

Reiss Sadler

Planning Officer (Policy)

Malvern Hills and Wychavon District Councils

Civic Centre

Queen Elizabeth Drive

Pershore

WR10 1PT

29<sup>th</sup> April 2019

Dear Mr Sadler

**RE: Eckington Neighbourhood Development Plan – Consultation  
Draft Regulation 16**

Worcestershire County Council welcomes the opportunity to comment on the above consultation. The following officer-only response is from our Historic Environment, Flood Management, Minerals & Waste, Sustainability and Education. Other Worcestershire County Council teams may choose to make their own response.

If you would like to discuss any of these comments please do not hesitate to contact Marta Dziudzi-Moseley [REDACTED]

Emily Barker  
Planning Services  
Manager

Business,  
Environment and  
Community

[REDACTED] in  
the first instance.

Yours Sincerely,

*Emily Barker*

Planning Services Manager

## Historic Environment

Whilst we support the overall direction of the Neighbourhood Plan (the Plan), we feel that it could be strengthened by referencing the county guidance on Green Infrastructure<sup>1</sup> and Historic Landscape Character<sup>2</sup> in relation to Policy H7 Village Design Statement.

The Plan does not appear to give adequate thought to potential development outside of the village i.e. the development or re-development of historic farmsteads and outfarms. Traditional farmsteads and outfarms contribute significantly to the rural character of the parish. We recommend that the Worcestershire Farmstead Assessment Framework is referenced as a key document to inform potential development proposals.

[http://www.worcestershire.gov.uk/info/20230/archive\\_and\\_archaeology\\_projects/1023/historic\\_farmstead\\_characterisation](http://www.worcestershire.gov.uk/info/20230/archive_and_archaeology_projects/1023/historic_farmstead_characterisation)

The second sentence in 2.3 (Brief History) should perhaps be rephrased. It does not detract from the Plan, but the current sentence reads as though the hillfort is an example of Neolithic archaeology.

## Flood Risk Management

In 2010, the Flood and Water Management Act (FWMA) delegated upper-tier authorities as Lead Local Flood Authorities (LLFA) with responsibility for their respective area's Local Flood Risk Management.

Worcestershire County Council (WCC) is therefore the LLFA for Worcestershire. This role currently relates to ordinary watercourses (usually smaller brooks and streams but not all), surface water (overland flow) and groundwater flooding - fluvial flooding from main rivers is still currently the responsibility of the Environment Agency.

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<sup>1</sup>[http://www.worcestershire.gov.uk/info/20015/planning\\_policy\\_and\\_strategy/1002/planning\\_for\\_green\\_infrastructure](http://www.worcestershire.gov.uk/info/20015/planning_policy_and_strategy/1002/planning_for_green_infrastructure)

<sup>2</sup>[http://www.worcestershire.gov.uk/info/20230/archive\\_and\\_archaeology\\_projects/1062/historic\\_landscape\\_characterisation\\_hlc](http://www.worcestershire.gov.uk/info/20230/archive_and_archaeology_projects/1062/historic_landscape_characterisation_hlc)

Sustainable Drainage Systems (SuDS) or flood risk are not mentioned at all in the Plan. The LLFA would recommend that more information about flood risk and Sustainable drainage systems (SuDS) should be added to the current policies to build on the policies already in place in the South Worcestershire Development Plan (SWDP).

We would, therefore, welcome and support the inclusion of policies within the Plan to encourage the uptake of SuDS in new development. In addition to this positive approach, we would welcome the inclusion of additional policy incentives that would encourage developers to design and construct SuDS in line with the new national standards and guidance or any future locally adopted policies. This should help to reduce the risk of future surface water flooding from prolonged or intense rainfall events and increase resilience to the potential impact of projected climate change.

Whilst the SWDP contains some good information on the use of SuDS, this Plan could build on these policies to work towards appropriate SuDS being included in all new development regardless of size, and to retrofit SuDS wherever possible on brownfield sites. A brownfield development can still make extensive use of SuDS and make a big impact on the flood risk of the local area.

The LLFA suggest reference is made to the WCC SuDS Guide. The Guide is available on the WCC website -

[http://www.worcestershire.gov.uk/info/20236/flood\\_risk\\_management/1045/flood\\_risk\\_and\\_development/4](http://www.worcestershire.gov.uk/info/20236/flood_risk_management/1045/flood_risk_and_development/4)

The long term maintenance of SuDS should also be considered. To ensure that the drainage systems keep functioning as they should regular maintenance is required. The policy in which this is mentioned should require a maintenance plan to be submitted for all developments to ensure that a plan and a suitable relevant body is in place to continue maintenance of SuDS for the lifetime of the development.

## **Waste and Minerals**

We are disappointed that discussions over the last four months following our detailed comments on the regulation 14 stage consultation have not been reflected in the consultation document.

The Plan still makes no reference to the Waste Core Strategy or Minerals Local Plan. These documents form part of the statutory Development Plan for the area alongside SWDP, and we consider that the Plan should make some reference to this. We recommend the following change (shown in bold/blue, with accompanying footnote) to paragraph 3.4:

**"Neighbourhood Planning is a central government initiative introduced by the Localism Act 2011 and recognised in the National Planning Policy Framework (NPPF). Once adopted** the Eckington Neighbourhood Plan will ~~be the third layer of planning policy in the plan area after the National Planning Policy Framework (NPPF) and the South Worcestershire Development Plan (SWDP)~~ **form part of the Development Plan at the local level alongside the adopted South Worcestershire Development Plan, the adopted Worcestershire Waste Core Strategy and the saved policies of the County of Hereford and Worcester Minerals Local Plan<sup>3</sup>.** ~~The National Planning Policy Framework (NPPF) is the framework against which all new development and all new development plans in England must comply while the SWDP is the planning policy document for the district produced by Wychavon District Council in partnership with Worcester City Council and Malvern Hills District Council. The NPPF sets out the basic tenets of planning policy for England and places great importance on sustainability, which it describes as the "golden thread running through both plan-making and decision-taking".~~"

As County Matters, minerals and waste developments are "excluded development" under Section 61 of the Localism Act. This means that any parish or neighbourhood plans or development orders will not be able to make provision for minerals or waste development in that area. However, they are

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<sup>3</sup> **Worcestershire County Council is developing a new Minerals Local Plan for Worcestershire. This will supersede the saved policies of the County of Hereford and Worcester Minerals Local Plan once it is adopted.**

required to ensure they do not conflict with the Minerals Local Plan (MLP) and Waste Core Strategy (WCS). We have previously raised these concerns as part of our previous consultation response.

We note Attachment G outlines your response to our previous comments, in which you dismiss making changes as the "Minerals Plan is outside scope of Neighbourhood Plan". We do not feel this adequately addresses the points raised as although planning for minerals development is outside the scope of the neighbourhood plan, considering the implications of the neighbourhood plan on other aspects of the Development Plan is essential. The Basic Conditions Statement refers to the South Worcestershire Development Plan as being the Development Plan for the area, which is incorrect. The Development Plan also includes the adopted Waste Core Strategy and the saved policies of the Minerals Local Plan,<sup>4</sup> and therefore relevant issues from those documents need to be considered.

We welcomed the discussion and engagement with Foxley Tagg to understand whether the proposed site allocations within Mineral Consultation Areas were fully justified. However, this work does not appear to be reflected in the Plan or its evidence base. We also expected to see reference in the policies about the relevant site allocations to require developers to fully consider making best use of any sand and gravel released through groundworks at the construction stage (referred to in the emerging Minerals Local Plan as "incidental recovery"), and for the Plan to suggest that developers contact the Mineral Planning Authority for advice as part of any pre-application discussions. This has not been included.

As drafted, the Plan proposes the allocation of four sites which are contained within adopted minerals consultation areas, these are:

- PRF1 – Community Land
- PRF2 – Community Land
- Pershore Road Development – 21 homes

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<sup>4</sup> Worcestershire County Council is developing a new Minerals Local Plan for Worcestershire. This will supersede the saved policies of the County of Hereford and Worcester Minerals Local Plan once it is adopted.

- JS1 + JSF – 6 Homes and Community Land

Although the site selection methodology now refers to Mineral Safeguarding Areas, this does not provide much detail and the conclusions do not appear to have been updated to reflect minerals safeguarding considerations. The draft justification which we reviewed in February 2019 addressed this, but does not appear to have been published as part of the evidence base supporting the Plan.

For these reasons, as currently drafted, the Plan does not accord with the adopted development plan, and is in conflict with mineral consultation areas as adopted under Schedule 1 paragraph 7 of the 1990 Town and Country Planning Act. Therefore we are unable to support the NDP in its current form based upon the published draft plan document and evidence base. This may also require ensuring Policies H10, H11 and H12 make specific reference to mineral safeguarding requirements for individual sites should they continue to be proposed for allocation.

## **Sustainability**

### ***Energy***

The Plan notes full compliance of the Plan with SWDP27: Renewable and Low Carbon Energy, however, it could give further consideration to supporting renewable energy through design policy. The Plan could also request that energy efficiency of new homes goes beyond the standards required in building regulations. Improving the energy efficiency standards of new homes will help to reduce the risk of fuel poverty for the new residents. The latest figures show that nearly 11% of households in Wychavon District are considered to be fuel poor, meaning they have high energy costs but a low household income.

It would be encouraging to see recognition of the issues of fuel poverty, energy efficiency and greenhouse gas emissions within the Plan.

### ***Ultra Low Emissions Vehicles (ULEV)***

We welcome the inclusion of provision for an electric vehicle charging point in garages. This is supported by the UK Government's 'Road to Zero' strategy which outlines the intention to consult on proposals for all new UK homes to have an electric vehicle charge point, where appropriate.

### ***Water efficiency***

The neighbourhood plan could consider improvements to water efficiency in new homes, including the provision of water butts.

### ***Climate change***

Climate change mitigation and adaptation are central to the National Planning Policy Framework. The UK Climate Change Act 2008 sets legally binding targets for the UK to reduce carbon emissions by 80% by 2050. New developments will be around for a considerable number of years, it is important that they remain fit for purpose over their lifetime as the climate changes. The plan could consider actions to improve local resilience to climate change, such as wider guttering, green roofs, permeable paving etc. The Neighbourhood Plan could take account of the Worcestershire Partnership Climate Change Strategy<sup>5</sup>.

### ***Waste and Composting***

The plan could consider options for onsite composting for new homes, including provision of compost bins for all new homes. Provision of local land for growing food, e.g. community allotments, would also be encouraged.

### ***Low Carbon Neighbourhood Planning Guidance***

For further guidance related to low carbon neighbourhood planning <https://www.cse.org.uk/downloads/reports-and-publications/policy/community-energy/energy-advice/planning/renewables/low-carbon-neighbourhood-planning-guidebook.pdf>

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<sup>5</sup> [http://www.worcestershire.gov.uk/info/20235/sustainability/1092/county\\_strategies](http://www.worcestershire.gov.uk/info/20235/sustainability/1092/county_strategies)

## **Education**

The Children Families and Communities team has no additional comments to make above those already submitted in the Worcestershire County Council response to the Regulation 14 consultation document (dated 13<sup>th</sup> December 2018).