

3 September 2021

## Broadway Neighbourhood Plan Regulation 16 Consultation - Wychavon District Council Officer Comments

These Officer comments are made on behalf of Wychavon District Council (WDC), as the Local Planning Authority, on the Regulation 16 Broadway Neighbourhood Plan (NJKNP) for consideration by the Independent Examiner.

### HD.1 Development Boundary and Infill

The proposed delineation of at HD.1 new Development Boundaries at Leedons Park (Figure 4) and Smallbrook (Figure 5) is contrary to the purpose of Development Boundaries which is to guide development to the most sustainable locations. As such, the proposed new Development Boundaries are not in general conformity with the adopted South Worcestershire Development Plan (SWDP), and indeed the intended approach of the SWDP Review. One unintended consequence of the delineation of a Development Boundary at Leedons Park could be in-principle support for its redevelopment for open market housing in a location with limited sustainability credentials. It is noted that the Development Boundary at Smallbrook intends to define the built development and limit further encroachment into the open countryside, but the drawing of a Development Boundary does not serve that purpose, and like at Leedons Park, this approach could have unintended consequences which are contrary to achieving sustainable development. It is therefore requested that the proposed new Development Boundaries at Leedons Park and Smallbrook are removed from the Neighbourhood Plan. It is therefore requested that associated Paragraphs are updated in line with the above, including Paragraph 5.1.10 which states that “the purpose of defining Development Boundaries is to distinguish between the extent of the built environment and the surrounding countryside”; this is factually incorrect.

### HD.2 Use of Garden Land

HD.2 could be incorporated into HD.1, detailing the additional criteria for which residential development on garden land within the Development Boundary must conform to.

### HD.3 Use of Brownfield Land

Like HD.2, HD.3 could be incorporated into HD.1, detailing the encouragement for development on brownfield land in line with the criteria set out in HD.3.

## HD.4 Site Allocation – Land off Kennel Lane / Church Close

HD.4 lacks clarity with regard to the number of dwellings being allocated as part of the mixed-use scheme. Can a policy specify what should be submitted with a planning application as suggested by HD.4.3? Recommend deletion of HD.4.4.

## HD.5 Rural Exception Housing and Affordable Homes

HD.5 simply repeats SWDP 16. If it is to be retained, suggest replacement of 'Social Landlord' with 'Rural Exception Sites' in HD.5.1.

## HD.6 Local Gaps

HD.6 should be reworded to remove 'should' with 'is defined' where appropriate. Whilst the principle of Local Gaps and the purpose of this protection with respect to Broadway, Childswickham and Willersey is noted, the Local Gaps proposed are overly extensive and should be revised accordingly.

## HD.7 Housing Mix

The Affordable Housing Mix at HD.7.1 seems to be in line with the housing need shown in the up-to-date housing needs assessment (2017), however Housing Officers would suggest that the tenure split of 80% social rent / 20% intermediate is included and also that there is mention of First Homes if this is to be adopted later this year? HD.7.3 explanatory text could make reference to apartments as an exception to the desired housing mix as they are normally for 1 and 2 beds with occasional 3 beds?

## BE.2 Development Briefs

'Developments of a particularly sensitive nature' in BE.2.1 lacks clarity. Can a policy specify what should be submitted with a planning application as suggested by BE.2.1?

## BE.7 Energy Efficiency and Renewable Energy

BE.7.1 seeks to require new housing development to achieve a defined star rating of the Home Quality mark principles, however a Neighbourhood Plan is not permitted to require new development to be built to higher energy efficiency standards than those set out in Building Regulations.

## Built Environment Project 1 Design Review Panels

Note that this is an aspiration of the Neighbourhood Plan, however pre-application advice requests are confidential and submitted without prejudice on any future planning application, and as such the sharing of pre-application advice requests to the Parish Council is not possible. Support the principle of the use of a Design Review Panel on Outline, Full and Reserved Matters planning applications.

## NE.2 Valued Landscapes, Vistas and Skylines

Advise caution with the word 'all' in the second sentence as there will be many prominent views of the landscape and it is doubtful they could all be maintained and safeguarded. In respect of 'valued landscapes', reference might also be made to Technical Guidance Note (TGN) 02/21: Assessing Landscape Value Outside National Designations published by the Landscape Institute – both with regard to areas outside the AONB boundary but also Appendix 3 which refers to designated landscapes <https://landscapewpstorage01.blob.core.windows.net/www-landscapeinstitute-org/2021/05/tgn-02-21-assessing-landscape-value-outside-national-designations.pdf>.

Para 5.3.10, in this same section, also seeks to define what a 'Valued Landscape' is - and states that it should be '*out of the ordinary*.' It is questioned how this paragraph is informed? Landscapes can be valued for all sorts of reasons and can include very 'ordinary' landscapes – and, given the lack of definition of a 'valued landscape' in the NPPF (including the latest version) it is something that is often the subject of lengthy debate at planning appeals (as an example, our Barrister once advised me in relation to a Planning Inquiry that a landscape could be considered as valued by a community simply for the facility it provides for dog walking). Furthermore, the European Landscape Convention makes clear that all landscapes have value – even the ordinary. It is not the case that this paragraph is inherently wrong – but it does need qualification to explain how their definition of 'valued' has been derived.

There needs to be more of a distinction in this section between valued *landscapes* and valued *views*. The first part of the policy deals with landscape and the second part with visual issues (whether referred to as view, vistas or skylines) – and yet, a bit confusingly, then refers to these visual elements as 'valued landscapes.' Perhaps further explanation is required to outline how the two inter-relate – that certain landscapes, as identified, are special/visually pleasing because of their physical attributes, and it is the views of those landscapes that are valued.

Suggest that Figure 24, as described in 5.3.11, is re-named 'Valued Views and Landscapes' and on the key 'Valued Landscape' substituted with 'Valued View.' The figure seems to suggest that only the red shaded area is a valued landscape. It seems these are identified viewpoints from which the *views* are valued.

Suggest the section for para 5.3.13 is entitled 'Valued Views and Landscape of the Cotswold Escarpment' rather than 'Landscape Value' – as the paragraph is not about landscape value per se

(landscape value being regarded as the relative value or importance attached to different landscapes by society on account of their landscape qualities) but more specifically is about the valued view to the escarpment and then further explanation about the escarpment. Perhaps the first sentence could read ‘*Many of the valued views identified in Figure 24 focus on views to and from the elevated landscape of the Cotswold escarpment .....*’ etc.

Sub-titles in the following sections, ‘Views Down from Escarpment’ and ‘Views Upwards Escarpment’, could then refer to valued *views* e.g. 5.3.14 onwards could be entitled ‘Valued Views 1 and 2’ rather than ‘Valued Landscapes 1 and 2’. Similarly, 5.3.21 onwards could be entitled ‘Valued Views 3 to 8.’ The body of the text here is all about views, not the landscape per se.

This is, in any event, how the reader interprets what is being valued – it is the *views*. And it is those *views* that the policy seeks to safeguard. And so, therefore, the sub-headings and text should refer to ‘valued views’ rather than ‘valued landscapes’ – with an explanation of what it is about a particular view that is valued, the physical attributes of that landscape being viewed. As an example: Valued View 4 (as it could be re-titled), as outlined in para 5.3.23, is a view framed by vegetation that leads the eye across grazing land to St Michael’s Church – the building contributing to the landscape by providing a focus on a structure of significance to the community.

## NE.2 Local Green Spaces

Generally supportive of most proposed Local Green Space designations, however LGS 15 Football Field falls within the allocation boundary of SWDP59/19 Land adjacent Station Road which is allocated in the SWDP for an indicative 65 dwellings. Supporting Footnote 159 states “Within the area identified on the Policies Map a sustainable, well-designed, mixed-use site is sought. This will incorporate community facilities, new car and coach parking, enhancement and protection of the existing nature reserve, land exchange with the football club and housing of up to 65 homes to the south eastern edge of the site”. It is therefore considered that the designation of LGS 15 would be in conflict with allocation SWDP59/19. While LGS 18 The Broadway Gravel Pit Nature Reserve also falls within the boundary of SWDP59/19, given there will be no development on this site LGS 18 is supported.

## NE.7 Flooding

SUDS are integral to landscape design. Not only do SUDS need to work from an engineering perspective but, within a sensitive landscape in AONB or setting there of the design needs to be given careful consideration so that such schemes are also visually acceptable. Suggest NE.7.6 could read instead ‘The importance and benefits of sensitively designed sustainable drainage systems, ....’ etc.

## NE.9 Polytunnels

There is a typo in (h) – should read ‘... Area of Outstanding Natural Beauty...’. Polytunnels are not characteristic of this area and as such the proposed control on their introduction to avoid adverse impact on landscape character is supported, as well as adverse impacts on views from the elevated AONB. Suggest the ‘45/25 degree rule’ referred to in (e) is given explanation in the supporting text.

## LET.1 Retail - Development, Redevelopment and Change of Use

LET.1.1 – it is unclear why LET.2 is referenced in the policy as this relates to Shop Signage. Is this intentional or an error and perhaps it should be referencing LET.1.2 Bank or Building Society? It is suggested that reference is made to “... an alternative equivalent facility within safe walking distance ...” to reflect SWDP 10 I. Suggest final sentence is deleted as it does not make sense as the policy will not stop loss of retail uses. Perhaps this could be relocated to the Reasoned Justification as a general overview of what the policy is trying to achieve?