Planning Consultancy Ltd is the agent acting for the landowner of Policy H4's Housing Allocation site, was to advise the Parish Council that the landowner no longer wished for the site to be considered available for consideration in the Neighbourhood Plan. The second was to advise that the landowner's decision had been reversed and they now wish to restate its availability as a housing site in the Plan. They also reiterated their drive to deliver affordable housing for the village.

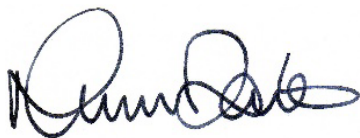
Taken together, the representations not only restore the site as available but the comments in the second correspondence, alongside the fact the decisions were made in the context of the submitted Plan and the policies prescribing the conditions for its inclusion, underpin the deliverability of the site for affordable housing.

The NPWG, on behalf of the Parish Council, requests that this cover letter and our schedules setting out our responses to the comments are forwarded to the Examiner and are posted appropriately. We trust that the responses will provide the required information to the Examiner but would be happy to respond to any further enquiries or requests for clarification.

Attached Schedules File

Containing 12 schedules 002, 003, 005, 006, 007, 008, 009, 010, 012, 013, 014, 017.

Yours sincerely



Mick Davies

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Response to comments from Natural England 002

Respondent's comments	NPWG response	NPWG suggested changes
<p>Habitats Regulations Assessment (HRA) Screening Report</p> <p>We advise that HRA Screening Report should be updated to include consideration of the additional potential pathway for the impacts associated with the functionally linked lands and watercourses of the Severn Estuary SPA, SAC and Ramsar Site. For the context, please see the latest version of the HRA report MicrosoftWord-LC-606SWDPR HRA Report 21_031022SC.docx (swdevelopmentplan.org) produced in support of the Regulation 19 consultation for the South Worcestershire Development Plan Review 2021 - 2041. In accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), Natural England must be consulted on any appropriate assessment your Authority may decide to make.</p>	<p>The NPWG has consulted with MHDC to request their response to this as they are the responsible body for undertaking the Screening Report. Their response is below:</p> <p>“One of the basic conditions that the draft Neighbourhood Plan must meet is that the making of the Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations.</p> <p>Planning Practice Guidance says:</p> <p><i>“A neighbourhood plan may require a strategic environmental assessment if the draft neighbourhood plan falls within the scope of the Environmental Assessment of Plans and Programmes Regulations 2004. This may be the case if it is likely to have a significant effect on the environment. This may be the case, for example, where a neighbourhood plan allocates sites for development.</i></p> <p><i>A qualifying body is strongly encouraged to consider the environmental implications of its proposals at an early stage, and to seek the advice of the local planning authority on whether the Environmental Assessment of Plans and</i></p>	<p>No suggested changes proposed.</p>

Programmes Regulations 2004 are likely to apply. Neighbourhood plans may also require assessment in relation to the Habitats Regulations 2017. A neighbourhood plan proposal must provide sufficient information to enable a competent authority to undertake an appropriate assessment or to screen it to determine whether an appropriate assessment is necessary. If an appropriate assessment is required then this will engage the need for a strategic environmental assessment.”

In accordance with PPG, the Parish Council considered the environmental implications of its proposals at an early stage and sought advice from MHDC on whether a SEA and / or HRA would be required.

MHDC prepared a draft Screening Opinion which sought to provide sufficient information on the plan proposals (including proposed site allocations) to enable the statutory environmental bodies to assess whether an appropriate assessment and / or HRA would be necessary. MHDC consulted the statutory environmental bodies (including Natural England) on the draft Screening Opinion in September 2020.

Natural England, in their response to the SEA Screening, dated 15 October 2020, said:

“We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.”

Natural England’s response to the HRA Screening was:

“We agree with the conclusion of the report of no likely significant effect upon the named European designated sites.”

Therefore, based on all the matters outlined above MHDC and the Parish Council consider that:

- i. The process for preparing and consulting on the SEA/HRA Screening Opinion for the Welland Neighbourhood Plan was appropriate and proportionate;
- ii. The conclusion that no HRA is required was informed by the professional advice provided by the statutory environmental bodies in September / October 2020;
- iii. Although there have been some changes to the Plan since the screening opinion, which in respect of the proposed allocation at land north of Cornfield Close has reduced the site area and number of houses, these are considered unlikely to

	<p>lead to a different conclusion regarding the need for a HRA in 2023; and</p> <p>iv. Natural England have not indicated that a HRA is required.</p> <p>In light of the above, we consider there to be no new evidence to indicate that an update to the HRA is required for the Welland Neighbourhood Plan. We also consider that the SEA / HRA Screening Opinion (July 2022) continues to provide robust and proportionate evidence to help assess whether the making of the Neighbourhood Plan would breach, or be incompatible with, EU obligations”.</p>	
<p>Policy H4: Land north of Cornfield Close The proposed allocation is located within the Zone of Influence for the recreational impacts on the Malvern Hills SSSI. Due the evidence now being available through the Regulation 19 consultation of the South Worcestershire Development Plan Review (evidence report Malvern Hills recreationalimpactsreportFINAL.pdf (swdevelopmentplan.org)) and a mitigation strategy report Malverns MitigationStrategy160822.pdf (swdevelopmentplan.org) describing developer contributions, we advise your authority to liaise with the South Worcestershire Council’s Policy Team to understand on how the mitigation requirements can be met. We advice that Policy H4 is amended to reflect this issue.</p>	<p>This requirement is within the emerging local plan (the SWDP Review). The Plan has recently been submitted for examination. As it is not an adopted policy it is considered premature to refer to it as a requirement within the Welland NP. In addition, there is no adopted framework for requesting the developer contributions. Once the SWDPR is adopted we consider the relevant policy and requirement for developer contributions would then apply to any development site to which it was applicable.</p>	<p>No suggested changes proposed.</p>

Response to the comments from Rachel Farquhar and Ashley Fawke 003

Respondent's comments	NPWG response	NPWG suggested changes
<p>Policy H4: Site allocation for 13 dwellings on land north of Cornfield Close</p>		
<p>1. Privacy and security</p> <p>Policy DB1 point 4 sets as criteria for new development – to not create unacceptable harm to the amenity of adjacent residents and occupiers. A lack of appropriate response to the issue of privacy and security would create unacceptable harm to both existing and new residents.</p> <p>We are pleased that some consideration has been made to the privacy and security of residents in Phases 1 of Cornfield Close, as well as occupants of the proposed new development – Point 5.10.41 refers to a “landscape buffer adjacent to no.24 Cornfield Close”. However, we remain concerned by the impact of the development for new and existing residents so would suggest incorporating substantial additional hedging and trees, particularly between the proposed development and Phase 2 (Barleycorn Fields). There is a newly established hedgerow between plots 11, 12, 13 & 14 of Phase 2 and the proposed new development but it is insufficient to provide the necessary privacy and security; being in its infancy, failed in places and with the potential to thin out</p>	<p>We believe the points raised by the respondents are adequately provided for within the policies as written, if the Plan is considered as a whole. We consider that - when applied together - the provisions in DB1, D1, B1 and H4 in particular, alongside the need to have regard to the Welland Design Guide and Code, will ensure development as proposed in the allocation in the Plan will address the concerns raised by the respondents.</p>	<p>No suggested changes proposed.</p>

<p>over winter. We suggest the inclusion of substantial hedging and a treeline on the edge of the proposed new development is needed. This could be achieved by including a buffer at the edge of the new development, running parallel to the current attenuation access route, essentially widening it, thereby creating a 'biodiversity corridor' that would not only increase the gap between the existing and proposed developments but allow formation of a consistent wildlife corridor from the orchard through to the retained open countryside shown to the north in Figure 5.7.</p> <p>Additionally, windows and gardens could be orientated to achieve mutual privacy and we hope houses and garden would not be located back-to-back as that would enable clear lines of sight into homes. Alternatively, single storey buildings could be located in the areas bordering existing houses.</p>		
<p>2. Existing landscape and habitats</p> <p>Policy DB1 point 5 sets as criteria for new development – to not cause unacceptable harm to land or features that have important biodiversity, landscape character, visual amenity and heritage value.</p> <p>Point 5 of Policy H4 refers to the development needing to provide at least</p>	<p>The RJ for Policies B1 and H4 note that proposals should indicate how the required biodiversity gain will be achieved <u>and maintained</u> (monitoring being an integral part of this), and developers and planners are pointed to the AONB Management Plan and Nature Recovery Plan for guidance to support this.</p>	<p>No suggested changes proposed.</p>

<p>a 10% net gain in biodiversity value following development. It is not immediately clear how that can be achieved although Policy B1 refers to “on-site measures “and “off-site gains”. Any future planning should include provision for how this will be monitored.</p> <p>We support the ambition of allocating 40% of the gross site to Green Infrastructure, but we suggest that a substantial portion of the allocation should be placed on the western side of the new development, creating a buffer between the new development and existing attenuation access route (which would equally address the privacy concerns set out above). This would afford the ability to create a wraparound biodiversity corridor, utilising the existing attention access route plus additional buffer to the west, designated SSSI land to the north, the orchard to the south and finally the brook to the east.</p> <p>Moreover, allocating these areas as such to Green Infrastructure would ensure that the whole development (Cornfield Close Phases 1, 2 and 3) does not look ‘clustered’ when viewed from Malvern Hills – a point expressly dealt with in the NDS.</p>	<p>The developable area of the proposed site allocation is established by the recommendations in the 2022 Landscape Sensitivity and Capacity Assessment (LSCA) submitted as evidence to support the site assessment process. The LSCA study was clear that only a subset of the wider site considered in the land north of Cornfield Close could be developed without unacceptable harm to the AONB and any built form would need to be constrained within this area.</p> <p>Taken as a whole, we anticipate the provisions in policies D1, B1, H4 and the Design Guide and Code will enable a number of the concerns that these respondents have made can be addressed at the planning application stage.</p>	
<p>3. Drainage and access</p>	<p>Matters relating to construction of an approved development are normally addressed via a condition requesting</p>	<p>No suggested changes proposed.</p>

<p>Policy DB1 point 5 sets as criteria for new development – to provide safe and suitable access to the site for all users. Residents of Phases 1 and 2 are reliant on one access route via a private road that is not suitable for heavy volumes of traffic. It is narrow in places with tight corners. We would require steps to be taken to ensure the private road remains safe whilst serving heavy construction traffic in the short-term, as well as the increased levels of traffic from the three developments in the long-term.</p> <p>Additionally, given this is a private road to which management companies currently contribute, consideration should be given as to how the management companies will be reimbursed for any damage and wear and tear caused to the private road by heavy construction traffic.</p> <p>SSH5 outlines one objective of the Plan being to ensure the design and location of new development is resilient to the effects of climate change and flooding.</p> <p>Poor surface water drainage has been reported by many residents of Phase 2 (including plots 11-14 who will be adjacent to the proposed new development). Gardens are frequently waterlogged following poor weather. The current SuDS provision in the northern part of Phase 2 is ineffective,</p>	<p>details within a Construction and Environmental Method Statement to be submitted and approved by the LPA and implemented as approved.</p> <p>The safety and impact of increased traffic in the longer term is addressed sufficiently we believe in the proposed provisions in policies H4, D1 and D2 when considered together.</p> <p>We have specifically included policy I3 to ensure development proposals address the issues raised regarding surface water drainage. Policy H4 criterion 1 also specifically highlights the need to address flood risk and surface water management. We anticipate the provisions we have made in these two policies, alongside the green infrastructure provision will address the respondents' concerns. Any development proposals, with final design and layout plans including for green infrastructure and surface water and flood risk management will have to meet the expectations of the Plan's policies as read as a whole. In addition, there are policies within the SWDP (policy 28: Management of Flood Risk and policy 29: Sustainable Drainage Systems) and the accompanying Water Management and Flooding SPD, (adopted in July 2018) which provides detailed policy and guidance for the provision of surface water drainage.</p>	
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<p>which indicates that reliance on the suggested 0.42ha of Green Infrastructure, located again, to the north of the proposed new development, would be equally ineffective. The new development is likely to exacerbate the issue; removing permeable surface areas required for excess water to be safely directed away. The natural gradient of the land will mean this becomes an even bigger issue for whichever houses find themselves at a lower level – either those existing in Phase 2 or in the proposed new development.</p> <p>Extra surface area for soakaway could be achieved by introducing the aforementioned biodiversity corridor, ensuring sufficient run off area between both the new development and Phase 2.</p>		
<p>4. Public transport and local facilities</p> <p>Welland currently lacks sufficient public transport links and demand for this will increase with further development. We suggest future development requires consideration of increased access not just within the village (as discussed by Policy C2) but to local amenities within Malvern, Upton and Ledbury.</p> <p>The ‘Vision for Welland in 2041’ states that “the village will be linked to nearby</p>	<p>We note and agree with the concerns about the current insufficiency in transport links for our community. This is not a land use planning matter. However, some opportunities being pursued to improve this are included in Appendix 6.1 which highlights the Community Development Projects we are proposing within the Non-Policy Actions section of our Plan.</p>	<p>No suggested changes proposed.</p>

towns by a range of transport alternatives”. As an example, Great Malvern Station is only 5 miles away and provides excellent links – particularly for commuters – to Hereford, Birmingham and London but is currently only accessible by car, with no direct bus links and no active transport infrastructure links.

As such, we welcome adoption of Policy I4 as a first step, with the potential to provide an active travel and cycle route, between Welland and Malvern, that would avoid reliance on the B4208 and hopefully encourage the take up of active travel. Supplementing this with affordable public transport for all would seem essential to achieving the Vision. However, we still believe that considerable work needs to be done to build further transport links, with the hope it will taper the current reliance on cars.

Response to the comments from McLoughlin Planning 005 on behalf of Clarendon Care (CC)

Respondent's comments	NPWG response	NPWG suggested changes
<p>Policy HLP: Welland (sic. Hourly) Housing Land Provision CC to object to the proposal policy on the following basis.</p> <p>The housing requirement is derived from the Indicative Housing Requirement, as set out in the emerging SWDPR. As a result, there is the questionable weight which can be applied to it as the figure could alter given Welland's position on the settlement hierarchy and its recognition as a sustainable rural settlement. In addition,</p> <p>Turning to the quantum of development, the Policy seeks 13 affordable houses as part of the 25 units to be provided. This is not 40% of the overall figure and therefore contrary to not only the adopted SWDPR policy but also emerging SWDPR policy relating to affordable housing provision.</p> <p>The third issue is that the Plan anticipates 12 dwellings coming forward via windfall sites, those being developed on unidentified parcels of land. CC is considered that owing to the tight drafting of the settlement boundary, the opportunities for windfall within it are seriously limited. Furthermore, the Plan is unable to present evidence supporting historic levels of windfall development within the boundary to support such an assumption. It is CC's position that additional housing sites outside of the</p>	<p>The NPPF, para 67, enables a qualifying body to request an IHR for the purposes of the development of a neighbourhood plan. We have done this a number of times during the Plan development process, but also clarified with MHDC, more recently and in light of the publication of the Regulation 19 SWDPR, the IHR that we should use for our submission version of the draft Plan (see the Consultation Statement for various timelines for this). This was confirmed as being the requirement of 25 homes identified in the Regulation 19 SWDPR. The Plan at para 5.10.1 acknowledges that the IHR is subject to change and should this be the case the Parish Council in consultation with the LPA will undertake a review of the requirement and potentially revise the sources of housing land provision to meet this need. This is also considered at para 8.2 of the Plan in the Plan Monitoring & Review section.</p> <p>In addition, evidence of local need and relevant policy context was also analysed – this is set out in the 2022 Housing Evidence Paper. This concludes that there is a demonstrable local need for 13 affordable dwellings.</p> <p>Both this local need evidence data and the IHR provided from the local authority</p>	<p>No suggested changes are proposed.</p>

<p>settlement boundary will be inevitable to support the windfall figure.</p>	<p>was used to inform the development of policy HLP</p> <p>The rep. refers to SWDP 15 and SWDPR 18: Meeting Affordable Housing Needs that prescribes the desired proportion of dwellings to be provided on particular sizes of residential development sites. The 40% figure relates to single sites of more than 15 units (SWDP15) or 10 units (SWDPR18); these provisions relate to single sites. They do not relate to the planned housing land provision for the whole of the Neighbourhood Area. Nevertheless, they are also intended to indicate the minimum proportion of affordable housing to be provided for such sites. Provision of a greater number/proportion is not precluded and – in light of the need for affordable homes – can be reasonably argued to be desired. Our Housing Evidence Paper sets out evidence for local need for affordable housing. The NPWG believes that Policy HLP is in general conformity with the strategic policies of the SWDP and has had regard to the evidence supporting the SWDPR policies.</p> <p>Windfall development can come forward either within the designated development boundary or, in particular circumstances (such as a Rural Exception Site), outwith the development boundary as has been the case during the period 2006 – 2022 that is analysed within the Windfall Housing Evidence paper submitted with the Plan. The NPWG acknowledges that windfall sites outside of the development</p>	
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	<p>boundary may come forward for development during the plan period and that they may contribute to the housing supply. Policy HLP does not preclude that situation providing the proposed development is in a sustainable location and satisfies other relevant policies.</p>	
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<p>Policy DB1: Need to Review the Settlement Boundary</p> <p>CC’s position is that the settlement boundary needs to be reviewed as the land in question is associated with the Welland House Nursing Home. In defining the settlement boundary for the village, CC’s position is that the treatment of the settlement boundary is unsound as it is not justified on appropriate evidence base. In the November 2022 Development Boundary Review (DBR) which supports the plan Paragraph 3.2 lists a series of instances where land will be included within boundaries, this includes:</p> <p><i>“Large curtilages of existing dwellings which have the capacity to extend the built form of the settlement, where the potential for development would have an adverse impact on its surroundings.”</i></p> <p>CC’s position is that this is misguided and does not reflect the fact that development can take place within the large curtilages of existing dwellings via permitted development rights as necessary.</p> <p>In addition, in meeting the concerns expressed at the housing requirement, there is a need to review the proposed settlement boundary to accommodate additional housing. The allocation of this site would also not conflict with the objectives of the Policy at paragraph 5.2.9 in that:</p>	<p>The NPWG considers that Policy DB1 and the accompanying plan at Fig. 5.1 is sound as set out in the Development Boundary Review paper submitted with the Plan.</p> <p>The Development Boundary Review paper at 4.11 and 4.13 ii details the treatment of the land surrounding Welland House and this is consistent with the approach used in the <i>South Worcestershire Development Plan Review: Development Boundaries Review – Assessment of Development Boundaries (September 2019)</i> that <u>excludes</u> rather than includes:</p> <p>“•large curtilages of existing dwellings which have the capacity to extend the built form of the settlement, where the potential for development would have an adverse impact on its surroundings; •recreational or amenity space at the edge of settlements;”</p> <p>The NPWG notes the assertion about permitted development rights but does not consider that to be relevant to the proposals for modifications to the Development Boundary in the submitted Plan.</p> <p>The NPWG also notes the comments concerning the allocation of the subject</p>	<p>No suggested changes are proposed</p>
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<ul style="list-style-type: none"> • It is not an open green space of any identified importance. • It will continue to meet AONB policy objectives, having been previously identified as an area of moderate landscape capacity, thus meaning that development could take place there (see parcel 38 in 2015 Welland Neighbourhood Plan Landscape Assessment for more information). • It has no impact on the historic environment. • It provides opportunities to enhance biodiversity. • It is within easy walking distance of the village services. • New development offers an opportunity for high quality design. • The development of the site for 9 dwellings would deliver housing as required by Policy HLP. <p>As a result of the above, Clarendon Care respectfully requests that its land at Welland is included in the settlement boundary for the village, given the specified limitations of the evidence base and the policies.</p>	<p>land as a housing site but can find no evidence that the site was ever proposed as a housing site either within the SWDPR Call for Sites nor in the initial stages of the Welland Neighbourhood Plan process. As a result, it was not considered in the Site Assessment and Selection process.</p> <p>As is noted in Chapter 8 of the Plan, the Plan will be subject to monitoring and review. This includes against the IHR and also policies within the SWDPR. If policies within the Plan are considered to be out of date the Parish Council, in consultation with MHDC, may decide to update the Plan.</p>	
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Response to the comments from Michael Jones – Fosse Planning 006

Respondent's comment	NPWG response	NPWG suggested changes
<p>Policy SD1</p> <p>Policy SD1 concerns the promotion and achievement of Sustainable Development with paragraph 5.1.1 stating that "The purpose of this Plan is to ensure new development contributes to the achievement of sustainable development</p> <p>As this reflects National planning policies contained in the NPPF on sustainable development (set out in paragraphs 7-14 in the NPPF) Policy SD1 is entirely appropriate. Unfortunately the reasoned justification to Policy SD1 entirely disregards paragraph 11 which is extremely concerning since it deals directly with Plan making and Decision making.</p> <p>NPPF Paragraph 11 (a) requires that all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects with Paragraph 11 (b) requiring that strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas unless (i) the application of policies in this</p>	<p>The RJ for this policy does not reference Paragraph 11a of the NPPF but the policy aligns with the Framework requirements for plan making, stating, as is acknowledged, that the purpose of the Plan is to ensure new development contributes to the achievement of sustainable development. Paragraph 13 of the NPPF also notes that neighbourhood plans should support the delivery of strategic policies contained in adopted local plans and should shape and direct development that is outside of these strategic policies.</p> <p>As demonstrated in the Plan and its accompanying evidence base, the Plan does provide for the indicative housing requirement which is derived from the objectively assessed needs for housing within the emerging SWDPR and other uses as required by Paragraph 11b of the NPPF and does so respecting the policies in the Framework that provide protection to areas or assets of particular importance.</p> <p>The Welland Neighbourhood Plan Working Group (NPWG) has not disregarded Paragraph 11 of the NPPF. Paragraph 5.1.6 refers to the policy being in accordance with paras. 7-12 of the NPPF</p>	<p>No suggested changes are proposed.</p>

<p>Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area.</p> <p>Nowhere in the Neighbourhood Plan is this very clear National policy statement mentioned, despite the only "housing allocation" in the Plan being wholly on land that is to be protected under Paragraph 11 (b) (i)</p> <p>This failure to address the fundamental principle of achieving sustainable development by disregarding Paragraph 11 in the NPPF, is considered to be a fundamental flaw in the preparation and production of the Neighbourhood Plan.</p>		
<p>Policy B1</p> <p>Whilst the principle of promoting Biodiversity is fully supportable and consistent with the NPPF and the Development Plan, it is not open for Neighbourhood Plans to introduce a requirement that is not consistent with National Planning policies or the relevant regulations.</p> <p>The Policy needs to delete reference to a requirement to deliver at least 10% net gain in local biodiversity.</p>	<p>The NPWG believes that Policy B1 is consistent with emerging National Planning policies and regulations.</p>	<p>No suggested changes are proposed.</p>
<p>Policy LC1</p> <p>No objections are raised with regard to the wording and intent of Policy LC1, but the policy has not been applied in the consideration of the only "housing allocation" in the Plan (Policy H4.)</p>	<p>The NPWG believes that there is no inconsistency between Policies H4 and LC1. As identified in footnote 26 to Policy LC1 there are a succession of three landscape assessment reports, the most</p>	<p>No suggested changes are proposed.</p>

<p>Paragraph 5.5.6 states that <i>the cumulative adverse impacts on landscape and visual sensitivity maybe harmful to the AONB and its setting. Individual proposals will need to consider the potential cumulative effects along with existing and planned future development.</i></p> <p>Despite this clear statement of intent, the site identified for housing (Policy H4,) proposes a further extension to the existing development (at what is now known as Cornfield Close,) despite the findings of the Welland Neighbourhood Plan Landscape Assessment Report (2015) and its updates in 2019 and 2022, which are said to have informed the production of the Neighbourhood Plan. The 2015 Report included the site the subject of Policy H4, in parcel 41, where the landscape capacity to accept development was viewed as low/moderate. Reference was made to a pending appeal decision for 24 dwellings on part of parcel 41, where the application had been refused on grounds including impact upon the AONB. It is clear that the 2015 Landscape Assessment considered that residential development on parcel 41 including the appeal site, would be harmful to the AONB</p> <p>The 2019 LSCA Review of Selected Sites report assesses the Policy H4 site as within Area 1. It refers to the impact of the 24 houses approved on appeal (now</p>	<p>recent in 2022 which expressly consider the cumulative influence of development throughout the village including for the site of the H4 allocation. The findings of the 2022 report were used to inform the Site Assessment and Selection that identified the site of the H4 allocation as being suitable for development.</p> <p>Landscape sensitivity was inevitably a major factor but not the only factor in both the site assessment and in consideration of the quantum and form of development choices that concluded in the allocation in H4. The NPWG believes that the three requirements of policy LC1 have been met.</p>	
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<p>Cornfield Close) and concludes that the level of visual sensitivity has increased from moderate to moderate/high because of recent development and that the level of landscape capacity should be reduced to low - low/moderate.</p> <p>The 2022 update refers to the further impact of the permission for 14 more houses that was granted in 2019.</p> <p>Paragraph 4.5.7 is critical of the permitted development and that it will have adverse impacts upon the landscape and will represent a long urban extension into good quality countryside. Reference is also made to the cumulative impact of built development which directly echoes the wording in paragraph 5.5.6 of the NP where the cumulative adverse effects on landscape and visual sensitivity from individual developments maybe harmful to the AONB and its setting. This is directly relevant to any planned further expansion of the land north of Cornfield Close, given that the 2015 and 2019 Landscape analysis which underpins the NP, was totally opposed.</p> <p>Accordingly, had Policy LC1 been properly applied in the formulation of the NP it would have been wholly perverse to have brought forward the site subject to Policy H4, given it is directly in contravention to Policy LC1</p>		
<p>Policy HLP</p>		

<p>Policy HLP is clearly aimed at reflecting the emerging SWDP Review and its proposed housing requirement for the village of Welland.</p> <p>The SWDP Review has only reached Regulation 19 stage and has yet to be submitted to the Secretary of State. Until it has been submitted and that objections to it can be identified and assessed, it can be given very little weight. Until it has been examined and its evidence base on matters including housing need and strategy across the SWDP area, fully tested, any indicative housing requirement in the Regulation 19 document can only be afforded little weight.</p> <p>Whilst it is appropriate for the emerging NP to have regard to the housing requirement in the regulation 19 SWDP Review, given that it proposes a significantly reduced strategic housing requirement for Welland that the adopted SWDP (which allocated 90 dwellings) and that Welland is a Category 1 settlement, the fact that the NP only identifies a site for 13 dwellings does not demonstrate a positive approach to planning for housing needs when the site "allocated" represents circa 50% of a housing requirement that has yet to be found acceptable.</p>	<p>The respondent comments on a reduced housing requirement for Welland, citing the 90 dwellings allocated in the SWDP and the most recent IHR of 25 dwellings but the author seems to have overlooked the c. 200 dwellings completed since the SWDP was adopted. That data is set out on the Windfall Housing Delivery 2006 - 2022 (March 2023) paper, alongside other evidence supporting the delivery of the proposed windfall sites over the plan period, including data on the numbers of housing completions and new permissions granted already within the proposed draft Plan period.</p> <p>Both the NPPF and NPPG are silent on the proportion of housing delivery that may be anticipated from windfall sites and the NPWG believes that the policies in the Plan are appropriate to this neighbourhood area, its particular characteristics and its historically proven over delivery of housing.</p> <p>As to the voracity of the IHR of 25 dwellings, the NPWG is required to proceed on the basis of the latest information from the Local Planning Authority and that is what we have done repeatedly during the development of the plan. We understand that the SWDPR has now been submitted to the Secretary of State. The Plan at para 5.10.1 acknowledges that the IHR is subject to change and should this be the case the Parish Council in consultation with the LPA will undertake a review of the</p>	<p>No suggested changes are proposed.</p>
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<p>At the very least, the NP should look to identify a site or sites to meet the requirement identified in the emerging SWDP Review in full. By relying upon circa 50% of the 25 dwelling "requirement" coming forward as windfall sites, provides little certainty that the NP will meet in full the low level of housing need currently identified for Welland. Whilst National Planning Policy guidance allows a proportion of a NP's local housing requirement to be met by windfalls to meet the criteria set out in paragraph 14b of the NPPF, this cannot be deemed to apply to a policy of requiring circa 50% of the requirement to be met by windfalls, especially given that the constraints to development that exist.</p>	<p>requirement and potentially revise the sources of housing land provision to meet this need. This is also considered at para 8.2 of the Plan in the Plan Monitoring & Review section.</p> <p>Data comparing the IHR with the locally assessed housing need from various sources is set out in the Housing Evidence Paper.</p>	
<p>Policy H2</p> <p>Policy H2 is well intended and in part reflects National planning policy and Development Plan policy on delivering affordable housing. However, the Policy is fundamentally weakened by the proposal to deliver 100% affordable housing on its only "allocated" housing site because this level of affordable housing should be brought forward as a rural exception site and not a housing allocation. Existing National and Development Plan policy already allows rural exception sites to come forward (NPPF paragraph 78) within any rural area, including</p>	<p>Neither the NPPF nor the NPPG restrict a plan from making an allocation for 100% affordable housing. A local example of this in a "made" neighbourhood plan is in Hanley Castle's Plan, which allocates a site for 100% affordable housing - Site C: Between Hillview Close and St Gabriel's Church - of approximately 9 units.</p> <p>The locally identified need for housing is solely for affordable housing and it is therefore appropriate for the Plan to allocate housing land on that basis. The plan provides as much certainty as</p>	<p>No suggested changes are proposed.</p>

<p>Green Belt or areas of AONB. The existing development of Cornfield Close came forward as a rural exception site, albeit the 2014 appeal decision found that the local housing need had already been satisfied and therefore the development was contrary to Policy CN3 on rural exception sites. In that occasion the Inspector deemed that the proposal was acceptable notwithstanding it wasn't in accordance with Policy CN3 and would cause harm to the AONB, because the District Council could not demonstrate a 5-year housing supply. The 2019 permission was granted on the sole basis that it was found to be acceptable as a rural exception site, despite strong objections from the District Council's landscape officer and the AONB Unit due to adverse impact upon the AONB.</p> <p>Given that rural exception sites are predicated on delivering affordable housing on sites which would otherwise not be considered suitable for housing, it is a fundamental flaw of Policy H2 to identify as a housing allocation a site that is required to be brought forward for 100% affordable housing. That requirement should be met by approving RESs on sites that have not been brought forward for housing.</p>	<p>possible that the housing need will be satisfied whereas relying on rural exception sites coming forward does not constitute proportionate and evidential plan-making.</p>	
<p>Policy H4</p>		

<p>Policy H4, proposes the allocation of 13 dwellings which represent circa 50% of the identified housing requirement for Welland in the NP. As commented upon under Policy H2, the requirement under H4 (i) to deliver 100% affordable housing on the site would make it inappropriate to be included as a housing allocation, since 100% affordable housing should be brought forward as a Rural exception Site (RES) as is already allowed by National and Development Plan policy. Therefore the "allocation" under Policy H4 is a flawed policy since it adds nothing to existing National and Development Plan policy. Furthermore, the Policy would not meet the criteria set out in paragraph 14b of the NPPF As referred to in the response to Policy LC1, the site has been deemed harmful to the AONB in the landscape analysis that underpins the NP. By acknowledging that the site should be 100% affordable and therefore akin to a RES, Policy H4 is, by implication, acknowledging that the site would be unacceptable for housing unless it is deemed a RES.</p> <p>Given that the NP and its evidence base already finds the site unacceptable in terms of its impact upon the AONB, it would also have to assess it against Paragraph 177 of the NPPF. Both the 2014 and 2019 applications considered</p>	<p>This representation seems to repeat the assertions previously made in relation to Policies H2 and LC1 to which the NPWG has already responded.</p> <p>The NPWG is aware of the requirements of Paragraph 177 of the NPPF, of the relevance of the term major development and of the history of development nearby the site of the H4 allocation. In considering the selection of sites for allocation, these and many other factors were weighed in the balance and the proposed allocation provides a deliverable and sustainable means of meeting evidenced local housing need. We believe Policy H4 meets the relevant basic conditions and is not based on a misapplication of Paragraph 177 of the NPPF</p>	<p>No suggested changes are proposed.</p>
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<p>the Framework's policy on major development within the AONB, where permission should only be granted in exceptional circumstances. In the 2014 appeal decision the Inspector concluded that 24 houses did not constitute major development. In the 2019 application, the officer's report considered the subject again and concluded that... the size of the village, its position within the AONB, and the cumulative amount of development at Cornfield Close, are all relevant. With regard to these matters and the likely impact on the purposes of the designation, the proposal does not represent 'major' development in the AONB under national policy. In support of this conclusion the report cited two appeal decisions where a site for 29 dwellings in the AONB was deemed to be major development whereas another for 39 dwellings was not.</p>		
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Response to comments from Worcestershire County Council 007

Respondent's comments	NPWG response	NPWG suggested changes
<p>Policy DB1 Policy DB1 – "... 5. They do not cause unacceptable harm to land or features that have important biodiversity, landscape character, visual amenity and heritage value". Recommended to change the wording to 'or'. "5. They do not cause unacceptable harm to land or features that have important biodiversity, landscape character visual amenity and or heritage value".</p> <p>Otherwise it could imply that a feature must be important in all those areas to be protected.</p>	<p>The suggested change is considered to make the policy more precise. Therefore, it is suggested that a minor amendment is made to the policy in line with the suggested change.</p>	<p>Amend criterion 5 of policy DB1 as follows (additional text in red):</p> <p>"5. They do not cause unacceptable harm to land or features that have important biodiversity, landscape character, visual amenity and or heritage value"</p>
<p>Policy 5.7 Policy 5.7 – The policy wording does not meet the stated objective ENS4: To protect and enhance the historic environment.</p> <p>The policy specifically limits the definition of non-designated heritage assets to "a building or structure on the Local List following adoption by Malvern Hills District Council". This is at odds with the broad definition in Government guidance "Non-designated heritage assets are buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions but</p>	<p>The inclusion of the phrase "a building or structure on the Local List following adoption by Malvern Hills District Council" was requested by MHDC which was accepted by the NPWG with reservations. As such, we support the comments made and their reasoning in this regard and would be happy for the phrase to be removed from the policy wording.</p> <p>We do not consider changes are required to the Reasoned Justification as paragraph 5.7.3 acknowledges that non-designated heritage assets do not necessarily need to be in the Local List.</p>	<p>We therefore suggest amending the first paragraph of policy HE1 as follows:</p> <p>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>

which do not meet the criteria for designated heritage assets.” It is clear from the Government guidance, and the wording within NPPF, that non-designated heritage assets (NDAs) include a broad range of features, including historic landscapes, designed landscapes and archaeological assets. The policy requirement that buildings and structures should already be on the Local List is also at odds with national policy. A NDA can be identified at any point in the planning process. It does not have to already have been identified and placed on a list in advance. The wording in brackets in the first paragraph should be removed, or modified to make it clear that NDAs can be identified in a number of ways, including but not limited to, those on the Local list.

The policy, and the wider Plan, fails to mention the Historic Environment Record. The evidence base for the Plan does not include a search of the Historic Environment Record to underpin the policy. Parish councils are strongly advised to consult with their local Historic Environment Record by both County Councils and Historic England. Historic Environment Records can provide a range of individual records for known heritage assets (including archaeological sites, historic buildings and structures and landscape features) as well as information associated with thematic and

Neither the plan nor the policy seeks to identify non-designated heritage assets. The policy merely provides protection to a non-designated heritage asset however it is identified.

Paragraph 5.7.3 of the Reasoned Justification refers to MHDC’s Local List SPD (May 2015) [which is currently being updated] which sets out the process for identifying non-designated heritage assets including reference to the Historic Environment Record (HER). In addition, the Community Projects at Appendix 6.1 of the Plan refers to the Parish Council

No suggested changes are proposed.

character-based studies, that would support clearer understanding of the area's historic environment, and planning issues that need to be addressed through informed plan policies. A NDP is an opportunity to highlight specific local heritage that makes a positive contribution to the plan area, and that should be protected or enhanced.

and the community identifying non-designated heritage assets for inclusion on MHDC's Local List. This would involve referencing the HER.

Response to the comments from James Shackley 008

Respondent's comments	NPWG response	NPWG suggested changes
<p>Land north of Cornfield Close Surface water drainage impact – [redacted] gardens are all very waterlogged during winter and the proposed field is far worse, with certain areas in near-permanent ‘bog’ during poorer weather. We have concerns as to how surface water will be managed to mitigate the reduction in permeable surfaces and safely directed away as the current SuDS provision in phase 2 does not appear to have been effective in creating well drained gardens that are usable all year round. I would suggest that increasing the amount of distance given over to the maintenance area between the rear of 11, 12, 13 and 14 on the current development (P2) leading to the attenuation basin, and the newly proposed development would allow for extra ‘soakaway’ during wetter weather.</p>	<p>The comments endorse our decision to include specific additional provisions in the Plan in the form of policy I3 and criterion 1 of Policy H4 such that all development proposals must be able to demonstrate robust and appropriate measures to address and manage flood risk, drainage, and surface water management, to be acceptable. In addition, there are policies within the SWDP (policy 28: Management of Flood Risk and policy 29: Sustainable Drainage Systems) and the accompanying Water Management and Flooding SPD, (adopted in July 2018) which provides detailed policy and guidance for the provision of surface water drainage.</p>	<p>No suggested changes are proposed.</p>
<p>Mutual privacy – due to the nature of the boundary treatments, the existing houses in phase 2 that will border the new development have little to no screening/privacy/security to/from the new development. Due to the relative infancy (and in some case failed planting) of the newly established hedgerow which will take a number of years to fully establish and as a result of the baffling choice of deciduous hedgerow, the border will be completely bare in winter.</p>	<p>Close boarded fencing is not considered appropriate by the Malvern Hills AONB and this is reflected also in our proposed Design Guide and Code. We believe that the policies in our draft Plan will adequately address this respondent's concerns, particularly if the draft Plan is considered as a whole. We consider that - when applied together - the provisions in DB1, D1, B1 and H4 in particular, alongside the need to have regard to the Welland Design Guide and Code, will</p>	<p>No suggested changes are proposed.</p>

<p>This will specifically impact on the privacy of plots 11, 12, 13 and 14 of Barleycorn fields. A possible resolution for this is to 'push' the new development further into the field, away from the existing development and create a larger green space between the two, orienting gardens and windows to ensure mutual privacy. Further increasing the 'green gap' allowed for the maintenance access to the attenuation basin to allow for a permanent wildlife area between the rear gardens of plots 12, 13 and 14 and the new development would help substantially.</p> <p>Whilst no-one enjoys looking at close boarded fencing, a more suitable boundary treatment and denser planting for the proposed development would ensure year-round privacy, security and screening than was included on phase 2 which is absolutely not sufficient (and can be evidenced by properties on phase 1 choosing to erect their own fencing by way of additional screening). A further way to ensure mutual privacy would be the use of single storey buildings in the new development, at least those that border the existing developments, reducing the possibility of either party being overlooked.</p>	<p>ensure development as proposed in the allocation in the Plan will address all the concerns raised by this respondent.</p>	
<p>Impact on local wildlife – we see a huge number of bats and significant diversity of other local wildlife that calls this area it's home including [redacted]. How will the impact of significant development on</p>	<p>We have made provision for biodiversity protection in both policies B1 and H4. The RJ for Policies B1 and H4 note that proposals should indicate how the required biodiversity gain will be</p>	<p>No suggested changes are proposed.</p>

<p>these species be minimized and what further steps will be taken to avoid the loss of habitat from additional relatively dense development in a rural area? Please see above for a suggestion to further increase the width of the maintenance pathway to the attenuation basin area to create a permanent wildlife area as a potential solution.</p>	<p>achieved <u>and maintained</u>, and developers and planners are pointed to the AONB Management Plan and Nature Recovery Plan for guidance to support this.</p>	
<p>Light pollution – much of what makes the existing developments a pleasant place to live is the minimal light pollution at night-time, how will this be ‘designed in’ to manage external lighting and carefully designed to mitigate the effects of the new development?</p>	<p>We believe we have addressed these important concerns by the provisions included in policy H4 (points 2 and 7). We have included the need to have regard especially to the Malvern Hills AONB’s own guidance on lighting.</p>	<p>No suggested changes are proposed.</p>
<p>Access / Disruption – unavoidably, further construction will have an impact on the existing residents. What steps will be taken to ensure any impact is minimal and that any chosen contractors are carefully scrutinised to ensure they abide by any restrictions on operations with regards to noise, waste, access routes etc.? Additionally, this road is not wide, and the Land north of Cornfield Close design and layout already does not suit the volume of traffic it currently takes, let alone with increased numbers of vehicles using it when the development goes ahead and the road has seen a number of ‘near miss’ incidents that can only increase with additional traffic using it. How will safety of road users and pedestrians be assured? How will any</p>	<p>Matters relating to construction of an approved development are normally addressed via a condition requesting details within a Construction and Environmental Method Statement to be submitted and approved by the LPA and implemented as approved.</p> <p>The safety and impact of increased traffic in the longer term is addressed sufficiently we believe in the proposed provisions in policies H4, D1 and D2 when considered together.</p>	<p>No suggested changes are proposed.</p>

repairs that will be needed to the existing private road(s) as a result of further development and heavy plant machinery be dealt with as the cost of damage should not fall to the existing management company(ies)?		
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Response comments from Cerda Planning on behalf of Stonebound Ltd 009

Respondent's comments	NPWG response	NPWG suggested changes
Representations		
<p>Significant objections are raised in relation to the following areas. Individually and cumulatively these amount to a serious failure of the neighbourhood plan.</p>	<p>Please see individual comments below.</p>	
a) Conflict with Strategic Policies		
<p>The adopted and emerging South Worcestershire Development Plan makes clear that Welland is a sustainable location. Welland ranks highly in the settlement hierarchy and it is clear that the emerging Development Plan requires Welland to make an important contribution to housing growth in the plan period to 2041. This is best expressed through emerging Policy SWDPR62, which applies the strategic housing requirement – a minimum requirement – to specific sites allocated for housing. Lawn farm, Welland is identified as a housing allocation, site reference SWDP New 99. This is the land Stonebond Limited has a</p>	<p>The Plan recognises Welland as a Category 1 Settlement and seeks to make provision for the growth expected for it through the emerging evidence base supporting the SWDPR including the IHR.</p> <p>The examination of the SWDPR will assess whether it, including its proposed allocations, are sound. This has yet to take place. As such the SWDPR remains some way from being adopted.</p> <p>The Plan must meet the Basic Conditions which includes being in general conformity with the strategic policies of the local plan which in this case is the SWDP. It is not tested against the</p>	<p>No suggested changes proposed.</p>

<p>legal interest in and seeks to bring forward for development.</p> <p>It is highly material to note that the South Worcestershire Development Plan Review is very well advanced. The plan has progressed through the iterative plan making stages, and having concluded Regulation 19 consultation it is shortly to be submitted for Examination.</p> <p>In this context the three South Worcestershire Councils consider that the South Worcestershire Development Plan Review is sound, including in relation to the allocation at Lawn Farm, Welland. Whilst the Examination is yet to progress, the starting point for the Inspectors, once appointed, is that the plan is sound unless persuaded to the contrary.</p> <p>The South Worcestershire Development Plan Review contains strategic policies, including allocation of the site at Lawn Farm, Welland for housing. The draft Neighbourhood Plan does not allocate land at Lawn Farm, Welland for housing. Instead the land is identified as part Local Green Space and part open countryside. It is self-evident that the draft Neighbourhood Plan is wholly inconsistent with strategic policies. In that sense the draft neighbourhood Plan demonstrably fails the Basic Conditions. It cannot therefore proceed to Referendum nor be 'Made'. Furthermore, the draft Neighbourhood Plan seeks to allocate an entirely different site to that</p>	<p>policies in the emerging local plan. However, the Plan has had regard to the evidence informing the emerging local plan in line with the advice in the PPG (Paragraph: 009 Reference ID: 41-009-20190509).</p> <p>The NPWG has undertaken its own assessment, informed by a Landscape Sensitivity & Capacity Assessment, to identify the most suitable site for the neighbourhood area. The allocation of this site along with windfalls (as allowed in the PPG) meets the identified housing requirements within the emerging local plan.</p>	
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<p>contained within the South Worcestershire Development Plan Review, which is a second, linked but separate inconsistency with strategic policies.</p> <p>This is not a failing that can be remedied by evidence or justification through the neighbourhood plan process. It is a binary assessment – the strategic policy directs development to the Lawn Farm, Welland site and the neighbourhood plan promotes an entirely different site for housing.</p> <p>The draft Neighbourhood Plan recognises this conflict, and seeks to make the case that there is no imbedded inconsistency with strategic policies. That is a wholly untenable argument to make. Put simply, the local community will no doubt allege that a planning application for residential development on the Lawn Farm, Welland site is in conflict with the Neighbourhood Plan. In and of itself this illustrates that there is inconsistency between the Development Plan and draft Neighbourhood Plan.</p> <p>The case might be suggested that the South Worcestershire Development Plan Review is not as yet adopted, and therefore does not carry Development Plan status. If this is an argument being promoted, it is important to note that the three Councils consider the plan will progress to adoption and form part the Development Plan – otherwise the plan would not have progressed through</p>		
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<p>Regulation 19 stage and be readied for submission. In any event, any such argument would have to acknowledge that as soon as the South Worcestershire Development Plan Review is adopted any conflict embedded in the Neighbourhood Plan would be to render the Neighbourhood Plan immediately out of date.</p>		
<p>b) Conflict with Evidence Base</p>		
<p>As a result of the neighbourhood plan allocating an entirely different site to that proposed for allocation in the South Worcestershire Development Plan Review, there is a conflict between the neighbourhood plan and the evidence base purporting to justify it. This is evident at paragraph 1.22 of the draft Neighbourhood Plan. This makes clear that the South Worcestershire Development Plan Review is itself part of the evidence base to the draft Neighbourhood Plan. As has been set out above, there is a clear inconsistency between the Development Plan and draft Neighbourhood Plan in relation to a) the designations applied to land at Lawn Farm, Welland and b) the approach being taken to the allocation of housing land at Welland. It follows therefore that the draft Neighbourhood Plan is not in accordance with the evidence base</p>	<p>The Plan is not tested against the policies in the emerging local plan. The Plan has however had regard to the evidence informing the emerging local plan (in line with the advice in the PPG (Paragraph: 009 Reference ID: 41-009-20190509). The NPWG has also undertaken its own assessment, informed by a Landscape Sensitivity & Capacity Assessment, to identify the most suitable site for the neighbourhood area. The allocation of this site along with windfalls (as allowed in the PPG) meet the identified housing requirements within the emerging local plan.</p>	<p>No suggested changes proposed.</p>

<p>seeking to support it, since the evidence base includes the South Worcestershire Development Plan Review.</p>		
<p>c) Evidence Base not Proportionate</p>		
<p>It is considered that the evidence base to the draft Neighbourhood Plan is not proportionate. Insofar as the site selection process for the proposed housing allocation, the evidence base includes a Housing Site Assessment and Selection Update Report, but this simply assesses the site proposed for allocation. It does not address the assessment of alternatives. There are a number of alternative site options available at Welland, including land at Lawn Farm. However, the evidence base does not include any such alternative site assessments. As such, there is nothing to indicate that the site chosen for allocation performs better than the reasonable alternatives.</p>	<p>The respondent was aware of the Site Assessment report (Housing Site Allocations — Site Assessment Report (2021)) produced as part of the supporting evidence for the Reg14 consultation of the draft Plan. This was referred to in their representation dated November 2021. This Report included an assessment of the available sites including the site that the client of the respondent has a legal interest in. The Housing Site Assessment and Selection Update Report (March 2023) refers to the Housing Site Assessment and Selection Report (November 2022) which itself was an update of the 2021 Report. The 2021 and 2022 Reports include an assessment of all the available sites.</p> <p>It is unfortunate that MHDC omitted to publish the November 2022 Housing Site Assessment and Selection Report when it initially commenced the Regulation 16 consultation. It is perhaps to this omission of evidence that the respondent is referring. However, it should be noted that MHDC, after consultation with the</p>	<p>No suggested changes proposed.</p>

	<p>Examiner, notified consultees and provided an extension of time for all respondents to submit further comment.</p> <p>Nevertheless, the NPWG did conduct appropriate analysis that included the Lawn Farm site in question (please see the November 2022 Housing Site Assessment and Selection Report, as well as the March 2023 Housing Site Assessment and Selection Update Report).</p>	
d) Site Selection		
<p>The site selection process is flawed, not properly evidenced, and risks the failure of the Neighbourhood Plan if not rectified. The approach being taken in the draft Neighbourhood Plan is to allocate 13 affordable houses at Policy HLP. This site is located in the AONB.</p> <p>There is a long-standing policy of restraint in AONB. This is expressed in the NPPF at paragraph 176, which makes clear that great weight should be given to conserving and enhancing landscape and scenic beauty in AONB which has the highest status of protection. Furthermore, NPPF paragraph 177 states;</p> <p>“When considering applications for development within... Areas of Outstanding Natural Beauty, permission</p>	<p>We believe we have taken a proportionate and robust approach to our site selection, being very aware of our position in the AONB and its setting, and the priority that our community places on our landscape and local character. As part of the site assessment process, the NPWG engaged an independent landscape architect to undertake ‘Landscape Sensitivity & Capacity Assessments’ (LSCA) on relating to land around the village and also specifically land put forward for housing in the ‘call for sites’ exercises. These were completed in 2015, 2019 and again in 2022, to ensure that – prior to submission – the most up to date evaluation of the available sites would be considered within the site assessment process to</p>	<p>No suggested changes proposed.</p>

<p>should be refused for major development...”</p> <p>At 13 units, the proposed allocation seeks to utilise AONB land for major development. Furthermore, South Worcestershire Development Plan Review Policy SWDPR28 makes clear that;</p> <p>“...major development [in AONB] will not be supported...”</p> <p>Given that planning policies should contribute to and enhance the natural environment, and AONB land has the highest status of protection, there can be no justification whatsoever for proposing an allocation of land within the AONB when alternative, non AONB sites are suitable, available and achievable. One such site is Lawn Farm, Welland which is demonstrably suitable, available and deliverable as evidenced by the South Worcestershire Councils in allocating this land in the South Worcestershire Development Plan Review.</p> <p>In any event, the evidence base to the draft Neighbourhood Plan does not support the allocation proposed in Policy HLP.</p> <p>The Housing Site Assessment and Selection Update Report is the key evidence base document for the purposes of establishing how appropriate the chosen site is for housing development.</p> <p>Appendix R1 makes clear that there are land ownership issues in relation to the</p>	<p>identify the most suitable site for a proposed allocation within the Plan.</p> <p>The findings of the most recent, 2022, LSCA report had a significant bearing on the ultimate choice of the selected site. The report concluded that the site with the least negative impact on landscape sensitivity actually lay within the AONB. This was primarily because the recent creation of two “rural exception sites’ within the AONB (Cornfield Close Phase I and Phase II), approved by a Planning Inspector and MHDC respectively, provide some screening to a small subsection of one of the available sites in the 2020 SWDPR Call for Sites.</p> <p>We accept that at 13 units, our proposed allocation may be considered major development. However, development in an AONB is not precluded by national or local policy, but its scale and extent should be limited (NPPF para 177) and it is expected to be for evidenced local need. We believe we have provided such evidence (see our Housing Evidence Paper and Appendices document) and that our expectations for the allocation (Policy H4) include additional provisions to ensure the development will be appropriate to its position in a protected landscape, including with regard to its scale and extent.</p> <p>It should be noted that we engaged with the Malvern Hills AONB partnership both informally and also through the consultation processes including this</p>	
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<p>site access. There are no other viable options for achieving access to the site. As such, the site cannot be relied upon to deliver housing.</p> <p>In addition, the Housing Site Assessment and Selection Update Report refers to the proposed allocation site in two parts, and part 1 (being the part proposed for allocation) is identified as being only potentially suitable, available and achievable.</p> <p>The draft neighbourhood Plan makes clear that transport assessment work is yet to be undertaken, and given that the narrow tract of land available for the access, and the relationship of the access land to the main site is awkward, suggests that access may not be capable of meeting highways standards in relation to carriageway width, geometry and forward visibility. Given that no viable alternative access point is available to the proposed allocation, this is a significant issue.</p> <p>There is a significant question mark over the scale of development being proposed on the draft allocation. At 13 units, this falls substantially short of the South Worcestershire Development Plan Review requirement of 25 houses required at Welland (as expressed at paragraph 2.6 of the draft Neighbourhood Plan).</p> <p>The draft Neighbourhood Plan seeks to make the case that the 12 additional units required to achieve the overall 25</p>	<p>Regulation 16 process and their advice has strongly informed our development of our policies.</p> <p>The respondent also notes that major development in an AONB cannot be justified if suitable, available and deliverable sites outside of the AONB exist. As explained previously, our Housing Site Assessment and Selection Report identified that our allocated site (Policy H4) would actually have the least impact on the AONB of all the sites and is the most suitable of those considered for the modest level of development required to deliver our evidenced local need and to contribute healthily towards our IHR.</p> <p>Issues around viability of access to the preferred site have been clarified by the proposer and appear practical and not a 'significant issue'. The evidence for this can be seen in our March 2023 Housing Site Assessment and Selection Update Report.</p> <p>The 2022 LSCA, Nov 2022 Housing Site Assessment and Selection Report and the March 2023 Housing Site Assessment and Selection Update Report all provide evidence as to why only a subset of the whole site put forward in the Land North of Cornfield Close has been considered and proposed for allocation for our draft Plan policy H4.</p>	
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<p>unit requirement is to be made up of windfall development. This is an entirely unjustified approach. Windfall development is by its very nature housing not otherwise identified through the plan making process. It is an entirely separate housing yield to allocations. In arriving at the requirement for 25 houses to be delivered at Welland, the South Worcestershire Development Plan Review has already accounted for windfall development, netted off the overall housing requirement for the plan period to 2041. This is evident at South Worcestershire Development Plan Review Policy SWDPR02 which includes Table 1, row C includes for windfall development and only then are allocations identified in row E. It can be seen therefore that the draft Neighbourhood Plan is double counting windfall development, and doing so in order to artificially reduce the quantum of development to be planned for. As to the actual windfall rate for Welland, South Worcestershire Development Plan Review Policy SWDPR03 makes clear that windfall development is to come forward inside settlement boundaries. Historical windfall development has, to a large extent, previously occurred outside settlement boundaries at Welland. Historical windfall delivery is not a reliable indicator of future windfall development at Welland as a result.</p>	<p>The Windfall Housing Delivery Report 2006-2022 provides the evidence to support the windfall provision within the Plan. We consider our policy regarding windfall and its contribution to our IHR requirement to be consistent with SWDP (and emerging SWDPR) policies. This is evidenced by MHDC officer supportive feedback in this Regulation 16 consultation.</p> <p>There is no double counting in terms of windfall. Table 1 of the submitted SWDPR includes the housing requirement for the combined districts (Row Z) and the sources of supply to meet this requirement which includes proposed allocations (Row E) and a contribution from windfall allowance (Row C). The IHR is derived from the overall housing requirement (Row Z). The proposed allocation within the Plan would contribute towards Row E and windfalls would contribute towards Row C.</p>	
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e) Local Green Space Designation		
<p>The Regulation 16 draft plan is the first time the Local Green Space designation has been proposed for the Lawn Farm, Welland site.</p> <p>The NPPF makes clear at paragraph 101 that Local Green Spaces should only be designated when a plan is prepared, and be capable of enduring beyond the end of the plan period. The PPG makes clear at paragraph 17 that designation does not in itself confer any rights of public access over what exists at present; and as a result, any additional access would be a matter for separate negotiation with land owners, whose legal rights must be respected. Paragraph 20 sets out that Local Green Space designation does not impose new restrictions or obligations on landowners. Paragraph 19 is particularly relevant, stating;</p> <p>“A Local Green Space does not need to be in public ownership. However, the local planning authority (in the case of local plan making) or the qualifying body (in the case of neighbourhood plan making) should contact landowners at an early stage about proposals to designate any part of their land as Local Green Space. Landowners will have opportunities to make representations in respect of proposals in a draft plan.”</p> <p>It is clear that the Lawn Farm, Welland site is not in public ownership, without</p>	<p>We believe this comment relates to the proposed Local Green Space referred to as ‘Kingston Close Habitat Area’ (ref. WLGS07) which was previously referred to, in the Regulation 14 Plan, as ‘Natural England Ecology Zone (ref. WLGS07).</p> <p>The Local Green Space Report submitted with the Plan sets out the process, including consultation with landowners, and the justification for the proposed LGS designations. It is considered that this meets the requirements of the NPPF and the advice within the PPG.</p> <p>The LGS designation does not change the ownership, access or management arrangements for that land. The purpose is to provide protection from inappropriate development for sites that are demonstrably special to the local community.</p>	<p>No suggested changes proposed.</p>

<p>public rights, and the landowner, Kler Group and Stonebond Limited (both of whom has a legal interest in the site, the former recorded on Land Registry documents) has confirmed that there is no intention to make the site available for public use. In accordance with the PPG, there is nothing to impose an obligation upon the owner, Kler Group or Stonebond Limited to make the land available for recreational use given there can be no new restrictions upon the owners. This is highly material to the consideration of the Local Green Space designation.</p> <p>Furthermore, there is no plan prepared for the Local Green Space as required by the NPPF. It is noteworthy that the Welland Local Green Space Report is silent on the need for a plan to be prepared, and does not make any reference whatsoever to the PPG and its requirements.</p> <p>There is, in addition, a procedural point to consider. Kler Group and Stonebond Limited has not been contacted regarding the proposed Local Green Space designation. The PPG is explicit that this is a requirement of any such designation. Kler Group and Cerda Planning are known to, and have previously communicated in general terms with, the Chair of the Parish Council regarding neighbourhood planning in Welland, and yet no contact has been made to discuss the Local Green Space designation. This</p>		
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is a significant procedural failure. As a result, the neighbourhood plan is in conflict with both the NPPF (paragraph 101) and the PPG at paragraph 19.		
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Response to the comments from Stuart and Lynne McGeorge 010

Respondent's comments	NPWG response	NPWG suggested changes
<p>Proposal for 13 dwellings land north of Cornfield Close</p> <p>This development is at odds with point 5.9.4. in the Welland Neighbourhood Plan and would result in a cluster of dwellings when viewed from the hills. Should the proposal go ahead then the orientation needs to be reviewed to shift the development more to the north and east to create a substantial buffer between the existing properties in Barleycorn Fields. This could be achieved by extending the orchard in Barleycorn Fields along the boundary with mature dense planting thus creating a biodiversity corridor leading towards the brook.</p>	<p>The 2022 Landscape Sensitivity and Capacity Assessment (LSCA) study, commissioned to provide evidence to support the assessment of available sites for inclusion as an allocation in the Plan, is clear that the most appropriate area for development within the Welland Neighbourhood Area is on a subarea of the land north of Cornfield Close, in the area highlighted in Policy H4. It is important however that any built form should remain within the developable area as defined in the 2022 LSCA study for adverse impact on the AONB to be avoided.</p>	<p>No suggested changes are proposed.</p>
<p>The proposed land is a flat field comprising heavy clay soil which becomes waterlogged rendering gardens unusable in periods of pro-longed wet weather. Further development could impact on drainage.</p>	<p>The comments endorse our decision to include specific additional provisions in our draft Plan in the form of policy I3 and criterion 1 of Policy H4 such that all development proposals must be able to demonstrate robust and appropriate measures to address and manage flood risk, drainage, and surface water management, to be acceptable. In addition, there are policies within the SWDP (policy 28: Management of Flood Risk and policy 29: Sustainable Drainage Systems) and the accompanying Water Management and Flooding SPD, (adopted in July 2018) which provides</p>	<p>No suggested changes are proposed.</p>

	detailed policy and guidance for the provision of surface water drainage.	
The access to the proposed development is an issue. The initial stretch of Cornfield Close is barely wide enough for two cars. With a possible ratio of two cars per property, this equates to potentially another 26 vehicles using the access road.	We believe the safety and impact of increased traffic in the longer term is addressed sufficiently in the proposed provisions in policies H4, D1 and D2 when considered together.	No suggested changes are proposed.
<p>However, if the development is to go ahead we would propose that the bias is towards affordable housing for older people for the following reasons:</p> <ol style="list-style-type: none"> 1. The growth in older households (over half being one person) is set to account for 36% of the projected 3.7 million increase in the number of UK households by 2040. 2. Only 2.5% of the UK's 29 million dwellings are defined as retirement housing with overall stock weighted towards 3-4 bedrooms. 3. There is an average annual rise of 180,000 in the number of aged 65+ households to 2030 yet in the past decade a little more than 7,000 units have been built each year. 4. Surveys have found that up to a third of older people like the idea of downsizing but only a small fraction actually do so, barriers being <ul style="list-style-type: none"> - The failure of local authorities to plan for and permit the building of age appropriate housing. 	Section 3.4 of our Housing Evidence Paper explores the evidence for housing for older members of the community. We believe that the most effective way for our village Plan to deliver for our older population is to provide policies that enable downsizing, affordability and accessibility, as proposed in the Plan policies H1, H2 and H3, and as is allocated for delivery in policy H4. Policy H4 specifically aims to deliver smaller, affordable and accessible homes, which will be suitable, as the respondent suggests, for older community members.	No suggested changes are proposed.

<p>- Anxiety about the exorbitant level of charges in leased retirement dwellings (which proliferate in Malvern)</p> <p>- If more family homes were freed up by downsizing the benefits would cascade down the housing ladder</p> <p>5. The local school is oversubscribed so providing homes for older people would negate this issue.</p>		
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Response to comments from R Cousins 012

Respondent's comments	NPWG response	NPWG suggested changes
<p>5.5 - Landscape Character - Policy LC1 Landscape character and visual impact</p> <p>5. Area 2 CFS0336</p> <p>5.1.3 This report is misleading and not true, we are the land owners and have had no dealings with Natural England. The newt licence was for Bovis Homes, whilst they were building (now complete) we agreed to some tree planting near to the pond. The nearest Natural England site is Mutlows Farm.</p>	<p>The NPWG do not accept that there is misleading information on the Natural England licence relating to this site.</p> <p>The Natural England Licence 2015-7820-EPS-MIT-1 is set out in Appendix A17 to the <i>Neighbourhood Plan Housing Site Assessment and Selection Report</i> together with the MHDC Discharge of Planning Condition 20 notice that establishes, in perpetuity, the biodiversity mitigation requirements for management of the area of CFS 0336 as specified in the Landscape and Environmental Management Plan (LEMP). These documents are also referenced in the <i>Local Green Space Report Appendix</i>. The drawing from the LEMP - JBA 16_182_Detailed Soft Plots and POS - REV L-JBA 16-182_03 also included in Appendix 17 shows the management objectives for the site and the site in the context of the nearby area.</p> <p>Our understanding, confirmed by the Natural England Wildlife Licensing Service during the preparation of the Plan, is that the license did not limit the duration of that management regime and the grant of planning application</p>	<p>No suggested changes are proposed.</p>

	14/01269/OUT was conditioned accordingly with condition 20.	
5.5.6 - Again, there is no licence or dealings with Natural England. This misunderstanding of the newt licence also means that the Housing Site Assessment and Selection Report November 2022 is wrong.	See previous comment.	No suggested changes are proposed.
Housing Site Assessment and Selection Report - November 2022 CFS0336 - Land south of Kingston Close - This site is available and has no Natural England Licence on it. It has been identified by SWDP (review) as the only selected site that meets their criteria. There is no uncertainty to vehicular access. All of these issues would have been looked at by an unbiased professional during the SWDP review.	See previous comment. The SWDPR has been submitted to the Secretary of State and examination of that plan, including the suitability, availability and deliverability of the allocated housing sites will proceed in due course.	No suggested changes are proposed.
Housing Site Assessment and Selection - Refreshed March 2023 Because of our points above the wrong sites have been assessed and included in this report.	See previous comments. The proposed site allocation is derived from a comprehensive and robust site assessment using the Locality toolkit 'How to Assess and Allocate Sites for Development'. The site assessment incorporates a Landscape Sensitivity & Capacity Assessment (2022) which has carefully considered all of the available sites in the context of their location relative to the AONB, including the site referred to by this respondent. The assessments concluded that the site proposed for the housing allocation was most suitable.	No suggested changes are proposed.

Policy G1 Local Green Space.		
<p>WLGS06- Kingston Close Green Space - Figure 5.2</p> <p>The south east point of the green highlighted area appears to be covering the gated entrance to the field .</p> <p>Throughout the consultation period this area has been moved on the publicised documents regularly. It is not green space and the entrance to the field should have no restrictions. We object to the highlighted green space, as shown, as we have done numerous times.</p>	<p>The Local Green Space (LGS) Report provides the evidence to demonstrate the land meets the relevant criteria for designation as LGS. This designation does not impede access for the landowner.</p>	<p>No suggested changes are proposed.</p>
<p>WLGS07 - Kingston Close Habitat Area - Formally incorrectly called Natural England Ecology Zone. The neighbourhood plan shouldn't encourage people near to the pond. It should be made clear the difference between public open space and local green space.</p>	<p>The Local Green Space (LGS) Report provides the evidence to demonstrate the land meets the relevant criteria for designation as LGS. The Report includes the advice from the NPPG which states LGS does not have to be publicly accessible.</p> <p>The LGS designation does not change the ownership of, management of or access to the land. It remains in private ownership and public access is limited to the PRow that passes through the site. The policy does not encourage people to go beyond the fencing around the pond.</p>	<p>No suggested changes are proposed.</p>
<p>Policy 14 - Active Travel Corridor</p> <p>This is not the Welland Neighbourhood plans initiative, the land is in private ownership and the bridge mentioned has been demolished. You are unable to walk there as it is too far out of the village. Time would have been better spent improving the footpath network around</p>	<p>Noted</p> <p>The NPWG believes that it is within the scope of the Plan to seek to safeguard land as routes for active travel corridors, this land is within the Neighbourhood Area and complements plans that are already established elsewhere.</p>	<p>No suggested changes are proposed.</p>

<p>Welland where most of the population live.</p>	<p>Footpath Network Improvement is one of the projects featured in the Parish Council's adopted Community Development Projects report referenced In Section 6 of the Plan and set out in Appendix 6.1</p>	
<p>5.9 Design - Policy D1 The Parish Council over the past 10 years have not objected to several infills that do not compliment the adjacent dwellings, this is contrary to 5.9.3 point 5 'new dwellings within infill plots must compliment the adjacent dwellings.'</p> <p>We object to the whole design policy and think that design should be in line with MHDC professional planners</p>	<p>Design Guides and Codes are considered by Government to be important tools to bring about good design in new development. The NPPF allows for Design Guides and Codes to be produced as part of the neighbourhood plan process. The approach for the Design Guide and Code associated with our submitted Plan is consistent with the principles set out in the National Design Guide and the National Model Design Code.</p>	<p>No suggested changes are proposed.</p>
<p>5.10 Housing Land - Policy HLP - Welland Housing Land Provision We object to the housing land provision promoting development in the AONB. In the Housing Evidence Paper there is no mention of sheltered accommodation. The land north of Cornfield Close is in the AONB and goes against the SWDP (review) . The views to the hills are as important as the views from the hills. There is another site CFS0336 which would supply the required houses</p>	<p>The proposed site allocation is derived from a comprehensive and robust site assessment using the Locality toolkit 'How to Assess and Allocate Sites for Development'. The site assessment incorporates evidence from a Landscape Sensitivity & Capacity Assessment conducted in 2022 which has carefully considered all of the available sites in the context of their location relative to the AONB and taking into account the cumulative impacts of more recent housing developments than would have been available to SWDPR in their site selection evaluations. The NPWG assessments concluded that the site proposed for the housing allocation was the most suitable.</p>	<p>No suggested changes are proposed.</p>

	<p>The 2022 LSCA noted that the area of land being proposed for the Plan's allocation within Policy H4 is one of just two sub areas with lower landscape sensitivity, and it had the highest capacity for development of all the sites available for consideration in the Welland Neighbourhood Area.</p> <p>National policy, the SWDP and SWDPR do not preclude development in the AONB. However, the SWDPR, echoed also in emerging MH AONB guidance (MH AONB Position Statement on Housing), expect such development to be in response to evidenced local needs. We believe we are delivering an allocation that reflects such evidence and is consistent with national and local policy expectations for a protected landscape. Please see our Housing Evidence Paper and associated Appendices document for our evidence and thinking on this.</p> <p>The respondent suggests we do not consider sheltered accommodation. We disagree - Section 3.4 of the Housing Evidence paper explores the evidence for housing for older members of the community. Sheltered accommodation is mentioned specifically in the context that there is some evidence of need but that a neighbourhood plan is not obliged to provide for this through a policy. We believe that the most effective way in this Plan to deliver for our older population is to provide policies that enable</p>	
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	downsizing, affordability and accessibility, as proposed in the Plan policies H1, H2 and H3, and as is allocated for delivery in policy H4.	
The Welland Neighbourhood Area Regulation 15 Submission Draft Welland Neighbourhood Plan 2021- 2041		
Having read the draft neighbourhood plan we believe this is more like a supplementary planning document than a neighbourhood plan.	Noted	No suggested changes are proposed.
There is no mention of sustaining and improving our current amenities in particular the school, pre school, football club, village hall, church, shop, Pheasant Inn. There are no plans for improved car parking for the shop, church and school. No pedestrian crossings.	These matters are dealt with where appropriate under section 5.6 of the Plan: Community Infrastructure (policies C1 and C2). Also, relevant non policy actions are set out in the Community Development Projects (CDP) report (Appendix 6.1) including activities to address road safety and parking.	No suggested changes are proposed to the Neighbourhood Plan. The CDP report is a live document that will respond to non-policy actions and address non land use matters on an ongoing basis.
The flooding of 2007 has not been considered.	Policy I3: Surface and Foul Water Drainage and Management and the RJ underpinning it are a response to the sensitivity of the Neighbourhood Area to surface water and alluvial flooding as evidenced in the flood events of 2007 and 2012. The Community Development Projects report – Appendix 6.1 also deals with the non-policy initiatives under Place and Environment 6. Sewerage and Flood Risk.	No suggested changes are proposed.
1.14- Generic consultation documents we responded to but never received a reply – However.		
1.14 - page 9 - July 2020 - Proposed Local Green Space - we never received	Correspondence with the respondent on the Local Green Space and Neighbourhood Open Space proposals is	No suggested changes are proposed.

<p>this report and letter. So as landowners we were not consulted.</p>	<p>transcribed in the Local Green Space Report appendices. Details of our consultation processes are set out in our Consultation Statement. We have attempted to address comments received where this is appropriate. For example, following this respondent's comments to the Reg 14 consultation, the Neighbourhood Open Space proposals were amended to remove the designation from some of the respondent's land.</p>	
<p>Policy G.2 page 37 - WNOS04 - Giffard is spelt with an a.</p>	<p>Noted.</p>	<p>We would suggest a change of spelling in the policy is made to correct this error as follows:</p> <ul style="list-style-type: none"> • WNOS04: Giffard Drive and Blandford Close <p>There will also need to be consequential changes to the key on the map at Appendix 5.1 and to Figure 5.3.4 at Appendix 5.4.</p>
<p>5.3.11- SSCC6 - there is no mention in the plan how this will happen.</p>	<p>As set out in 5.3.7 of the RJ the policy sets out to plan positively for the provision of shared spaces, community facilities (including open spaces) to enhance the sustainability of communities and residential environments (NPPF para 93a). Access to a network of high-quality open spaces is important for the health and well-being of communities (NPPF para 96). NPPF para 92c is also relevant.</p>	<p>No suggested changes are proposed.</p>
<p>5.6.3 - Pre-school is not privately owned it is a charity run by a volunteer committee. There is no mention of Welland Junior Football Club which is</p>	<p>The Pre-School organization is indeed owned and run by a registered charity for public benefit but it occupies, together with the football club a part of the</p>	<p>We would propose suggested changes as follows: 5.6.3 There are a small number of built community facilities and one local shop</p>

<p>also based at The Pavillion. There is also no mention of Pre-school and Football club on the Housing Evidence Paper with regards health and well-being</p>	<p>Pavilion building which is owned by the Parish Council. As it relates to community facilities we agree that the text of 5.6.3 is wrong and should be amended.</p>	<p>within the Neighbourhood Area; the Village Hall, primary school, pre-school, place of worship, pre-school and a village store with a post office. The first two three of these are publicly owned facilities and the third fourth is owned by the local diocese. They are important assets to the community providing facilities for the young and the elderly within the community. The last two, shop and post office although a privately owned local businesses, provides vital facilities for a rural community such as Welland.</p>
<p>5.9.6 'wherever possible, long rows of terraced dwellings should be avoided...'5.10.9 'As such proposals should seek to provide a greater share of semi-detached and terraced houses...' these 2 points contradict eachother.</p>	<p>With apologies, this is an error that has manifested in the final draft of the Plan submitted for examination. The phrasing was intended, throughout relevant points in the Plan, to read "short rows" (3 max) terracing. It is specifically long rows of terraced dwellings that is uncharacteristic of the Neighbourhood Area. There are a number of examples of short rows (e.g., 3 or 4) of terraced housing locally, particularly associated with affordable homes.</p>	<p>Suggested change: Amend Policy H1, 5.10.9 and 5.10.19, and the Design Guide 0.2.4, 0.3.3, Fig 44 and p38 (The Avenue), to include "short row" or "short row (3 max)" as appropriate before references to terraced housing.</p>
<p>We are curious as to where the minutes of the neighbourhood plan meetings are and the cost to the taxpayer of producing this draft plan.</p>	<p>Decisions made by the Parish Council regarding the Neighbourhood Plan are published in the minutes of their monthly meetings and all income and expenditure flowing through the Parish Council's Neighbourhood Plan Account is recorded in the monthly minutes.</p>	<p>No suggested changes are proposed.</p>

Response to the comments from Malvern Hills AONB Partnership Unit 013

Respondent's comments	Respondent's suggested changes	NPWG response and suggested changes
<p>2.7 - The incorrect paragraph number is used in relation to the AONB. It is paragraph 176 NOT 177 which relates to 'major development' in an AONB. It is appreciated that the NPPF is likely to be updated imminently (i.e. later this year).</p> <p>It may also be worthwhile also referring to the AONB Partnership Position Statement on Setting, in defining the setting of the AONB.</p>	<p>Replace Paragraph 177 with Paragraph 176.</p> <p>Add footnote linking to POSITION STATEMENT 1: DEVELOPMENT AND LAND USE CHANGE IN THE SETTING OF THE MALVERN HILLS AONB – HTTPS://WORCESTERSHIRE.MODERN GOV.CO.UK/DOCUMENTS/S23433/9%20DEVELOPMENT%20AND%20LAND%20USE%20CHANGE%20IN%20THE%20MH%20AONB.PDF</p>	<p>We agree with the comment and suggestion made and suggest that the third sentence of para 2.7 be amended as follows (new text in red): 'NPPF paragraph 176 177 states, 'The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas'.</p> <p>We agree with the comment and suggestion made and suggest that the second sentence of para 2.7 be amended to add new footnote 11 as follows (new text in red): 'The remaining 60% may be considered to lie within the AONB's setting¹¹ due to the proximity to the AONB and the topography, visual and landscape sensitivities'.</p> <p>¹¹ The AONB Partnership's Position Statement on Setting provides details on defining the setting of an AONB (see https://worcestershire.moderngov.co.uk/documents/s23433/9%20Development%20and%20Land%20Use%20change%20in%20the%20MH%20AONB.pdf).</p>
<p>3.1 - Again, it may be worthwhile referring to the AONB Partnership Position Statement on Setting.</p>	<p>Add footnote linking to POSITION STATEMENT 1: DEVELOPMENT AND</p>	<p>We agree with the comment and suggestion made and suggest that the</p>

	<p>LAND USE CHANGE IN THE SETTING OF THE MALVERN HILLS AONB - HTTPS://WORCESTERSHIRE.MODERN.GOV.CO.UK/DOCUMENTS/S23433/9%20DEVELOPMENT%20AND%20LAND%20USE%20CHANGE%20IN%20THE%20MH%20AONB.PDF</p>	<p>third sentence of para 3.1 be amended as follows (new text in red): ‘Development in the remaining 60% may be considered to lie within the AONB’s setting (see footnote 11) due to the proximity to the AONB and the topography, visual and landscape sensitivities’.</p>
<p>4.4 - suggest re-wording The AONB is not a land use designation</p>	<p>The Key Diagram also includes the Malvern Hills Area of Outstanding Natural Beauty Boundary Designation (in opaque green) providing a key landscape designation relevant to the WNA.</p>	<p>We agree with the comment and suggestion made and suggest that para 4.4 be amended as follows (new text in red): The Key Diagram also includes the Malvern Hills Area of Outstanding Natural Beauty designation AONB (in opaque green) providing a key landscape strategic land use designation relevant to the WNA.</p>
<p>Policy SD1 – just be mindful that sustainable development’, if using the UN definition, may be unpicked at Examination.</p>	<p>No change just drawing attention.</p>	<p>Noted. No comment.</p>
<p>Policy SD2 – Is it possible to add footnotes to direct interested parties to the AONB Guidance Documents/Management Plan? As a suggestion, can the key issues identified under 5.1.12 relating to landscape and visual impacts be brought into Policy SD2? It helps to make clear to interested parties that issues like glare/glint, colour and effect on the skyline are all important which some may consider an afterthought or not at all.</p>	<p>Add footnote to direct interested parties to AONB Guidance Documents/Management Plan. The PC will be aware that asking for external guidance to be considered/taken into account carries less weight than if wording from that guidance was incorporated into the NDP. We are unsure how much weight would apply to a simple reference to external guidance. Maybe point 1 should expand to add:</p>	<p>The AONB guidance relating to renewable energy development is included as a footnote to wording in paragraph 5.1.12. This could helpfully be expanded to include the Management Plan. We therefore would please suggest the following should be added to footnote 22: https://www.malvernhillsaonb.org.uk/wp-content/uploads/2022/08/19-24-MHAONB-Management-Plan.pdf</p>

<p>Suggest rewording policy to accord with Policy I2.</p>	<p>landscape character, visual amenity or other special qualities e.g. tranquillity in particular.</p> <p>Proposals requiring planning permission ...individually or cumulatively, have an unacceptable impact on:</p> <p>1. Landscape character, visual amenity or other special qualities, having particular regard to the Malvern Hills AONB Management Plan and associated guidance.</p>	<p>We agree with the comment and suggestion made and suggest that criterion 1 to the policy SD2 be amended as follows (new text in red):</p> <p>'landscape character, and visual amenity or other special qualities, having regard to the Malvern Hills AONB Management Plan and associated guidance'</p>
<p>Policy SD3 – It would be appropriate to include a reference in needing to accord with the Welland Design Guide and Code, as well as the AONB Guidance on Building Design.</p>	<p>To update Policy SD3 to include: "Due regard shall be had to the proposals being informed by guidance within the Welland Design Guide and Code, and, where relevant to the specific development and location of the site, AONB Partnership Guidance, including on Building Design".</p>	<p>It is considered policy D1 would apply where energy efficiency measures would require planning permission and therefore the change, as suggested, is not required.</p>
<p>Policy DB1 – No comment to offer in principle, although does this mean that any 'full householder' application would need to meet this policy? A bit unclear as to where the line is drawn as when you first read it, it gives the impression that full householder applications are also included in this.</p>	<p>Separate 'full householder' policy?</p>	<p>If the householder development requires planning permission (i.e., it is not permitted development) then it would be assessed against this policy and any other relevant policy. Therefore, no separate householder policy is required.</p> <p>However, if the examiner agrees, it may be helpful to include some clarity in the policy by inclusion of a footnote and some grammatical correction as follows (new text in red):</p> <p>Amend the policy to read: "Development proposals*, including new development and/or the conversion, re-use or</p>

		<p>extension of an existing building as well as any infrastructure associated with them, will be supported....."</p> <p>* Add Footnote: "For clarity, this policy applies to all development proposals requiring planning permission including, but not limited to, householder, residential, tourism and holiday accommodation, energy generation, and employment and agricultural developments."</p>
<p>Policy G1 – would suggest strengthening the policy further to state that any development of these sites would only be permitted in exceptional circumstances. Appeal decisions in Green Belt have been allowed in the past. May be worth looking at Colwall NDP (Policy CF3).</p>	<p>"Development of these sites shall only be permitted in exceptional circumstances"</p>	<p>The policy refers to national policy applying to proposals which means they would need to demonstrate 'very special circumstances' or meet the exceptions at NPPF paragraphs 149 and 150. Therefore, the change as suggested in not considered appropriate.</p>
<p>Policy G2 – No comments.</p>		<p>Noted.</p>
<p>Policy B1 – Where is the line being drawn on which types of applications will be required to provide this? Are we reasonably expecting a 'full-householder' to do this? Even the BNG guidance is likely to state that only major applications in the first instance will be required to meet this. Of course, the AONB Nature Recovery Plan would support such measures, in principle, in helping to conserve and, where possible, enhance biodiversity assets.</p>	<p>Provide clarification as to the types of applications which need to do this and where off-site delivery is limited to I.e. parish of Welland then adjoining parishes etc.</p>	<p>The policy refers to new residential and non-residential development rather than all development including householder applications. This acknowledges the fact that the Government response to consultation on BNG regulations and implementation stated that householder applications would be exempt from the requirement. The policy refers to '... within reasonable proximity ...' which is considered provides sufficient flexibility in applying off-site measures on a case-by-case basis.</p>

<p>Previously Paul had suggested that any off-site delivery should be in the parish wherever possible. The policy is unclear where off-site delivery should be achieved.</p>		
<p>Policy LC1 – Would insertion of a couple of Carly’s figures showing sensitivity and capacity strengthen this policy further? See Colwall and Cradley NDPs.</p> <p>There is a need to demonstrate that levels of effects are acceptable, and that the scheme has been sited and designed sensitively and appropriately, reflecting, respecting, and where possible, enhancing the landscape context within which it is situated. The information required in the assessment study should be proportionate to the type and scale of development proposed. We had previously said that it’s not reasonable to expect all development to be subject to an LVIA.</p> <p>It may be of benefit to bring the wording of 5.5.6 within the Policy. Applicants may demonstrate that they have met the policy and unfortunately the Policy is not clear as to when adverse effect threshold is breached, meaning subsequent clear adverse effects to landscape character and visual amenity. This policy should be strengthened.</p> <p>Does point 2 (response to the landscape context) include avoiding/minimising</p>	<p>Add the following: The information required in the assessment study should be proportionate to the type and scale of development proposed. They will accord with guidance produced by the AONB Partnership to reduce the adverse effects of development on the AONB and its setting.</p> <p>Point 2 (response to the landscape context) includes avoiding/minimising adverse impacts on views to and from the AONB, through adherence to the AONB Management Plan and relevant guidance? If not, I suggest this needs to be incorporated into the policy itself?</p> <p>Add the following: Development proposals which would establish unacceptable adverse effects that cannot be mitigated to an acceptable degree when compared to baseline condition will not be supported.</p>	<p>We agree with the comment and suggestion made and suggest the policy wording be amended as follows (new text in red):</p> <p>‘This should be demonstrated through: the submission of evidence proportionate to the type and scale of development proposed and the site’s location evidence, including a Landscape and Visual Impact Assessment where required, to demonstrate they conserve and enhance the special qualities of the Neighbourhood Area taking account of:…’</p> <p>What should be listed as (iii) at the end of the policy refers to proposals demonstrating they have regard to the AONB Management Plan. This is considered appropriate in content but apologise for the formatting error which perhaps should be corrected in the Plan for clarity.</p> <p>We agree with the comment and suggestion made and suggest the policy wording be amended as follows (new text in red):</p> <p>‘Development proposals which would create unacceptable adverse effects that cannot be mitigated to an acceptable</p>

adverse impacts on views to and from the AONB, through adherence to the AONB Management Plan and relevant guidance? If not suggest this needs to be incorporated into the policy itself?		degree when compared to the baseline condition will not be supported’.
5.5.1 – Paragraph 176 NOT 175 in relation to ‘great weight’ given to AONBs	Change paragraph 175 to 176.	We agree with the comment and suggestion made and suggest the second sentence of para 5.5.1 be amended as follows (new text in red): ‘Great weight should be given to conserving and enhancing the landscape and scenic beauty in Areas of Outstanding Natural Beauty (para. 176 175)’.
Policy C1 – No comments to offer.		Noted.
Policy C2 – Can the policy include measures which conserve and enhance landscape character, through additional planting for example, depending on landscape character type?		It is considered this is sufficiently accounted for by the inclusion of criterion 1 with the cross reference to policy LC1.
Policy HE1 – No comments to offer.		Noted.
Policy I1 – No comments to offer.		Noted.
Policy I2 – Encourage any cables to be buried underground or any existing overhead cables to be buried underground. ‘Unacceptable impact’ here which would not be supported by AONB.		Policies relating to proposed development cannot address existing issues or situations.
Policy I3 – No comments to offer.		Noted.
Policy I4 – to expand on this including any harm to either the landscape character and visual amenity, including setting of the Malvern Hills AONB.	To add: along the corridor, including the setting of the Malvern Hills AONB, and tranquility.	We agree with the comment and suggestion made and suggest the second sentence of the policy be amended as follows (new text in red): ‘Proposals for the provision of a cycle and pedestrian route will be supported providing it does not unacceptably harm the nature conservation, biodiversity

		interest, tranquility and landscape character along the corridor and the setting of the Malvern Hills AONB '.
Policy D1 – Suggest adding that proposals will be supported where they do not harm local character as well as nature conservation and biodiversity. This may be helpful re. any attempts to urbanise the route through lighting, kerbing etc.	To add: “proposals will be supported where they do not harm local character as well as nature conservation and biodiversity”	Local character is considered to already be covered within policy D1 and nature conservation and biodiversity is considered to be covered in policy B1. As such we do not consider any change is required to this policy.
Policy D2 – There is no mention of sensitivity of corridor design to the local landscape, tranquillity etc. We are thinking about potential development of the old railway line that people may want to kerb, tarmac, light etc all of which can have considerable impacts on the AONB and its Special Qualities		We were a little confused by this comment as it references Policy D2 but makes specific reference to the disused railway line that is pertinent to Policy I4. If the latter, then these concerns are considered to be addressed by the proposed amendment to policy I4 (see above).
5.9.3 - Are we including steel sheets as being reflective on roofs? If so, how does this fit with non-reflective zinc/steel which is mentioned a little bit further down the list?	Review wording/examples.	We agree with the comment and suggestion made and suggest bullet point 6 of paragraph 5.9.3 be amended as follows (new text in red): 'The use of natural stone, timber and steel/zinc (non-reflective) for building elevations to add distinctive features to buildings is preferred'.
Policy HLP – The windfall element states that new residential development may be supported outside the settlement boundary albeit subject to 'open countryside' policies. Is this the correct interpretation or is it to read that new open market housing may still be permissible?		Any development beyond the development boundary would be subject to relevant development plan policies such as SWDP policy 2C and any successor policy to this in the SWDPR.

<p>Policy H1 – No comments to offer. As part of the Policy Justification, you may wish to link back to Policy BDP3 of the AONB Management Plan - Development in the AONB should be based on convincing evidence of local need.</p>		<p>This issue is addressed within the Housing Evidence Paper. That paper references the AONB Management Plan and its policies, and sets out the various national, local and protected landscape policy contexts whereby development in an AONB should be based on convincing evidence of local need.</p>
<p>Policy H2 – No comments to offer</p>		<p>Noted.</p>
<p>Policy H3 – No comments to offer</p>		<p>Noted.</p>
<p>Policy H4 – could the policy be strengthened further in that proposals are genuinely landscape-led, having regard to the AONB Partnership draft Position Statement on ‘Landscape-led Development’.</p> <p>Can we ask for an Environmental Colour Assessment to be provided, in line with 4 to promote integration with the landscape?</p> <p>Provision of additional GI in these areas, particularly boundaries? Would Parish Council consider undertaking an indicative layout? There is a query as to what happens to the land to the north of the proposed development site? Is this effectively ‘off-limits’ being outside of the settlement boundary? What prevents this area being developed in the future, perhaps under an amended settlement boundary? Has consideration been given to making this another potential Open Green Space?</p>		<p>It is considered the application of the policy will lead to a ‘landscape-led development’.</p> <p>Environmental Colour Assessments and the colour palette for Welland are referred to in the Reasoned Justification to policy D1 (paras. 5.9.3 and 5.9.4). The colour palette is also included within the Design Guide itself.</p> <p>We agree with the comment and suggestion made and suggest criterion 4 of the policy be amended as follows (new text in red):</p> <p>‘The colour of materials for buildings, boundary treatments, roads and pathways and other structures associated with the proposed development should have regard to all Malvern Hills AONB guidance including its Guidance on the Selection and Use of Colour in Development. An Environmental Colour Assessment should be submitted to demonstrate the appropriateness of the proposed materials and their finishes’.</p>

		The land to the north is beyond the proposed development boundary and therefore open countryside. This land could be a potential candidate for a community project as detailed at Appendix 6.1.
5.10.39 - Is this breakdown of types what would be considered to be 'affordable' - we appreciate that the Housing Evidence Paper may provide clear justification for this.	Suggest that paragraph 5.10.39 actually be brought into Policy H4	It is considered this is too detailed to include in the policy. The breakdown of house types are derived from the application of policy H2.
Policy LE1 – No comments to offer		Noted.
Additional comments		
Do you need a tourism/holiday accommodation policy? It is not clear within the policies above.		<p>The principles and requirements set out in Policy DB1 should be considered to apply to development proposals for tourism/holiday accommodation. Making the amendments to Policy DB1 suggested above, which includes a footnote for clarity explaining this, could be helpful.</p> <p>Tourism/holiday accommodation has not been an issue raised in any previous informal or formal consultation. SWDP policies 34, 35 and 36 (any successor policies) would cover this form of development. However, should it become an issue it could be included as part of a review of the Plan.</p>
We had said previously that there doesn't appear to be anything in this policy which relates to employment and particularly agricultural developments, which can have a far more significant impact on the special qualities of a place, due to their		The principles and requirements set out in Policy DB1 should be considered to apply to development proposals for employment and agricultural developments. Making the amendments to Policy DB1 suggested above, which

<p>siting, scale etc. It may be worth taking a look at the Colwall NDP to see how they have covered this: https://www.herefordshire.gov.uk/downloads/file/21682/neighbourhood_development_plan_january_2021The Colwall Plan has separate policies on agricultural buildings, polytunnels etc.</p>		<p>includes a footnote for clarity explaining this, could be helpful.</p> <p>As for tourism/holiday accommodation, this has not been an issue raised in feedback from previous consultation where it was considered there was a need for a localised policy. However, this will be monitored and should it become an issue it could be included as part of a review of the Plan.</p>
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Response to the comments from Severn Trent 014

Respondent's Comments	NPWG response	NPWG suggested changes
<p>Policy SD1: Promoting and Achieving Sustainable Development</p>		
<p>We are supportive of this policy, however believe that it can be expanded upon to ensure that it incorporates water efficiency as a key element of sustainable development. We recommend that you include the following policy wording in your plan either against this policy or elsewhere in your plan.</p> <p>Water Efficiency Policy: We are supportive of the use of water efficient design of new developments fittings and appliances and encourage the optional higher water efficiency target of 110 litres per person per day within part G of building regulations. Delivering against the optional higher target or better provides wider benefits to the water cycle and environment as a whole. This approach is not only the most sustainable but the most appropriate direction to deliver water efficiency.</p> <p>We would therefore recommend that the following wording is included for the optional higher water efficiency standard: <i>New developments should demonstrate that they are water efficient, incorporating water efficiency and re-use measures and that the</i></p>	<p>SWDP policy 30: Water Resources, Efficiency and Treatment includes a target of not exceeding 110 litres/person/day of non-recycled water. This provision is also contained in policy 36: Water Resources, Efficiency and Wastewater Treatment within the emerging SWDPR (now submitted for examination).</p> <p>We are aware of the need to not duplicate non-strategic policies from a local plan in a neighbourhood plan. As such, it is felt that there would be no added value in including this wording into policy SD1 or elsewhere in the Plan.</p>	<p>No suggested changes proposed.</p>

estimated consumption of wholesome water per dwelling is calculated in accordance with the methodology in the water efficiency calculator, not exceeding 110 litres/person/day.

Supporting Text: National Planning Policy Framework (July 2021)
Paragraph 153 states: “Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures. Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts, such as providing space for physical protection measures, or making provision for the possible future relocation of vulnerable development and infrastructure.”

This need for lower water consumption standards for new developments is supported by Government. In December 2018, the Government stated the need to a reduction in Per Capita Consumption (PCC) and issued a call for evidence on future PCC targets in January 2019, with an intention of setting a long term national target. The National Infrastructure Commission (NIC) has already presented a report including recommendations for an

<p>average PCC of 118 l/p/d. In Wales, the 110 l/p/d design standard was made mandatory in November 2018. In 2021 the Environment Agency classed the Severn Trent region as Seriously Water Stressed – link. We recommend that all new developments consider:</p> <ul style="list-style-type: none"> • Single flush siphon toilet cistern and those with a flush volume of 4 litres. • Showers designed to operate efficiently and with a maximum flow rate of 8 litres per minute. • Hand wash basin taps with low flow rates of 4 litres per minute or less. <p>Water butts for external use in properties with gardens.</p>		
<p>Policy G2: Neighbourhood Open Space</p>		
<p>Severn Trent is supportive of this policy particularly the improvements to the existing use and community value of the space without harming the quality or character of the Open Space. However, we encourage you to include further wording so as to allow flood resilience schemes should they be required. Therefore, we recommend you include the following policy wording:</p> <p><i>Green Open Spaces Policy</i> <i>Development of flood resilience schemes within local green spaces will be supported provided the schemes do not adversely impact the primary function of the green space.</i></p> <p>Supporting Text: We understand the need for protecting Green Spaces, however open spaces can provide suitable locations for schemes such as</p>	<p>Policy G1: Local Green Space allows development providing it is consistent with national policy relating to Green Belt. Paragraph 150 provides a list of developments that are not inappropriate development providing they preserve openness and do not conflict with the purposes of including land within it. One of these is engineering operations which could include flood alleviation schemes. It should be noted that one of the proposed LGS sites at St. James Green (WLGS05-02) includes a sustainable drainage scheme as part of flood alleviation measures for the adjacent development.</p> <p>Policy G2: Neighbourhood Open Space (NOS) allows development subject to it improving the existing use and</p>	<p>No suggested changes proposed.</p>

<p>flood alleviation schemes to be delivered without adversely impacting on the primary function of the open space. If the correct scheme is chosen, the flood alleviation schemes can result in additional benefits to the local green space through biodiversity and amenity benefits.</p>	<p>community value of the space without harming its quality or character or meeting the criteria at paragraph 99 of the NPPF. A flood alleviation scheme could be argued to improve the use of a space and provide added value to the community without harming the site's quality or character. It should be noted that the use, character and size of the 4 proposed NOS would potentially constrain them from being used for flood alleviation schemes.</p> <p>It is considered the existing policy wording to policies G1 and G2 is appropriate and does not require amending.</p>	
<p>Policy I3: Surface and Foul Water Drainage and Management</p>		
<p>We are supportive of your policy, especially the reference to the drainage hierarchy that surface water should not connect to the foul sewer unless it is the only option.</p> <p>We recommend that the following wording is included in support of the statement in your policy. <i>Drainage Hierarchy Policy New developments shall demonstrate that all surface water discharges have been carried out in accordance with the principles laid out within the drainage hierarchy, whereby a discharge to the public sewerage system is avoided where possible.</i></p>	<p>We note the comments endorsing this policy with thanks. We also noted that Severn Trent endorsed the policy at Regulation 14, providing just one suggested edit (please see consultee bodies schedule in the Consultation Statement Appendices) which we incorporated into the draft Plan published for Regulation 16.</p> <p>We acknowledge the additional recommendation now being made by Severn Trent about drainage hierarchy and, on review, feel that incorporation of reference to the drainage hierarchy in the policy itself, as opposed to just in the</p>	<p>Although a number of the issues raised are addressed in our RJ for the policy, Severn Trent make a number of useful new comments that we feel could add value to the policy wording itself. As such, we would propose the suggested changes as follows (amendments shown in red) to policy I3:</p> <p><i>To be supported development proposals must be designed to include sustainable drainage and water management measures. Proposals must either demonstrate that the existing surface water drainage infrastructure is adequate or include improvements to that infrastructure to sustainably</i></p>

<p>Supporting Text: Planning Practice Guidance Paragraph 80 (Reference ID: 7-080-20150323) states: “Generally the aim should be to discharge surface water run off as high up the following hierarchy of drainage options as reasonably practicable: 1. into the ground (infiltration); 2. to a surface water body; 3. to a surface water sewer, highway drain, or another drainage system; 4. to a combined sewer.”</p> <p>For your information we have set out some general guidelines and relevant policy wording that may be useful to you.</p> <p>Wastewater Strategy We have a duty to provide capacity for new development in the sewerage network and at our Wastewater Treatment Works (WwTW) and to ensure that we protect the environment. On a company level we have produced a Drainage and Wastewater Management Plan (DWMP) covering the next 25 years, which assesses the future pressures on our catchments including the impacts of climate change, new development growth and impermeable area creep. This plan supports future investment in our wastewater infrastructure and encourages collaborative working with other Risk Management Authorities to best manage current and future risks. More information on our DWMP can be</p>	<p>RJ as we have currently, would add weight to the preceding sentence.</p>	<p><i>accommodate any additional water runoff.</i></p> <p><i>New developments shall demonstrate that all surface water discharges have been carried out in accordance with the principles laid out within the drainage hierarchy, whereby a discharge to the public sewerage system is avoided where possible. As such, surface water should only connect with the public sewer as a last resort after all other alternatives have been investigated. This is particularly important to manage the impact on the public sewerage system as surface water flows are much larger than foul flows. Applicants should engage with the public sewerage undertaker at the earliest opportunity so that early consideration can be given to the proposed approach to foul water flows.</i></p> <p><i>Development should be brought forward in accordance with an agreed overall site-wide drainage strategy (including foul and surface water drainage) submitted with the planning application. The drainage strategy should be agreed prior to the commencement of development on the site. Development proposals which are brought forward on a phased basis should have regard to interconnecting infrastructure. The strategy should ensure infrastructure is</i></p>
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<p>found on our website https://www.severntrent.com/about-us/our-plans/drainagewastewater-management-plan/.</p> <p>Where site allocations are available, we can provide a high-level assessment of the impact on the existing network. Where issues are identified, we will look to undertake hydraulic sewer modelling to better understand the risk and where there is sufficient confidence that a development will be built, we will look to undertake an improvement scheme to provide capacity.</p> <p>Surface Water: Management of surface water is an important feature of new development as the increased coverage of impermeable area on a site can increase the rainwater flowing off the site. The introduction of these flows to the public sewerage system can increase the risk of flooding for existing residents. It is therefore vital that surface water flows are managed sustainably, avoiding connections into the foul or combined sewerage system and where possible directed back into the natural water systems. We recommend that the following policy wording is included in your plan to ensure that surface water discharges are connected in accordance with the drainage hierarchy: <i>Drainage Hierarchy Policy New developments shall demonstrate that all</i></p>		<p><i>constructed with regard to interconnecting later phases.</i></p> <p><i>All drainage proposals should be able to demonstrate how they have considered and provided for all four areas of good design: quantity, quality, amenity and biodiversity. Regarding the last of these, plans should demonstrate how there will be no adverse impact or cumulative harm to existing biodiversity, with particular reference to the protection and ecological health of watercourses and associated habitats.</i></p> <p><i>Completed sustainable drainage systems (SuDS) schemes should be accompanied by a maintenance schedule detailing maintenance boundaries, responsible parties and arrangements to ensure the SuDS are managed in perpetuity.</i></p> <p>Where our RJ does not fully address all these points, some additions to a couple of paragraphs might also add value.</p> <p>The following should potentially be added to the end of the RJ in 5.8.18: <i>Sustainable Drainage Systems (SuDS) should be designed in accordance with current industry best practice, The SuDS Manual, CIRIA (C753), to ensure that the systems deliver both the surface water quantity and the wider benefits, without significantly increasing costs.</i></p>
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<p><i>surface water discharges have been carried out in accordance with the principles laid out within the drainage hierarchy, whereby a discharge to the public sewerage system is avoided where possible.</i></p> <p>Supporting Text: Planning Practice Guidance Paragraph 80 (Reference ID: 7-080-20150323) states: “Generally the aim should be to discharge surface water run off as high up the following hierarchy of drainage options as reasonably practicable: 1. into the ground (infiltration); 2. to a surface water body; 3. to a surface water sewer, highway drain, or another drainage system; 4. to a combined sewer.”</p> <p>Sustainable Drainage Systems (SuDS): Sustainable Drainage Systems (SuDS) represent the most effective way of managing surface water flows whilst being adaptable to the impact of climate change and providing wider benefits around water quality, biodiversity, and amenity.</p> <p>We therefore recommend that the following policy wording is included within your plan regarding SuDS:</p> <p><i>Sustainable Drainage Systems (SuDS) Policy All major developments shall ensure that Sustainable Drainage Systems (SuDS) for the management of surface water run-off are included,</i></p>		<p><i>Good SuDS design can be key for creating a strong sense of place and pride in the community for where they live, work and visit, making the surface water management features as much a part of the development as the buildings and roads.</i></p>
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<p><i>unless proved to be inappropriate. All schemes with the inclusion of SuDS should demonstrate they have considered all four areas of good SuDS design: quantity, quality, amenity and biodiversity.</i></p> <p><i>Completed SuDS schemes should be accompanied by a maintenance schedule detailing maintenance boundaries, responsible parties and arrangements to ensure the SuDS are managed in perpetuity.</i></p> <p><i>Supporting Text: Sustainable Drainage Systems (SuDS) should be designed in accordance with current industry best practice, The SuDS Manual, CIRIA (C753), to ensure that the systems deliver both the surface water quantity and the wider benefits, without significantly increasing costs. Good SuDS design can be key for creating a strong sense of place and pride in the community for where they live, work and visit, making the surface water management features as much a part of the development as the buildings and roads.</i></p> <p>Blue Green Infrastructure We are supportive of the principles of blue green infrastructure and plans that aim to improve biodiversity across our area. Looking after water means looking after nature and the environment too. As a</p>	<p>We consider that blue green infrastructure provision is appropriately covered within SWDP (policy 5: Green Infrastructure and policy 29: Sustainable Drainage Systems) and the accompanying guidance 'Water</p>	<p>No suggested changes proposed.</p>
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<p>water company we have launched a Great Big Nature Boost Campaign which aims to revive 12,000 acres of land, plant 1.3 million trees and restore 2,000km of rivers across our region by 2027. We also have ambitious plans to revive peat bogs and moorland, to plant wildflower meadows working with the RSPB, National Trust, Moors for the Future Partnership, the Rivers Trust, National Forest and regional Wildlife Trusts and conservation groups. We want to encourage new development to continue this theme, enhancing biodiversity and ecology links through new development so there is appropriate space for water. To enable planning policy to support the principles of blue green Infrastructure, biodiversity and protecting local green open spaces we recommend the inclusion of the following policies:</p> <p>Blue and Green Infrastructure Policy: <i>Development should where possible create and enhance blue green corridors to protect watercourses and their associated habitats from harm.</i> Supporting Text: <i>The incorporation of Sustainable Drainage Systems (SuDS) into blue green corridors can help to improve biodiversity, assisting with the wider benefits of utilising SuDS. National Planning Policy Framework (2021) paragraph 174 States: "Planning policies and Decisions should contribute</i></p>	<p>Management and Flooding SPD' (adopted in July 2018). These policies are being updated within the emerging SWDPR (policy 07: Green Infrastructure and policy 35: Sustainable Drainage Systems). We do not believe that including a policy on this within the neighbourhood plan provides added value or would be distinctive to local circumstances. As such we do not consider it appropriate to suggest any proposed changes to the Plan in this regard.</p>	
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<p><i>to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their Statutory Status or identified quality in the development plan); b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate; d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;”</i></p> <p>Green Open Spaces Policy <i>Development of flood resilience schemes within local green spaces will be supported provided the schemes do not adversely impact the primary function of the green space.</i> Supporting Text: <i>We understand the need for protecting Green Spaces, however open spaces can provide suitable locations for schemes such as flood alleviation schemes to be delivered without adversely impacting on the primary function of the open space. If the correct scheme is chosen, the flood</i></p>	<p>Please see our comments in relation to green spaces above.</p>	<p>No suggested changes proposed.</p>
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<p><i>alleviation schemes can result in additional benefits to the local green space through biodiversity and amenity benefits.</i></p> <p>Water Quality and Resources: Good quality watercourses and groundwater is vital for the provision of good quality drinking water. We work closely with the Environment Agency and local farmers to ensure that the water quality of our supplies are not impacted by our operations or those of others. Any new developments need to ensure that the Environment Agency’s Source Protection Zones (SPZ) and Safeguarding Zone policies which have been adopted by Natural Resources Wales are adhered to. Any proposals should take into account the principles of the Water Framework Directive and River Basin Management Plan as prepared by the Environment Agency. Every five years we produce a Water Resources Management Plan (WRMP) which focuses on how we plan to ensure there is sufficient supply of water to meet the needs of our customers whilst protecting our environment over the next 25 years. We use housing target data from Local Planning Authorities to plan according to the projected growth rates. New development results in the need for an increase in the amount of water that needs to be supplied across our region. We are committed to doing the right</p>	<p>SWDP policy 30: Water Resources, Efficiency and Treatment deals with water quality and resources. This provision is also contained in policy 36: Water Resources, Efficiency and Wastewater Treatment within the emerging SWDPR (now submitted for examination).</p> <p>We are aware of the need to not duplicate non-strategic policies from a local plan in a neighbourhood plan. As such, it is felt that there would be no added value in including this wording into the Plan.</p>	<p>No suggested changes proposed.</p>
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thing and finding new sustainable sources of water, along with removing unsustainable abstractions, reducing leakage from the network and encouraging the uptake of water meters to promote a change in water usage to reduce demand. New developments have a role to play in protecting water resources, we encourage you to include the following policies:

Protection of Water Resources Policy: New developments must demonstrate that they will not result in adverse impacts on the quality of waterbodies, groundwater and surface water, will not prevent waterbodies and groundwater from achieving a good status in the future and contribute positively to the environment and ecology. Where development has the potential to directly or indirectly pollute groundwater, a groundwater risk assessment will be needed to support a planning application.

Supporting Text: National Planning Policy Framework (July 2021) Paragraph 174 states: "Planning policies and decisions should contribute to and enhance the natural and local environment by: ... e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution"

<p><i>or land instability. Development should wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans;”</i></p> <p>Water Efficiency Policy: We are supportive of the use of water efficient design of new developments fittings and appliances and encourage the optional higher water efficiency target of 110 litres per person per day within part G of building regulations. Delivering against the optional higher target or better provides wider benefits to the water cycle and environment as a whole. This approach is not only the most sustainable but the most appropriate direction to deliver water efficiency. We would therefore recommend that the following wording is included for the optional higher water efficiency standard: <i>New developments should demonstrate that they are water efficient, incorporating water efficiency and re-use measures and that the estimated consumption of wholesome water per dwelling is calculated in accordance with the methodology in the water efficiency calculator, not exceeding 110 litres/person/day.</i> Supporting Text: <i>National Planning Policy Framework (July 2021) Paragraph 153 states: “Plans should</i></p>	<p>Please see comments in relation to water efficiency above.</p>	<p>No suggested changes proposed.</p>
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take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures. Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts, such as providing space for physical protection measures, or making provision for the possible future relocation of vulnerable development and infrastructure.” This need for lower water consumption standards for new developments is supported by Government. In December 2018, the Government stated the need to a reduction in Per Capita Consumption (PCC) and issued a call for evidence on future PCC targets in January 2019, with an intention of setting a long term national target. The National Infrastructure Commission (NIC) has already presented a report including recommendations for an average PCC of 118 l/p/d. In Wales, the 110 l/p/d design standard was made mandatory in November 2018. In 2021 the Environment Agency classed the Severn Trent region as Seriously Water Stressed – [link](#). We recommend that all new developments consider:

- Single flush siphon toilet cistern and those with a flush volume of 4 litres.
- Showers

designed to operate efficiently and with a maximum flow rate of 8 litres per minute. • Hand wash basin taps with low flow rates of 4 litres per minute or less. • Water butts for external use in properties with gardens.

Water Supply: For the majority of new developments, we do not anticipate issues connecting new development, particularly within urban areas of our water supply network. When specific detail of planned development location and sizes are available a site-specific assessment of the capacity of our water supply network could be made. Any assessment will involve carrying out a network analysis exercise to investigate any potential impacts. If significant development in rural areas is planned, this is more likely to have an impact and require network reinforcements to accommodate greater demands.

Developer Enquiries When there is more detail available on site-specific developments, we encourage developers to get in contact with Severn Trent at an early stage in planning to ensure that there is sufficient time for a development site to be assessed and if network reinforcements are required that there is time to develop an appropriate scheme to address the issues. We therefore encourage developers to contact us, details of how to submit a

Developer Enquiry can be found here - https://www.stwater.co.uk/building-and-developing/new-site-developments/developer-enquiries/		
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Response to comments from Malvern Hills District Council 017

General Comment:

Prior to Regulation 15 submission of our draft Welland Neighbourhood Development Plan (“the Plan”), the Welland Neighbourhood Plan Working Group (“NPWG”) on behalf of Welland Parish Council took the opportunity to ask Malvern Hills District Council (“MHDC”) officers for informal feedback such that any significant issues or concerns might be addressed prior to submission. As a consequence, a number of edits were made that the NPWG felt were consistent with other evidence and feedback collected in the course of the neighbourhood plan process (all this is referenced in our Consultation Statement). Therefore, no suggested amendments are proposed within the schedule.

Unfortunately, it appears that the MHDC officers have submitted their pre-Regulation 15 informal feedback document from March 2023 as their formal response to the Examiner in the August Regulation 16 consultation. As a result, some of the policy phrasing cited, and their comments, are not accurate or relevant to our submitted draft. We have attempted to highlight this in our comments to provide clarity for the Examiner.

<p>Section of Draft WNDP cited for comment by MHDC in their Reg16 Response. Please note: As explained above, these do not always accurately to the content in the submitted draft Plan. This is because the MHDC Reg 16 response (and replicated below) constituted a document that had been provided to the Welland NPWG as part of a pre-Reg 15 submission feedback exercise.</p>	<p>MHDC Officer Reg 16 Comment Please note: As explained above, these are not always relevant to the final content in the submitted draft Plan. This is because the MHDC Reg 16 response (and replicated below) constituted a document that had been provided to the Welland NPWG as part of a pre-Reg 15 submission feedback exercise.</p>	<p>NPWG Comment October 2023 Please note: As explained above, these comments attempt to clarify the bridge between the responses made by MHDC officers (which in fact refer to a previous, pre-Reg15 submission, draft of the Plan) and the submitted draft Plan that is being considered in this Examination process.</p>
<p>Policy SD1: Promoting and Achieving Sustainable Development</p> <p>Proposals which clearly demonstrate they promote and achieve sustainable development in accordance with the policies set out in the Welland Neighbourhood Development Plan will be supported.</p>	<p>It is considered that Policy SD1 has regard to national policy.</p>	<p>The comments endorsing the policy are noted.</p>
<p>Policy SD2: Stand-alone and small-scale Renewable and Low-Carbon Microgeneration Energy Development</p> <p>Proposals requiring planning permission for stand-alone and small-scale renewable and low-carbon microgeneration energy development will be supported providing they do not, individually or cumulatively, cause unacceptable harm to:</p> <ol style="list-style-type: none"> 1. landscape character and visual amenity having regard to the AONB Management Plan and associated guidance; 2. nearby heritage assets and their settings; 	<p>Policy SD2 now helpfully makes clear that microgeneration relates to renewable and low carbon energy generation up to 50kw electricity and 45kw heat production only.</p> <p>Now that the capacity of microgeneration is clear it may not be necessary in the policy name to refer to “stand-alone and small-scale”, although in the RJ it may be useful to indicate that microgeneration may include stand-alone schemes as well as technologies integrated into the design of new buildings.</p> <p>The RJ helpfully refers to the SWC’s Renewable and Low Carbon Energy and the Renewable and Low Carbon Energy Supplementary Planning Document (July</p>	<p>These comments, made in MHDC’s pre-submission informal feedback for Policies SD2 and SD3, were considered by the NPWG to be constructive for the two policies and would provide greater clarity if incorporated into the Plan.</p> <p>We ensured our action taken as a consequence was consistent with other evidence and feedback we had received.</p> <p>As a result, prior to submission, the NPWG restructured the two policies and their attendant RJs to the form that which is present in the version of the draft Plan that was formally submitted for Regulation 16 consultation and is currently being examined.</p>

<p>3. residential amenity; and 4. important habitat and biodiversity assets.</p> <p>Developments with a capacity greater than that defined as microgeneration will be subject to policy SWDP27: Renewable and Low Carbon Energy and the Renewable and Low Carbon Energy Supplementary Planning Document (July 2018).</p>	<p>2018). Strictly speaking, the SPD covers microgeneration and larger schemes. Rather than referring to the SPD in Policy SD2, it is suggested that reference is simply included in the RJ. For example, “Factors that will be taken into account when determining the suitability of different renewable and low carbon energy schemes are set out in guidance in the South Worcestershire Renewable and Low Carbon Energy Supplementary Planning Document (July 2018).</p>	<p>We believe that we have therefore addressed the points made by the MHDC officers by this restructuring of the two policies and by the clarification introduced into the RJs.</p>
<p>Policy SD3: Energy Efficient Buildings and on site Renewable and Low-Carbon Energy Provision</p> <p>The retrofitting of energy efficiency measures in existing developments will be encouraged and considered favourably, subject to consideration of potential impacts on landscape character and visual amenity, biodiversity assets, the historic environment and the residential amenity of the local area.</p> <p>New residential and non-residential development which incorporate 100% of its energy requirements from on-site low-carbon and renewable energy provision will be encouraged and considered favourably having regard to the provisions of other relevant policies in the statutory development plan.</p>	<p>It is considered that Policy SD3 covers two separate issues. Energy efficiency and on-site renewable / low carbon energy generation involve different technologies and the planning issues involved are very different.</p> <p>On-site renewable and low carbon energy provision will be microgeneration and therefore best addressed in Policy SD2.</p> <p>The first sentence of paragraph 5.1.18 encourages development to generate 100% of its energy requirements from on-site renewable or low carbon energy, but the rest of the paragraph relates to energy efficiency. As above, please note that energy generation (energy supply) and energy efficiency (reducing demand) are separate issues.</p>	<p>These comments, made in MHDC’s pre-submission informal feedback for Policies SD2 and SD3, were considered by the NPWG to be constructive for the two policies and which would provide clarity and which were consistent with the other evidence and feedback we had received.</p> <p>As a result, prior to submission, the NPWG restructured the two policies and their attendant RJs to the form that is present in the version of the draft Plan that was formally submitted for Regulation 16 consultation and is currently being examined.</p> <p>We believe that we have therefore addressed the points made by the MHDC officers by this restructuring of the two policies and by the clarification introduced into the RJs.</p> <p>For example, policy SD3 and its RJ now solely relate to energy efficiency</p>

		improvements to existing buildings.
<p>Policy DB1: Development within the Welland Development Boundary</p> <p>Development proposals including new development and the conversion, re-use or extension of an existing building along with any associated infrastructure, will be supported within the Welland Development Boundary, as shown at Figure 5.1, provided they meet the following criteria:</p> <ol style="list-style-type: none"> 1. They have regard to the guidance within the Welland Design Guide and Code (see Appendix 5.1); and, where relevant to the specific development and location of the site, to the AONB Partnership’s Management Plan and associated Guidance. 2. Where developments are located within the AONB, they conserve and enhance the special qualities of the AONB’s landscape and where they are considered to be within the setting of the AONB, they take into account views into and out of the AONB and the complementary nature of the landscape character and type within the AONB and its relationship to its setting. 3. They provide safe and suitable access to the site for all users; 	<p>Policy DB1 supports development within the development boundary, subject to 6 criteria being met.</p> <p>Given that Policy LE1 relates to micro / small business development within the development boundary, should Policy DB1 relate specifically to residential development? If not, presumably micro / small businesses would have to meet the requirements of both DB1 and LE1.</p> <p>The second part of Policy DB1 says that development proposals outside the development area will be assessed against relevant policies in the SWDP and national policy. Whilst it is considered that this would meet the Basic Conditions, it may be worth noting that if the District Council cannot demonstrate a 5-year housing land supply then development proposals outside the development boundary would not necessarily conflict with the NDP or NPPF, unless they were considered isolated. If the NDP wanted to resist development in the open countryside in the event that the District Council did not have a 5-year housing land supply then a policy along the following lines may be appropriate:</p>	<p>These comments were noted when made in March 2023 however the intention by the NPWG was that this Policy should refer to <u>all</u> development within the development boundary, including structures and buildings relating to business, agriculture, energy generation and tourism, and not just residential development. As such, we believed the phrasing was appropriate as it was. However, we did add a specific reference to Policy LE1 into the policy prior to submission for examination as we felt it was reasonable to note that it contained additional criteria that would be relevant to business proposals.</p> <p>We did not however make any edits addressing the second point made by MHDC officers as our view was that– given DB1 does not refer solely to residential development – adding provision into it in the event of a lack of 5YHLS would make the policy over complicated.</p>

<p>4. They do not create unacceptable harm to the amenity of adjacent residents and occupiers;</p> <p>5. They do not cause unacceptable harm to land or features that have important biodiversity, landscape character, visual amenity and heritage value; and</p> <p>6. They accord with other relevant policies within the Plan and the SWDP</p> <p>Land beyond the Welland Development Boundary, with the exception of the proposed allocation at policy H4, is considered to be within the open countryside where development proposals will be assessed against relevant local and national policies and any relevant policies within the Plan.</p>	<p><i>New housing development in open countryside, outside the Development Boundary (as shown on Figure 4.1) will be supported if it meets one or more of the following criteria:</i></p> <ol style="list-style-type: none"> <i>1. There is an essential need for a rural worker to live permanently at or near their place of work in the countryside.</i> <i>2. It represents the optimum viable use of a heritage asset or would be an appropriate enabling development to secure the future of heritage assets.</i> <i>3. 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.</i> <i>4. Affordable housing on an exception site is required to meet an identified local need.</i> <i>5. It would re-use redundant or disused buildings and enhance their immediate setting.</i> 	
<p>Policy G1: Local Green Space</p> <p>The following areas, identified at Figure 5.2 (and on individual site plans at Figures 5.2.1-5.2.8 in Appendix 5.2), are proposed to be designated as Local Green Space where development will need to be consistent with national policy relating to Green Belt.:</p>	<p>It is considered that Policy G1 should meet the Basic Conditions.</p>	<p>The comments endorsing the policy are noted.</p> <p>Please note, for clarity, a change was introduced into the submitted draft Plan to the name of site WLGS07 in order to provide a more relatable name for local community members.</p>

<p>WLGS01: Spitalfields Recreation Ground WLGS02: Welland Village Green WLGS03: Welland Park WLGS04: Pursers Orchard WLGS05-01: St James Green WLGS05-02: St James Green WLGS06: Kingston Close Green Space WLGS07: Natural England Ecology Zone</p>		
<p>Policy G2: Neighbourhood Open Space</p> <p>The following areas, identified at Figure 5.3 (an on individual site plans on Figures 5.3.1-5.3.4 in Appendix 5.4), are proposed to be designated as Neighbourhood Open Space (NOS):</p> <p>WNOS01: St James Church Yard WNOS02: Spring Meadows SSSI Buffer WNOS03: Welland Cemetery WNOS04: Gifford Drive and Blandford Close</p> <p>Development proposals affecting a Neighbourhood Open Space will only be supported if:</p> <ol style="list-style-type: none"> 1. the proposed development improves the existing use and community value of the space without harming the quality or character of the Open Space, or 2. the applicant can demonstrate that one of the criteria at NPPF paragraph 99 apply. 	<p>Policy G2 considered to have regards to paragraph 99 of the Framework.</p>	<p>The comments endorsing the policy are noted.</p>

<p>B1: Local Biodiversity net gain</p> <p>To be supported, all new residential and non-residential development will deliver at least 10% net gain in local biodiversity. Applicants will need to provide a proportionate and current assessment of the type and condition of habitats and species found on the site pre-development and demonstrate how the development will secure and maintain the improvements to biodiversity.</p> <p>Net gains in biodiversity should be through on-site measures, the details of which need to be agreed with the Local Planning Authority. Off-site net gain measures will only be acceptable as a last resort and where on-site mitigation is demonstrated not to be possible. Applicants will be required to demonstrate that off-site gains will be brought forward in a timely manner at a scale and within reasonable proximity to the proposed development.</p>	<p>Whilst paragraphs 174 and 179 of the Framework refer to net gains for biodiversity, they do not specify a percentage for the gain.</p> <p>The Environment Act 2021 introduces the mandatory requirement for new developments to provide a 10% biodiversity net gain. However, it is understood that the requirement has no legal effect yet (and will be brought into force through secondary legislation at a date not yet known).</p>	<p>At the time that the MHDC officers wrote these comments (March 2023), it was indeed the case that there were a number of unknowns and the NPPF did not contain specific percentages for biodiversity net gain (BNG).</p> <p>However, the NPWG were acutely aware from evidence collected of the priority that the local community gives to biodiversity and local habitats. We were also aware of the proposals within the Environment Plan and the Environment Act 2021 that expressed an expectation of at least 10% net gain on all new development (with a few exemptions) and that that metric was being adopted by many LPAs in their plan making.</p> <p>Further, NPPG para: 025 Reference ID: 8-025-20190721 states 'Using a metric is a pragmatic way to calculate the impact of a development and the net gain that can be achieved. The information needed to populate this metric is taken from habitat surveys of the site before development and any related habitat clearance or management, and for the habitats proposed within the development as well as any additional habitat improvement off-site'</p> <p>As such, we did not amend the content of the policy in the submitted draft in response to the MHDC officer comments. Since submission, there has been a government statement (27 September 2023) clarifying</p>
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		<p>that 10% BNG will in fact be required for some development from November 2023 and for small sites from April 2024.</p> <p>For clarity on a change from the policy content to which the MHDC officers have responded, we did include in policy B1 in the submitted draft Plan an additional reference to AONB guidance which we believed to be pertinent and which we believed could aid developers in their provision of appropriate BNG. The particular rationale for this inclusion was that the whole of the WNA falls within the MH AONB Nature Recovery Plan area and therefore there are specific guidance and expectations for biodiversity protection and enhancement associated with this. The submitted draft Plan Policy B1 thus reflects the need to also have regard to relevant MH AONB guidance including its Nature Recovery Plan.</p>
<p>Policy LC1: Landscape Character and Visual impact</p> <p>Developments along with any associated infrastructure, including their accompanying landscaping schemes, must conserve and enhance the special qualities of the area’s landscape and scenic beauty and be consistent with its landscape character and preserve visual amenity by complying with policy SWDP25 and any subsequent policy.</p> <p>Development proposals must:</p>	<p>Presumably, the intention would be that development proposals meet all 4 criteria. If so, this could be made clearer.</p> <p>As currently worded, it is considered that Policy LC1 lacks sufficient clarity for a decision maker to apply it with consistently and with confidence.</p> <p>It is not totally clear what information applicants need to provide to demonstrate that the requirements of Policy LC1 will be met.</p>	<p>These comments, made in MHDC’s pre-submission informal feedback, were considered by the NPWG to be constructive for the policy.</p> <p>We ensured our action taken as a consequence was consistent with other evidence and feedback we had received.</p> <p>As a result, the policy was restructured to the form that is included in the draft Plan submitted for examination. Specifically, the NPWG ensured that there was greater clarity in the phrasing as to what is required, and</p>

<ol style="list-style-type: none"> 1. Have regard to good practice guidance, including that produced by Worcestershire County Council, Malvern Hills District Council, and the Malvern Hills AONB Partnership, 2. Provide measures to conserve and enhance the intrinsic landscape character and natural beauty of the area, and 3. Through sensitive design and location, avoid adverse impacts on the designated landscapes and take into account local (to the development site) character and development patterns. 4. Submit proportionate evidence, including a Landscape and Visual Impact Assessment where required, to demonstrate they conserve and enhance the special qualities of the Neighbourhood Area taking account of: <ol style="list-style-type: none"> i. Visual assessments of the sensitivity and capacity of a site for development which should be independent of vegetation mitigation measures, on the basis that views of development may not be screened by vegetation in future. ii. A consideration of cumulative effects and matters such as coalescence arising from existing and planned future development. 	<p>On the one hand, the first paragraph of Policy LC1 indicates that development proposals should comply with SWDP 25. On the other hand, paragraph 5.5.3 indicates that the Welland Neighbourhood Plan Landscape Assessment Report (LAR) has informed the development of Policy LC1.</p> <p>It is considered that Policy LC1 needs greater clarity. As a suggestion, could Policy LC1 be amended along the lines of <i>“Development proposals must demonstrate that guidance in the Welland Neighbourhood Plan Landscape Assessment Report (LAR) has positively influenced the siting, design, scale, layout and landscaping of the proposal”</i>?</p>	<p>then how this could be demonstrated. We introduced particular guidance to which there should be reference and what evidence bases should be provided. We believe the rewording and restructuring of the policy into the form seen in the submitted Plan now provides a more appropriate framework on which decision makers can consistently evaluate development proposals.</p>
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<p>Policy C1: Protection of existing Built Community Facilities</p> <p>Any proposal that would result in the loss of a site or building currently or last used as a community facility as identified below and shown at Figure 5.5 (with individual site plans at Figures 5.5.1-5.5.5 in Appendix 5.5) will only be permitted having regard to the criteria at policy SWDP 37B.</p> <p>Existing Built Community Facilities</p> <p>WCF01: Welland Village Hall, Marlbank Road WCF02: Welland Primary School, Marlbank Road WCF03: Welland Post Office, Gloucester Road WCF04: St James Church of England Church, Gloucester Road/Drake Street WCF05: The Pavilion, Spitalfields, Marlbank Road</p> <p>In relation to WCF03 above, policy SWDP10 part I will also apply to proposals for a non-retail use of the premises. In relation to WCF04 above, special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses is required.</p>	<p>Community Facilities are defined in the SWDP as “Buildings, services and land uses intended to meet the health and wellbeing, social, educational, spiritual, recreational, leisure and cultural needs of the community.” In the SWDP, development proposals which could result in the loss of the Post Office (WCF03) would be assessed against SWDP 10 (Protection and promotion of centres and local shops) which is a strategic policy, not SWDP 37B.</p> <p>Subject to the above, it is considered that Policy C1 is in general conformity with SWDP 37B.</p>	<p>These comments, made in MHDC’s pre-submission informal feedback, were considered by the NPWG to be constructive for the policy.</p> <p>Although SWDP10 was already noted as relevant to WCF03, the NPWG restructured the policy phrasing for clarity in the Plan submitted for examination.</p>
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<p>Policy C2: Provision of new and improved built community facilities</p> <p>Proposals for new and improved built community facilities will be supported provided that all the following criteria are met:</p> <ol style="list-style-type: none"> 1. They are of a scale appropriate to its location and satisfy the requirements of policy LC1, 2. They have regard to the guidance within the Welland Design Guide and Code (see Appendix 5.1) and guidance produced by the AONB Partnership, 3. They avoid unacceptable harm on residential and other local amenity, 4. They have satisfactory access and off-street parking such that existing residential or other uses is not unacceptably harmed. 5. They make full use of opportunities to provide access by walking, cycling or public transport – e.g., through the provision of bike racks or connectivity to footpaths. Where practical and viable, use should be made of sites which are within or physically well-related to the Welland Development Boundary. 6. They protect and enhance local important habitat and biodiversity assets in line with national and local plan policy and Malvern Hills AONB guidance. 	<p>Policy C2 supports new or improved built community facilities within the Development Boundary that meet all 6 of the criteria listed.</p> <p>Generally, it is considered that Policy C2 should meet the Basic Conditions, except criterion 6. It is considered that local important habitat and biodiversity assets would have to be identified and mapped if criterion was to be applied consistently and with confidence by decision makers.</p>	<p>These comments, made in MHDC’s pre-submission informal feedback, were considered by the NPWG to be constructive for the policy.</p> <p>The criterion regarding habitat and biodiversity assets was removed from the policy in the version of the draft Plan submitted for examination as it was felt that this was dealt with through Policy B1.</p>
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<p>The inclusion of renewable and low carbon energy provision in proposals is encouraged.</p>		
<p>Policy HE1: Non-Designated Heritage Assets</p> <p>To be supported, proposals which affect a non-designated heritage asset must demonstrate how they protect or enhance the heritage asset.</p> <p>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>Any proposal which directly or indirectly impacts on such a heritage asset or its setting must describe the impact of the development on its significance and demonstrate that the significance of that asset will not be adversely harmed.</p>	<p>For clarity it is suggested that it be made clearer that the policy will apply to non-designated heritage assets following adoption on the Local List by MHDC. It is suggested that the first paragraph be amended to read <i>"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."</i></p> <p>It is considered that Policy HE1 should meet the Basic Conditions.</p>	<p>These comments, made in MHDC's pre-submission informal feedback in March 2023, were considered by the NPWG and, with some reservations, amendments incorporated into the policy as seen in the draft Plan submitted for examination.</p> <p>Having noted the comments from Worcestershire County Council made in the Regulation 16 consultation, we would respectfully suggest it would be appropriate to revert the policy wording for the first paragraph to the simple phrasing we had previously. Please see our comments on the Worcestershire County Council Regulation 16 consultation response, submitted alongside this document.</p> <p>Further, we feel that this is not inappropriate as, following the feedback from MHDC officers in March 2023, we revisited the content of the RJ for the policy and ensured there was clarification on the definition of non-designated heritage assets in the version of the draft Plan submitted for examination.</p>
<p>Policy I1: Development and Infrastructure</p> <p>Development proposals, other than householder development, will be required to provide or contribute to the provision of</p>	<p>It is correct that development will be required to provide or contribute toward the provision of infrastructure necessary for the development.</p>	<p>These comments, made in MHDC's pre-submission informal feedback, were considered by the NPWG to be constructive for the policy.</p>

<p>infrastructure made necessary by that development or where it gives rise to the need for additional or improved infrastructure to mitigate its impact on existing provision.</p> <p>Planning applications will need to demonstrate that an assessment has been carried out of the infrastructure requirements and its provision and delivery for the proposed development.</p> <p>If additional infrastructure is required, it should be provided at the appropriate time during the construction of the development. It should normally be provided prior to the development becoming fully operational or occupied unless it is demonstrated that its provision after this will not have an unacceptable adverse impact on highway safety or the amenity of residents and occupiers within and adjacent to the development. Major developments may need to be phased to ensure this requirement can be met.</p>	<p>However, in relation to the “assessment” (second paragraph), it is not clear what the assessment should address. In order for Policy I1 to be applied consistently and with confidence by decision makers it is considered that greater clarity is required (perhaps in the RJ) about what infrastructure should be considered in the assessment – eg affordable housing, on-site / off-site highways improvements, footways, cycleways, green infrastructure, green spaces, education, healthcare, waste, social infrastructure (leisure / sports / recreation facilities), drainage and flood protection etc.</p> <p>In relation to the timing of infrastructure delivery, it is suggested that the third paragraph could be simplified along the following lines - <i>“Where infrastructure is needed to support new development, the infrastructure must be operational no later than the appropriate phase of the development for which it is needed.”</i></p>	<p>We ensured our action taken as a consequence was consistent with other evidence and feedback we had received.</p> <p>As a result, we incorporated information into the RJ for this policy in the submitted draft Plan that provided clarity about the infrastructure that should be considered in the assessment (particularly 5.8.2 and 5.8.4). We also simplified the third paragraph of the policy as suggested by MHDC officers in March 2023.</p>
<p>Policy I2: High Quality Communications Infrastructure</p> <p>A. Development of ultrafast broadband infrastructure to serve the WNA will be supported. Any new development within the WNA should be served by full fibre broadband connections unless it can be demonstrated through consultation with the NGA</p>	<p>Part A relates to broadband and Part B relates to telecommunications installations.</p> <p>It is considered that Policy I2 should meet the Basic Conditions.</p>	<p>The comments endorsing the policy are noted.</p>

<p>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>The area in which the works have been carried out should be, so far as necessarily practicable, reinstated to its condition before the infrastructure was laid.</p> <p>B. New infrastructure to support telecommunications installations (such as mobile phone masts) requiring planning permission will be supported provided that the proposal meets all of the following criteria:</p> <ol style="list-style-type: none">1. The siting and appearance of equipment does not have an unacceptable impact on the landscape and scenic beauty of the Malvern Hills Area of Outstanding Natural Beauty and its setting;2. The siting and appearance of equipment does not have a significant adverse impact on the amenity of local residents;3. Equipment sited on existing buildings and structures is sympathetically designed;4. Where freestanding new masts are proposed, it is demonstrated that there are no viable options for siting		
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<p>the equipment on or in existing buildings or structures;</p> <p>5. The equipment and its siting/installation does not unacceptably or permanently harm biodiversity.</p>		
<p>Policy I3: Surface and Foul Water Drainage and Management</p> <p>To be supported development proposals must be designed to include sustainable drainage and water management measures. Proposals must either demonstrate that the existing water drainage infrastructure is adequate or include improvements to that infrastructure to sustainably accommodate any additional water runoff.</p> <p>Surface water should only connect with the public sewer as a last resort after all other alternatives have been investigated. This is particularly important to manage the impact on the public sewerage system as surface water flows are much larger than foul flows. Applicants should engage with the public sewerage undertaker at the earliest opportunity so that early consideration can be given to the proposed approach to foul water flows.</p> <p>Development should be brought forward in accordance with an agreed overall site-wide drainage strategy (including foul and surface water drainage) submitted with the planning</p>	<p>Policy WI4: Surface and Foul Water Drainage and Management</p> <p>Policy WI4 has 3 parts.</p> <p>Part 1 of Policy WI4 requires all development proposals to either:</p> <ul style="list-style-type: none"> i. Demonstrate that the existing “(surface) water drainage infrastructure” is adequate, or ii. Include improvements to that infrastructure to accommodate any additional water runoff. <p>Part 2 of WI4 says that surface water should only connect with the public sewer as a last resort after all other alternatives have been investigated and that planning applicants should engage with the public sewerage undertaker.</p> <p>Part 3 of Policy WI4 requires a site-wide drainage strategy (including foul and surface water drainage) to be submitted with the planning application and the strategy to be agreed prior to the commencement of development.</p>	<p>These comments, made in MHDC’s pre-submission informal feedback in March 2023, were considered by the NPWG but no changes were made as we had evidence that this policy - as worded - had been supported by Severn Trent Water at the Reg14 stage (with a minor suggested addition) and is an issue of local community importance. It was therefore retained by the NPWG in the draft Plan with the STW amendment incorporated.</p>

<p>application. The drainage strategy should be agreed prior to the commencement of development on the site. Development proposals which are brought forward on a phased basis should have regard to interconnecting infrastructure. The strategy should ensure infrastructure is constructed with regard to interconnecting later phases.</p> <p>Drainage proposals should be able to demonstrate how there will be no adverse impact or cumulative harm to existing biodiversity.</p>	<p>I'm not an expert on surface and foul water drainage so am slightly unsure whether the proposed policy is reasonable and proportionate. However, in Herefordshire there is a similar policy in the made Clifford Neighbourhood Plan where the objectives of the policy seem to be similar, but the burden of proof seems to be less onerous:</p> <p><u>Clifford Neighbourhood Plan</u></p> <p><i>“Developers should show, through appropriate evidence, that foul and storm water drainage can be accommodated without causing pollution or flooding elsewhere, especially to other properties.</i></p> <p><i>In addressing the management of drainage, developers should ensure any proposed scheme that meets the above requirement is fully implemented before development is brought into use.</i></p> <p><i>Developers should utilise or contribute to sustainable drainage systems (SUDs) and wet systems where this is practicable, including measures to support biodiversity.</i></p> <p><i>Where appropriate, new development shall be subject to the Flood Risk ‘sequential’ and ‘exception’ tests set out in the National Planning Policy Framework, and housing development will not be permitted in areas identified as flood zone 3.”</i></p>	
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<p>Policy I4: Active Travel Corridor</p> <p>That area of the former Malvern to Upton-upon-Severn railway line that falls within the WNA will be safeguarded to form part of the Malvern to Upton-upon-Severn Active Travel Corridor, as shown on Figure 5.6. Proposals for the provision of a cycle and pedestrian route will be supported providing it does not unacceptably harm the nature conservation, biodiversity interest and landscape character along the corridor.</p>	<p>Policy I4 now helpfully makes clear that only that part of the former rail line which is within the Neighbourhood Area is to be safeguarded.</p>	<p>The comments endorsing the policy are noted.</p>
<p>Policy D1: Design</p> <p>Proposals for new development or the redevelopment of existing buildings should contribute towards the local distinctiveness of the Welland Neighbourhood Area. To be supported development proposals must demonstrate that they achieve high quality, sustainable and inclusive design which are fully integrated into the village and parish by taking account of the Welland Design Guide and Code at Appendix 5.1 and relevant AONB Guidance. Proposals need to address the following design principles and guidance:</p> <ol style="list-style-type: none"> 1. Richness and variety of materials and details 2. Response to the landscape context and views to and from the AONB 3. Enhancing connectivity throughout the village and to future development 	<p>Amendments to Policy D1 noted.</p> <p>Criterion 6 – Whilst microgeneration (as defined in Policy SD2) is supported subject to specific criteria being met, it is not a requirement and therefore it is considered that it should not be listed as a design principle in Policy D1.</p> <p>Criterion 7 (and paragraph 5.9.11) – Policy D1 appears to relate to the development or redevelopment of buildings. Local biodiversity net gain is already covered by Policy B1 and duplication in Policy D1 is not considered necessary.</p>	<p>These comments, made in MHDC's pre-submission informal feedback in March 2023, were considered by the NPWG to be constructive for the policy.</p> <p>The NPWG removed the two criteria highlighted in the March 2023 MHDC officer comments from the policy in the draft Plan submitted for examination.</p> <p>For clarity, a further amendment was made from the March 2023 draft commented on by MHDC, and that was to include reference in the Policy to the AONB Management Plan, as well as relevant AONB Guidance. This has been erroneously omitted from the earlier drafts and corrected for the draft Plan submitted for examination.</p>

<p>4. Knitting into the village’s fabric which should also include a consideration of the character, design and development patterns immediately around the site</p> <p>5. Boundary treatments</p> <p>6. Microgeneration and energy efficiency (see policy SD2 and SD3)</p> <p>7. Habitat and Biodiversity protection and enhancement</p> <p>Modern design approaches which take an innovative approach, including to energy efficiency and sustainability, will be welcomed where they make a positive contribution to the character of the area and contribute to local distinctiveness.</p> <p>The design of proposals for the allocation at policy H4 will need to take account of the design code within the Welland Design Guide and Code and relevant AONB Guidance.</p>		
<p>Policy D2: Access, travel and connectivity associated with development proposals</p> <p>Proposals for all development, including change of use, must meet all of the following criteria:</p> <ol style="list-style-type: none"> 1. It has adequate vehicular access arrangements onto the highway; 2. It is appropriate in terms of its impact on the local highway network in terms of capacity and road safety; 	<p>Amendments to Policy D2 noted.</p> <p>As commented previously, the relevance of criterion 6 (AONB Partnership guidance on Highway Design) to the above objectives is not obvious.</p> <p>Also, there appears to be some overlap between Policy D2 and Policy D1 (Design) which specifically includes guidance on connectivity.</p>	<p>These comments, made in MHDC’s pre-submission informal feedback in March 2023, were considered by the NPWG to be constructive for the policy.</p> <p>The RJ for the policy was amended in the submitted draft Plan to add clarity on the relevance of the AONB Partnership’s guidance on Highway Design.</p>

<ol style="list-style-type: none"> 3. It provides adequate vehicular and cycle parking in accordance with standards adopted by Worcestershire County Council; 4. It is, or can be, appropriately accessed by bus, or alternative non-car modes of travel such as walking and cycling; 5. The design of proposed roads, pavements and cycle routes create a safe and efficient layout for all users including the mobility impaired, pedestrians and cyclists and for emergency service and refuse vehicles; and 6. Where changes to the highway are proposed, it is informed by the need to minimise the impact on the landscape and street scene having regard to the AONB Partnership's guidance on Highway Design. <p>Where necessary to assess the effect of development proposals, evidence, either in a Design and Access Statement or Transport Statement, which explains how the proposal meets the above criteria will be required.</p>	<p>Nevertheless, it is considered that Policy D2 should meet the Basic Conditions.</p>	<p>Although the concern about overlap between Policy D2 and D1 was noted, the NPWG considered that the title of this policy provides context to the intention of this policy compared with D1 and no further amendments were made to the policy before submission.</p>
<p>Policy HLP: Welland Housing Land Provision</p> <p>To meet the Indicative Housing Requirement of 25 dwellings for Welland between 2021-2041, the Plan makes provision for housing land to be met through the following sources:</p>	<p>PPG says that in order for a neighbourhood plan to meet the criteria set in paragraph 14b of the Framework, the 'policies and allocations' in the Plan should meet the identified housing requirement in full. PPG then goes on to say that <i>"For example, a neighbourhood housing requirement of 50</i></p>	<p>These comments, made in MHDC's pre-submission informal feedback in March 2023, were considered by the NPWG to be constructive for the policy.</p>

<ul style="list-style-type: none"> • a residential allocation for 13 affordable dwellings on land north of Cornfield Close (see policy H4); and • a windfall development allowance of at least 12 dwellings. <p>Windfall development will be supported in principle in sustainable locations, primarily within the Welland Development Boundary, and providing it accords with relevant national and local policies and policies within the Plan.</p>	<p><i>units could be met through 2 sites allocated for 20 housing units each and a policy for a windfall allowance of 10 units. However, a policy on a windfall allowance alone would not be sufficient.”</i></p> <p>Whilst the example provided in PPG is one where the allocations meet the majority of the identified housing requirement, neither the Framework nor PPG explicitly say that the majority of need must be met by allocations. The inference may be that there is an expectation that the majority should be met from allocations, but it does not appear to be an explicit requirement.</p> <p>It is considered that a windfall allowance of “at least 12 dwellings” lacks precision. Based on the evidence, it is suggested that a conservative and cautious projection of 1 dwelling per year, giving some 20 additional dwellings between 2021 and 2041 would not be inappropriate. This would provide some flexibility in the event that the housing requirement increased slightly. At examination, an Examiner may question the proposed level of the windfall, but would hopefully not question the principle of including a windfall allowance. If the Examiner questioned a windfall of 20 there would be room for manoeuvre if the number had to be reduced slightly.</p> <p>In relation to the evidence supporting the windfall allowance:</p>	<p>We ensured our action taken as a consequence was consistent with other evidence and feedback we had received.</p> <p>As a consequence, the NPWG amended the Policy and RJ for clarity and to introduce precision. These changes can be seen in the draft Plan submitted for examination. For example, the policy now states “<i>a windfall development allowance of 12 dwellings</i>”</p> <p>However, in the amendments that were made to the RJ, it was not considered desirable to include a windfall allowance of one dpa as this would state that the NP would be providing for 33 dwellings which is a third more than the IHR. At 12 dwellings, the rate is 0.6 dpa or one dwelling every 20 months which is confidently supported by historic trends.</p> <p>The Windfall Delivery Evidence paper was also amended to accommodate the MHDC officers’ feedback regarding the reference to the Housing Delivery Test and to remove references to potential windfall sites.</p>
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	<ul style="list-style-type: none"> • The Windfall Delivery Evidence references the data being from the Housing Delivery Test – this is incorrect and needs to be changed. As background, the data is from MHDC’s annual monitoring, which has then been pulled through specifically for Welland since 2016. The Housing Delivery Test is a calculation central Government publishes which sets out how well each LPA is doing in meeting its housing requirement. MHDC is tested with WDC and WCC as it has a joint Local Plan and it is currently at 155%, meaning that we can use 5% buffer in our five year housing land supply rather than needing to use a higher percentage. • It is considered that the ‘potential windfall sites within the proposed development boundary’ should not be included in the Background Report. Having a map with these areas may cause concern to neighbours. Simply stating that there may be locations within the development boundary which may be suitable windfall sites, and that there are a number of these sites which have had historic planning permissions which are no longer extant will suffice. Windfall sites, by definition, are sites which are not 	
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	specifically defined in a development plan.	
<p>Policy H1: Market Housing Type and Size</p> <p>To be supported all new market housing development proposals of 5 dwellings or more must demonstrate, subject to viability considerations, that they provide the type and size of market housing to meet local housing need.</p> <p>Within the WNA, there is a more demonstrable need for two and three bed properties than other sized homes and therefore the market housing mix for residential housing proposals should be:</p> <ul style="list-style-type: none"> • 10% one bedroom; • 45% two bedroom; • 40% three bedroom, and • 0% four bedroom, and • 5% five plus bedroom <p>Proposals should provide a larger share semi-detached, terraced houses and cottage style flats within their development as compared with detached houses to provide a greater mix of property type in the Parish. Smaller bungalows, including semi-detached bungalows, would also be supported.</p> <p>Applicants should take account of the evidence and findings of the Housing Evidence Paper (June 2022). If applicants put forward a different housing mix to the</p>	<p>Policy H1 is prescriptive in terms of the proportions of market housing that should be 1, 2, 3 etc bedroom dwellings. However, this appears to be based on evidence from the March 2021 Housing Needs Assessment (HNA). Also, the Policy provides flexibility to provide an alternative mix based on an applicant’s own HNA.</p> <p>Paragraph 5.10.8 refers to the March 2021 as a “previous” HNA. Is there a more recent HNA?</p> <p>Paragraph 5.10.12 says that in the first instance applicants should “robustly demonstrate” a local need arising within the Welland settlement. It is considered that this is unnecessary because the Policy says that there is a “demonstrable need for 2 and 3 bed properties” and would conflict with the Government’s objective of significantly boosting the supply of homes (NPPF, paragraph 60). It is considered that paragraph 5.10.12 should be deleted.</p>	<p>The NPWG noted these comments made by MHDC officers in informal feedback in March 2023</p> <p>For clarity, the policy is based on the June 2022 Housing Evidence Paper which utilised updated and wider data evidence sources than the 2021 HNA (although some data from that report is incorporated into the 2022 HEP analysis where it was considered still valid).</p> <p>No changes to the policy were made following the informal feedback prior to Regulation 15 submission, however the RJ was amended to remove the paragraph as suggested by the MHDC officers in their comment.</p>

<p>above this will need to be justified through evidence of their own housing needs assessment which demonstrates how their proposals meet local housing need.</p>		
<p>Policy H2: Affordable Housing Provision</p> <p>A. New housing development will be supported if:</p> <ul style="list-style-type: none"> (i) 40% of housing on all new residential 'windfall' development, (i.e., not an allocated site or a Rural Exception Site), is affordable and provided on site unless the proposed development comprises of a single dwelling where a commuted sum in lieu of provision will be accepted. (ii) 100% of the housing on the allocation at policy H4 is affordable and provided on site. (iii) 100% of the housing on a Rural Exception Site is affordable and provided on site. In exceptional circumstances with demonstrable evidence, some market housing may be permissible, but an absolute maximum of 20% market homes would be allowable in such cases. <p>B. Of the affordable housing provision, the tenure split should be as follows:</p>	<p>As commented previously, Policy WH2 is very prescriptive and the differences in tenure splits between windfall sites, site allocations and Rural Exception Sites seems unclear without sight of the Housing Evidence Paper (June 2022). For example, given the likely small numbers involved, it is not clear why on windfall sites 75% should be socially rented, whereas on the proposed site allocation and Rural Exceptions sites there should be 70% social rented, 5% shared ownership.</p> <p>Generally, the tenure splits appear to be in general conformity with those being proposed in the emerging draft SWDPR 18 (Meeting Affordable Housing Needs). The emerging SWDPR 18 proposes 25% of affordable housing to be First Homes, 69% social rented and 6% other forms of affordable home ownership.</p> <p>Criterion C - The Written Ministerial Statement makes clear that the minimum First Homes discount can only be increased from 30% to 40% or 50% where there is evidence to justify it. A 50% discount would therefore need to be a maximum (not minimum) and would need to be supported</p>	<p>These comments, made in MHDC's pre-submission informal feedback in March 2023, were considered by the NPWG in the majority to be constructive for the policy.</p> <p>We ensured our action taken as a consequence was consistent with other evidence and feedback we had received.</p> <p>Prior to submission for examination, the policy was amended for clarity and simplified. In making these simplifications, the submitted draft Plan policy continued to take account of evidence identified in the June 2022 Housing Evidence Paper, but changes were also made to thresholds for AH requirements to enable alignment with the SWDPR18 requirements in Designated Rural Areas including financial contributions for developments of less than 5 dwellings. New provisions in the policy were also included for offsite contributions and for some allowance in AH delivery on viability grounds.</p> <p>The tenure split requirement has also been simplified but has continued to have regard to the evidence identified in the June 2022 Housing Evidence Paper and the emerging SWDPR Policy 18.</p>

<p>(i) on windfall developments of 5 dwellings or more, allocations (except policy H4) and Rural Exception Sites that include an element of market housing: 75% should be social rental properties (in perpetuity) and 25% 'First Homes' (discounted market houses).</p> <p>(ii) on the development delivered by policy H4 and Rural Exception Sites where 100% of the homes are affordable: 70% should be social rental, 5% shared ownership and 25% 'First Homes' (discounted market houses).</p> <p>(iii) on windfall developments of 4 or less dwellings: the tenure split requirement could be flexible to enable delivery of affordable homes on such sites.</p> <p>C. 'First Homes' should be discounted at a minimum of 50% of the market sale price in order that these homes can be affordable to households within the local area on average incomes.</p> <p>D. The mix of new affordable homes delivered through new development should be reflective of the following split:</p> <ul style="list-style-type: none"> • 45% one bedroom, • 25% two bedroom and • 30% three bedroom properties. 	<p>by local evidence. Is there any evidence that a 50% discount would still be viable?</p> <p>Criterion F – It is not clear why development proposals must be supported by evidence of local need. The detailed nature of Policy H2 indicates that there is a need for affordable housing. Paragraph 5.10.16 seems to indicate that the Housing Evidence Paper identifies a need for 12 -14 affordable homes. It is not clear how this compares with the need identified in the March 2021 HNA. Paragraph 5.10.24 says that applicants must robustly demonstrate that there is a local need for affordable housing within the Welland Neighbourhood Area or neighbouring settlements within the Malvern Hills AONB. Surely, it should be assumed that there is a need for affordable housing unless there is robust evidence to indicate otherwise?</p> <p>Reference is made in paragraphs 5.10.15 and 5.10.20 to the limited capacity for further development in the Welland Neighbourhood Area. Care needs to be taken to ensure that this statement does not conflict with the proposed windfall policy.</p> <p>Para 5.10.15 says that affordable rent is not MHDC Housing and Development office's preferred tenure type. I'm not sure that the MHDC / Wychavon Housing Team would express a preference. Rather, it would be</p>	<p>The detail around the % discount for First Homes was moved to the RJ. It continues to conform to national policy and is supported by evidence in the June 2022 Housing Evidence Paper.</p> <p>It may be helpful to note that the 2022 Housing Evidence Paper clarifies the context of the evidence it provides as well as the context of that provided in the 2021 HNA.</p> <p>The 2022 Housing Evidence Paper identifies a backlog/current local need for a number of affordable homes that the Plan proposes to satisfy in its allocation (policy H4). Policy H2 has been written to ensure further development also responds to evidenced local need, in line with national and emerging local policy, and Malvern Hills AONB Management Plan policy. It has been amended however for clarity.</p> <p>It may also be helpful to note that the provisions in our submitted draft Plan policy appear to be aligned with the emerging Malvern Hills AONB Position Statement on Housing, due for adoption this November.</p> <p>The RJ was also amended for clarity and to address some of the amendments made to the policy. By doing this, a number of the comments raised in the informal feedback by the MHDC officers in March, and noted here, have therefore been addressed in the submitted draft Plan.</p>
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<p>Evidence shows there is no requirement for affordable housing larger than three bedrooms in size.</p> <p>E. New affordable housing development should provide a larger share of semi-detached and terraced houses and cottage style flats as compared with detached houses to provide a greater mix of property type in the Parish. Smaller bungalows, including semi-detached bungalows, will also be supported.</p> <p>F. All proposals must be supported by evidence of local need. Applicants should take account of the evidence presented in the Housing Evidence Paper (June 2022) and any subsequent revisions to that paper. If applicants put forward a different affordable housing tenure split, or alternative sizes of properties, to the above this will need to be justified through evidence of their own affordable housing needs assessment which demonstrates how their proposals meet local housing need.</p> <p>G. Proposals for a lower provision and/or different mix of affordable housing on viability grounds will need to be justified through evidence of a development appraisal to demonstrate the impact of the policy requirements on the viability and delivery of development. The financial viability assessments must conform to an agreed</p>	<p>more appropriate to simply say that social rent is generally lower than affordable rent and so is affordable to more people who cannot afford market rent or 80% market rent – thus, the proposed greater policy emphasis on social rented affordable housing.</p> <p>It is suggested that the Policy includes provision for off-site contributions being accepted in lieu of on-site provision where robust justification exists. Exceptionally, where it has been demonstrated that the proportion of affordable housing sought by Policy H2 would not be viable, the maximum proportion of affordable housing should be sought that does not undermine the developments viability.</p>	<p>Interestingly, although we removed the comment on such from the RJ for this policy in the submitted Plan, the MHDC officer assertion that the MHDC/Wychavon Housing Team would not express a preference for a tenure type is contradicted by the presence of exactly that in a number of reports submitted by the housing team for planning application decisions locally in the last three years.</p>
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<p>methodology and, where necessary, the LPA will arrange for them to be independently appraised at the expense of the applicant.</p> <p>H. Secure arrangements will need to be put in place to ensure that the affordable housing provided in accordance with this policy will remain affordable in perpetuity (with the exception of First Homes for which this is not possible) and available to meet the needs of local people.</p>		
<p>Policy H3: Home Standards</p> <p>To ensure homes are suitable for all occupiers, all new dwellings (regardless of size, type or tenure) should achieve M4(2) 'Accessible and adaptable dwellings' of the Building Regulations 2010 (as amended).</p> <p>In addition, 20% of dwellings within a development of 5 or more dwellings should achieve Part M4(3) 'Wheelchair user dwellings' of Building Regulations.</p> <p>This requirement will be secured, where appropriate, by a condition attached to the granting of a planning permission.</p>	<p>Requirements M4(2) and M4(3) are "optional requirements" as defined in the Building Regulations.</p> <p>It is considered that making optional requirements mandatory would require robust, proportionate evidence. The evidence in paragraph 5.10.29 clearly indicates that there is a need for specialist accommodation in Welland, but would this justify every new dwelling achieving M4(2) compliance?</p> <p>The emerging (and yet untested) SWDPR 16 (Housing Mix and Standards) proposes that all new dwellings should be M4(2) compliant and 5% of dwellings on sites of 20+ should be M4(3)(2)(a) compliant. Whilst a draft neighbourhood plan is not tested against policies in an emerging local plan, PPG says that the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions</p>	<p>The NPWG noted these comments made by MHDC officers in informal feedback in March 2023.</p> <p>No changes were subsequently made by the NPWG to the policy. We consider that there is evidence to support the requirement for PartM4(2) and (3). The NP follows the SWDPR policy in relation to M4(2) provision. It is anticipated that smaller developments (than the 20+ threshold in the SWDPR) will come forward in Welland and as such very little M4(3) dwellings would come forward despite the evidenced need. As such, the NP includes a lower threshold with a higher percentage to help deliver this provision.</p>

	against which a neighbourhood plan is tested.	
<p>Policy H4: Land north of Cornfield Close</p> <p>The 1.06ha (gross) site at land north of Cornfield Close, as identified at Figure 5.7, is proposed as an allocation for residential development and Green Infrastructure comprising:</p> <ul style="list-style-type: none"> (i) a maximum of 0.64ha (gross) of the site is allocated for development of 13 affordable dwellings with the tenure, type and size complying with policy H2 'Affordable Housing Provision' and of a standard complying with policy H3 'Accessible and adaptable dwellings', and (ii) a minimum of 0.42ha (gross) of the site is allocated as Green Infrastructure. <p>Development on the site will also need to address all of the following issues:</p> <ol style="list-style-type: none"> 1. Provide 0.41ha of Green Infrastructure in the location as shown at Figure 5.7 and at least 0.01ha within the residential allocation site to facilitate the integration of the development within the AONB, provide landscape enhancement and biodiversity net gain, connect with 	<p>The Framework enables Plans to allocate sites with AONB's. The scale and extent of development within AONB's should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.</p> <p>Figure 5.7 helpfully shows the boundaries of the site and location of green space. Paragraph 10.43 indicates that Appendix 5.8 includes an illustrative Concept Plan. It would have been helpful if this had been included in the Plan to provide greater clarity.</p> <p>Criterion 1 – The requirement for 0.01ha within the residential allocation site for green infrastructure seems very prescriptive. Is it really necessary?</p> <p>Criterion 2 - Given that Policy H4 proposes 13 affordable dwelling, is it necessary for the applicant to demonstrate that the scale, height, distribution and massing is appropriate to the AONB? If it is not appropriate, then it should not be proposed in the Plan. Presumably, the Landscape Sensitivity and Capacity Assessment (April 2022), referenced in paragraph 5.10.35, has already indicated that the site could be suitable in terms of landscape character?</p>	<p>The NPWG noted these comments made by MHDC officers in informal feedback in March 2023.</p> <p>A number of changes were subsequently made to the policy and its RJ prior to its submission for examination. These included the addition of "<i>subject to viability considerations</i>" to the requirements for development proposals. The phrasing in the policy was also simplified as suggested, for example in Criteria 1, 2 and 5, and clarity introduced, for example with Criterion 6.</p> <p>The NPWG felt it was more appropriate to retain the concept plan in the Design Guide where it can be considered in the context of the wider Design Guidance and Code provided rather than include it in the main Plan document which could be misleading for some readers who may not appreciate that is it for illustrative purposes only. However, we did include it in the Appendix to the NP document as well as the Design Guide and Code to reflect the MHDC officers' view that it would add clarity to have it more accessible.</p> <p>Regarding Criterion 7 - the site assessment had regard to the potential for identified key criteria to be achievable. We believe the policy should also be able to require an</p>

<p>existing open spaces and the wider countryside to provide environmental, social and economic benefits including a sustainable drainage system to manage fluvial flood risk and surface water discharge.</p> <p>2. Demonstrate through a landscape and visual impact assessment that adverse impacts are addressed satisfactorily, including landscape and visual impacts (when considered in the context of other built form in the local area), and that the scale, height, distribution and massing of the proposed development is appropriate to:</p> <p>a) its local landscape and townscape character and form of development,</p> <p>b) its AONB location and protects views to and from the Malvern Hills having regard to the Malvern Hills AONB Management Plan and guidance documents, including ‘Guidance on Building Design’; ‘Guidance on Identifying and Grading Views and Viewpoints’ and Guidance on how Development can Respect Landscape in Views’ and its ‘Guidance on Lighting’.</p> <p>3. Accord with policy D1 and have regard to the Welland Design Guide and Code at Appendix (5.1)</p>	<p>Criterion 5 – What is “natural capital asset protection”? Shouldn’t the criterion simply be to deliver measurable net gain in biodiversity?</p> <p>Criterion 6 – Is the required GI strip adjacent to the ditch and landscape buffer adjacent to the existing dwelling shown on Figure 5.7? If not, it is considered that they could helpfully be shown for clarity.</p> <p>Criterion 7 - It is not clear why an applicant would have to demonstrate that the development provides safe walking, cycling and vehicle access to key local facilities. Paragraph 5.10.42 indicates that this has already been established as part of the site assessment process.</p>	<p>applicant to still demonstrate the <u>design and delivery</u> of their proposal also met these criteria.</p>
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<p>4. The colour of materials for buildings, boundary treatments, roads and pathways and other structures associated with the proposed development should have regard to all Malvern Hills AONB guidance including its Guidance on the Selection and Use of Colour in Development.</p> <p>5. Accord with policy B1 and demonstrate that has regard to natural capital asset protection and enhancement provisions including those produced by the Malvern Hills AONB such as the Malvern Hill's AONB Nature Recovery Plan.</p> <p>6. Access for pedestrians, cyclists and vehicles to the site will be off Cornfield Close as shown on Figure 5.7. The creation of the access road should retain a Green Infrastructure strip adjacent to the ditch and must not have a harmful impact on its existing landscape and biodiversity features nor surface water flood risk. The design of the proposed access road must also provide a landscape buffer adjacent to the existing dwelling on Cornfield Close</p> <p>7. Demonstrate through a transport statement that the proposed development complies with</p>		
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<p>Worcestershire County Council's Streetscape Design Guide and the principles set out in Manual for Streets (Part 1 and 2), and that it provides safe pedestrian, cycle and vehicular access from the site to key local facilities and services. It should also have regard to any relevant Malvern Hills AONB highway design and its lighting guidance and demonstrate that the development will not adversely impact the tranquillity and enjoyment of the AONB.</p>		
<p>Policy LE1: New micro and small business development within the Welland Development Boundary</p> <p>Development proposals for new small-scale office, studio or light industrial space and small-scale shops and service outlets (Use Class E: Commercial, Business and Service) within the Welland Development Boundary will be supported provided they:</p> <ol style="list-style-type: none"> 1. Can be accommodated through the sympathetic conversion of an existing outbuilding without the need for sizeable extensions or in a new building of an appropriate scale, size, mass and height and of a design which respects its local context and its location in the AONB or its setting; 	<p>Policy LE1 supports the development of micro (0 - 9 employees) and small (10 – 49 employees?) businesses within the Welland Development Boundary subject to 4 criteria being met. It should be made clear that all of the criteria should be met.</p> <p>Business development outside the development boundary would be assessed against SWDP 12.</p> <p>The RJ sets out the definition of micro-businesses. For clarity, the definition of small businesses would be helpful.</p> <p>Criterion 3 – it is suggested that reference to off-street parking could be more precise, perhaps with reference to <i>adequate off-street parking provided for staff, delivery vehicles and visitors</i>.</p>	<p>These comments, made in MHDC's pre-submission informal feedback in March 2023, were considered by the NPWG in the majority to be constructive for the policy.</p> <p>We ensured our action taken as a consequence was consistent with other evidence and feedback we had received. As a consequence, prior to submission for examination, a number of changes were made to the policy title and policy phrasing for clarity. It was made clear that <u>all</u> of the criteria, for example, should be met, as suggested. The final two paragraphs of the policy were also amended as suggested by MHDC officers.</p> <p>In addition, the RJ was reviewed to ensure clarity on the definition of small businesses.</p>

<p>2. Can be operated without having an unacceptable harm to the amenity of local residents;</p> <p>3. Have satisfactory access and off-street parking without unacceptably harming existing residential or other uses; and</p> <p>4. Support sustainable economic development.</p> <p>Where practical and viable, use should be made of existing buildings and previously developed land in preference to new development on greenfield sites.</p> <p>Proposals for Use Class B2 (Industrial) and B8 (Storage and Distribution) within the Neighbourhood Area will also be assessed against Policy SWDP12: Employment in Rural Areas.</p> <p>Development proposals for new small-scale office, studio or light industrial space and small-scale shops and service outlets (Use Class E: Commercial, Business and Service) outwith the Development Boundary will be assessed against SWDP12: Employment in Rural Areas, and any successor policy in the SWDPR.</p>	<p>Criterion 4 – Is this criterion necessary – would any new micro or small businesses not support sustainable economic development?</p> <p>The final 2 paragraphs of Policy LE1 duplicate each other and are not strictly accurate because Policy SWDP 12 does not specifically relate to Use Classes B2, B8 or E. It is suggested the final 2 paragraphs are replaced with wording along the lines of <i>“Proposals for business development beyond the Welland development boundary will be assessed against SWDP 12 (Employment in Rural Areas) and any successor policy in the SWDPR.”</i> Paragraph 5.11.6 would also need to be amended accordingly.</p>	<p>It should perhaps be noted that Criterion 3 was amended but the word “satisfactory” was retained rather than “adequate” as the NPWG did not wish the policy to imply that off street parking should be provided for <u>all</u> potential users; part of the Vision for the draft Plan as a whole is to encourage sustainable and alternative transport opportunities and we wished this policy to be supportive of this.</p> <p>We amended Criterion 4 (though we note with apologies a typo...it should simply read <i>“Support the local economy”</i>). We do consider the criterion necessary as we would wish to particularly encourage benefit for the local economy above those new businesses that perhaps would be employing or serving customers from outside the local area.</p>
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