

Norton-juxta-Kempsey Parish Neighbourhood Plan



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1. Legal requirements

1.1. This statement has been prepared by Norton-juxta-Kempsey Neighbourhood Plan Steering Group on the behalf of Norton-juxta-Kempsey Parish Council to accompany its submission to Wychavon District Council of the Norton-juxta-Kempsey Parish Neighbourhood Plan under section 15 of the Neighbourhood Planning Regulations 2012.

1.2. The Neighbourhood Plan has been prepared by the Parish Council, a qualifying body, for the area covering the parish of Norton-juxta-Kempsey, as designated by Wychavon District Council on 11 January 2017.

1.3. The neighbourhood area is contiguous with the parish boundary as shown on the map accompanying the neighbourhood designation application. For clarity, the Plan area is shown at Figure 1 over leaf. There are no other neighbourhood plans in place for the Norton-juxta-Kempsey neighbourhood area.

1.4. The plan proposal relates to planning matters (the use and development of land) in the designated neighbourhood area and covers the period from 2020 to 2030.

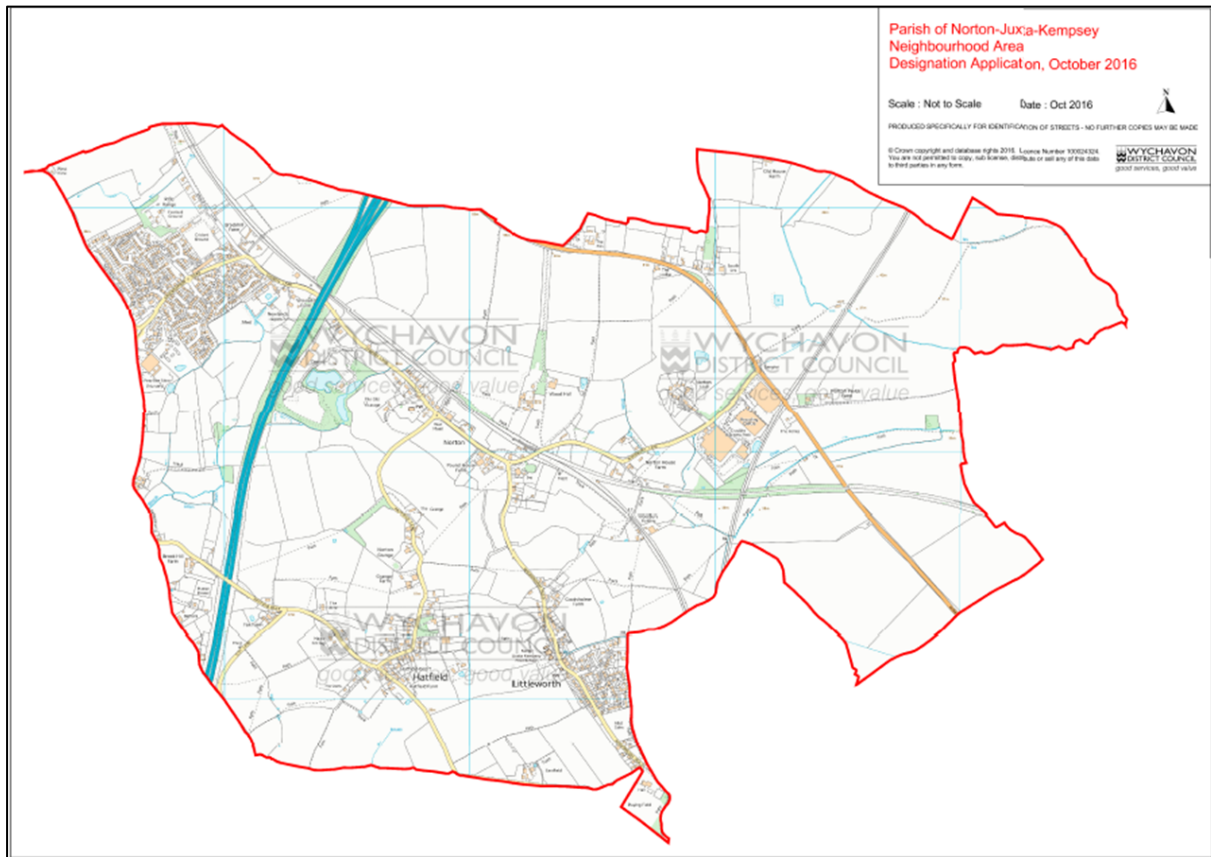
1.5. The Plan proposal does not deal with County matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990 as 'excluded development'.

1.6. The Draft Norton-juxta-Kempsey Parish Neighbourhood Plan was made available for consultation in accordance with Regulation 14 of the Neighbourhood Plan Regulations March 2012 from 19th October 2020 to 30th November 2020. Some amendments have been made to the document based on the comments received and these are summarised in the document entitled 'Consultation Statement' that is submitted with the Neighbourhood Plan.

1.7. The following statement will address each of the 'basic conditions' required of the Regulations and explains how the Neighbourhood Plan meets the requirement of paragraph 8 of schedule 4B to the 1990 Town and Country Planning Act (as amended).

- 1.8. The Regulations state that the Neighbourhood Plan will have met the basic conditions if it:
- Has regard to national policies and advice contained in guidance issued by the Secretary of State;
 - Contributes to the achievement of sustainable development;
 - Is in general conformity with the strategic policies of the development plan for the area;
 - Is compatible with and does not breach European Union (EU) and European Convention on Human Right (ECHR) obligations; and
 - Does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

Figure 1: Norton-juxta-Kempsey Neighbourhood Plan Area.
Source: Wychavon District Council



2. Introduction and Background

2.1. The Parish Council commenced preparation of the Neighbourhood Plan in Autumn 2016, seeking to designate the parish as a Neighbourhood Area in October 2016.

2.2. A small steering group was formed, and work commenced on researching the Neighbourhood Plan process and developing a resident survey to inform the overall direction of the Plan. After a slow start and some changes to the group membership a resident survey was distributed. The group made attempts to engage independent planning consultants to help steer the process and drive the project forward; but unfortunately, the initial consultant that the group had identified was unable to assist due to other commitments. This caused a slight delay, but in December 2018 independent planning consultants Brodie Planning Associates (BPA) were appointed to steer the process and to provide impartial professional planning advice. Small working groups were established for undertaking site assessments and areas of research, and matters were always brought back to the wider group to gain consensus to carry forward into the draft Plan.

2.3. Consultation was held with the wider community at key stages to gain an understanding of community issues and to ensure that the plan represented the views of the majority. This included an initial residents' questionnaire, a business questionnaire and a consultation event focusing on the vision and objectives and local green space designations. More detail on community engagement is provided in the accompanying Consultation Statement.

2.4. The key drivers of the decision to produce a Neighbourhood Plan were the encouragement of the District Council to parishes to prepare neighbourhood plans and the local community concern over the volume of new development in and adjacent to the parish in the recently adopted South Worcestershire Development Plan (SWDP), 2016. The community were keen to protect the defining characteristics of the parish including retaining the individual identities of the existing settlements and maintaining as much as possible the rural feel of the parish. The aim at the outset of the Neighbourhood Plan was to prevent the area from becoming a suburb of Worcester City and more recently, as the process has evolved and the SWDP Review has progressed, it is important that the parish's settlements do not become subsumed and lost within the proposed new settlement and that important landscape features and building characteristics are conserved. The Plan sets out to protect key open spaces, preserve as much as possible area's rural character and built heritage assets, to enhance community facilities and support sustainable transport options as well as supporting suitable rural employment.

2.5. In developing the Plan the Parish Council has had careful regard for policies in the adopted Local Plan the South Worcestershire Development Plan (SWDP) and has also paid close attention to the emerging SWDP Review. Care has been taken not to duplicate policies already addressed in the SWDP and to where necessary add a level of local detail that is considered appropriate to the parish.

2.6. The parish and surrounding area have been identified for significant housing growth both within the adopted SWDP and its emerging review. There are two strategic sites identified in the adopted SWDP (2016): Worcestershire Parkway Station which opened in 2020; and the planned urban extension to Worcester City, known as the Worcester South urban extension (WSUE), where up to

2,600 homes will be delivered on land adjacent to the parish and 85 new homes will be built within the parish by 2030 (these are not built at the time of submission). It is also likely that there will be a new town developed in the area immediately surrounding Worcestershire Parkway that is expected to deliver up to 5000 dwellings by 2041; doubling in size in subsequent years to 10,000; this broad area has been identified in the emerging SWDP Review. The SWDP and its Review will deliver these large-scale strategic sites, whilst the Neighbourhood Plan will provide locally specific policies.

3. Having regard to National Planning Policy

3.1. The Neighbourhood Plan has been prepared having regard to the policies set out in the Revised National Planning Policy Framework (NPPF) 2019. It also gives regard to National Planning Practice Guidance (NPPG) published by the Government between April 2014 and September 2020 in relation to the formation of neighbourhood plans.

3.2. The NPPF provides a framework within which local communities can produce neighbourhood development plans for their area and sets out how planning should help achieve sustainable development.

3.3. The following table shows which sections of the Revised NPPF 2019 the Neighbourhood Plan has had regard to.

NPPF 2019
Achieving sustainable development (para 7-14)
Plan making (para 15-37)
Delivering a sufficient supply of homes (para 59-79)
Building a strong, competitive economy (para 80-84)
Promoting healthy and safe communities (para 91-101)
Promoting sustainable transport (para 102-111)
Making effective use of land (para 117-123)
Achieving well-designed places (para 124-132)
Meeting the challenge of climate change flooding and coastal change (para 148-169)
Conserving and enhancing the natural environment (para 170-183)
Conserving and enhancing the historic environment (para 184-202)
Annex 1: Implementation (para 212-217)

Table 1: Sections within NPPF 2019 that the Neighbourhood Plan has had regard to.

3.4. Table 2 sets out a summary of how each policy has regard to the NPPF 2019. The paragraphs referred to are considered to be the most relevant to the policy and are not intended to be a comprehensive list of every possible relevant paragraph.

NP Policy Number and Title	NPPF 2019 Paragraph(s)	Comment on regard to NPPF (2019)
NJK1 Built and Natural Landscape Policy	8, 28, 124, 125, 126, 127, 131, 150, 170, 189	The Neighbourhood Plan establishes overarching principles that should be addressed in all development. Its intention is to provide guidance to ensure new development takes account of its setting both within the built and natural environment. The policy has been informed by paragraph 127. Important consideration is given to the context in which development takes place understanding the character and history of the built environment and landscape setting. It also encourages applicants to consider local materials and detailing, however, the policy is not overly prescriptive and does not prevent or discourage appropriate innovation or change. The policy seeks to maintain a strong sense of place, by encouraging applicants to demonstrate that full account has been taken of the existing local area to create attractive, welcoming and a distinctive place to live, work and visit. The policy has regard to the purpose of paragraph 170 to protect and enhance valued landscapes and paragraph 189 in seeking to prevent harm to the significance of the setting of heritage assets. It is important that applicants take account of local scale key landscape and heritage-related attributes that form an essential part of the character of the parish for example the distinctive hedgerows and the small scale of fields, the existing settlement pattern of farmsteads and rural dwellings dispersed throughout the area with wayside development forming small settlements. Large scale nucleated developments are uncharacteristic of the area. It is important that development does not lead to coalescence of settlements the policy encourages applicants to takes opportunities to preserve and promote their unique identities. The wider landscape delivers multiple benefits for both people and wildlife, including opportunities for recreation, biodiversity enhancements and access to nature and contributes to the overall identity of the parish. The policy promotes and encourages energy efficiency measures and renewable energy features in accordance with paragraph 150.
NJK2 Trees and Hedgerows Policy	170,174,175	The policy seeks to protect, restore and enhance trees and hedgerows where appropriate. The policy has regard to paragraph 170 in recognising that they are integral to the intrinsic character and beauty of the parish and have multiple benefits. They provide an important ecological networks and the policy will bring about net gains for biodiversity in support of the aim of paragraph 174 and 175 (d).

NJK3 Green Infrastructure Policy	91,96,98,118, 149, 150, 170, 171, 174	The policy emphasises the importance of green infrastructure and has regard to the NPPF in promoting the conservation, restoration and enhancement of ecological networks in securing biodiversity net gains. Green infrastructure has a multifunctional purpose and can help to address and mitigate the impacts of climate change; the policy promotes the use of green infrastructure for natural drainage in accordance with paragraph 150. Access to good quality green space is important to the health and wellbeing of our community (para 91) and the policy promotes active recreation by through play and by encouraging the integration of walking and cycling routes through developments scheme, ensuring they connect with existing Public Rights of Way, bridleways and active travel corridors where appropriate (responding to paras 96 and 98).
NJK4 Local Green Space Policy	99, 100, 101	The NPPF allows communities to identify and protect green areas of particular importance to them. A comprehensive Green Space Background Paper has been prepared to support the submission of the Neighbourhood Plan and all green spaces were assessed using the NPPF criteria and the Local Green Space designation has only been used where the green space meets the following criteria: “ a) <i>in reasonably close proximity to the community it serves;</i> b) <i>demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and</i> c) <i>local in character and is not an extensive tract of land.</i>” The policy for managing Local Green Space is consistent with Green Belt policy in its intention to maintain the openness of these spaces.
NJK5 Footways, Footpaths, Cycle Paths and Bridleways Policy	91, 98,102,118	The Neighbourhood Plan is in conformity with paragraph 98, as it supports and encourages the enhancement and improvement of existing footpaths and improving access to them. <i>“Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks...”</i> The policy has regard to paragraph 98 in that it helps to promote healthy lifestyles and will encourage walking and cycling in the parish and also to paragraph 118 by improving public access to the countryside. The policy promotes the use of more sustainable transport options in the parish in accordance with para 102.

NJK6 Heavy Goods Traffic Policy	111	As HGV traffic is an issue in the parish this policy has been developed with regard to paragraph 111 <i>‘all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed’</i> and refined to address the specific needs of the parish.
NJK7 Community Facilities Policy	83, 92	This policy responds to paragraph 83 which states that neighbourhood plans should promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship. It also aims to maintain the social, recreational and cultural facilities and services the community needs by guarding against the unnecessary loss of valued facilities and services, as stipulated by paragraph 92.
NJK8 Existing and Allocated Employment Sites	83,84	This policy has been developed in accordance with paragraph 83 where sustainable growth of rural businesses is supported through the intensification of existing businesses sites. It also promotes the retention of existing businesses to maintain the vitality of this rural community.
NJK9 Agricultural Buildings and Rural Employment Policy	83,84	This policy has been developed in accordance with paragraph 83 where sustainable growth of rural businesses is supported through the conversion of existing buildings, allowing for the diversification of agricultural and other rural businesses, and encouraging sustainable rural tourism and leisure developments which respect the character of the countryside.
NJK10 Housing Development Policy	65, 66	This policy has been developed in accordance with paragraph 65 and 66. The Local Plan has established the strategic need for the area and allocated significant growth adjacent to and partially within the parish. There is no specific requirement in the Local Plan for the Neighbourhood Plan to allocate any further housing. The Parish Council in accordance with the NPPF paragraph 66 requested an indicative housing requirement from the Planning Authority. The requirement has effectively already been met through windfall development, but the Neighbourhood Plan has provided clarity by stating that it will support appropriate infill development within defined development boundaries as established through the SWDP.

4. General conformity with the strategic policies of the development plan

4.1. The Neighbourhood Plan has been prepared to ensure that it is in general conformity with the development plan for the area. The current development plan for the area is the adopted South Worcestershire Development Plan (SWDP) 2016-2030.

4.2. The table overleaf (Table 3) sets out how each policy is in general conformity with the SWDP 2016-2030.

Table 3: How the Neighbourhood Plan policies conform to the Local Development Plan

NP Policy Number and Title	Relevant local plan policy	Comment on conformity
NJK1 Built and Natural Landscape Policy	SWDP2, SWDP6, SWDP21, SWDP24, SWDP25, SWDP27, Design SPD	The policy ensures that the applicant and decision maker take into account the historic environment (SWDP6 and SWDP24) and Landscape Character (SWDP25) by specifying at a local scale the importance of maintaining and reinforcing key landscape and heritage attributes that form an essential part of the character of the parish. It is important that each of the settlements retains its separate identity and that gaps/ landscape buffers are retained – this provides a locally specific layer to the overarching aims of significant gaps in the SWDP and conforms with the landscape character attributes. New development must consider locally appropriate density in conformity with SWDP13 (Effective Use of Land) and provides another layer of detail to the SWDP design policy (SWDP21) requiring development to take opportunities to reinforce local distinctiveness through design, detailing, materials, form, height and proportion. The policy supports SWDP27 (Renewable and Low Carbon Energy) in its desire to reduce carbon emissions.
NJK2 Trees and Hedgerows Policy	SWDP5, SWDP22, SWDP25, SWDP38	This policy refines policies SWDP22 (Biodiversity and Geodiversity) and SWDP25 (Landscape Character) in providing detail about the importance of native trees and hedgerows to the landscape character of the parish and how they should be protected and enhanced within the parish to reinforce the local landscape character.
NJK3 Green Infrastructure Policy	SWDP4, SWDP5, SWDP22, SWDP25, SWDP29, SWDP38, SWDP39	The policy supports SWDP5 (Green Infrastructure) in requiring the incorporation of Green Infrastructure into new development. It compliments SWDP22 (Biodiversity and Geodiversity) in its attempts to prevent habitat fragmentation and SWDP25 (Landscape Character) in recognising that green space is an integral part of the landscape character of the parish. The policy supports SWDP38 (Green Space) and SWDP39 (Provision for Green Space and Outdoor Community uses in New Development) in the importance green space has in the provision of accessible open space for community use. Incorporating green

		infrastructure will also bring about health benefits by encouraging active travel routes in the parish in line with SWDP4 (Moving Around South Worcestershire). Furthermore Green infrastructure has an important role in providing opportunities for sustainable drainage solutions and therefore conforms with SWDP29.
NJK4 Local Green Space Policy	SWDP38	This policy is intended to complement policy SWDP38 (Green Space). Locally important green spaces are identified in the Neighbourhood Plan.
NJK5 Footways, Footpaths, Cycle Paths and Bridleways Policy	SWDP4, SWDP25	This policy is intended to complement policy SWDP 4 (Moving Around South Worcestershire) and SWDP 25 (Landscape Character). It provides opportunities for getting around the parish on foot or by bicycle rather than relying on the motor car. It is important that the landscape character of the area is also taken into account.
NJK6 Heavy Goods Traffic Policy	SWDP4	This policy is intended to complement policy SWDP 4 (Moving Around South Worcestershire) and responds to the specific local issue of HGV traffic on the rural network.
NJK7 Community Facilities Policy	SWDP37	The policy refines SWDP 37 (Built Community Facilities) by identifying the specific facilities in Norton-juxta-Kempsey parish to protect.
NJK8 Existing and Allocated Employment Sites	SWDP12 (SWDP8)	It is important that the parish retains existing employment sites where possible. This policy seeks to refine policy SWDP 12 (Employment in Rural Areas) by retaining and supporting appropriate local economic development at existing sites to ensure there are a range of jobs for local people and to attract inward investment.
NJK9 Agricultural Buildings and Rural Employment Policy	SWDP12	It is a priority of the Plan to support and encourage small-scale employment opportunities and appropriate agricultural development and diversification, whilst protecting sensitive locations from negative impact. This policy seeks to refine policy SWDP 12 Farm Diversification (Employment in Rural Areas part D).
NJK10 Housing Development Policy	SWDP2	This policy seeks to support the hierarchy of settlements and the development strategy established by SWDP2. The parish has substantial development proposed within and

		adjacent to and in the form of strategic sites in the adopted and emerging SWDP Review. Two of the settlements are identified as category 3 settlements (Norton and Littleworth) and one is classed as open countryside(Hatfield); all 4 settlements have development boundaries drawn around them where principle of infill is acceptable. Having requested an indicative housing requirement taking account of permissions granted and the level of strategic growth planned for the area the Neighbourhood Plan has conformed with SWDP2 in its support of infill development directing growth to more sustainable locations.

Table 2: How the NP policies have regard to the NPPF

5. Contribution to the achievement of sustainable development

5.1. A Neighbourhood plan must take into account the need to contribute to the achievement of sustainable development. This involves working to address the three strands of sustainability; economic, social and environmental.

5.2. The NPPF states in paragraph 10 and 11 that a presumption in favour of sustainable development is at the heart of the NPPF.

5.3. The objectives of the Neighbourhood Plan comprise a balance of social, environmental and economic goals.

5.4. The social goals are to maintain, protect and enhance the built and natural environment in the parish. There is a keen desire to maintain and improve community facilities for a range of age groups and to continue to have access to green space and footpaths to enable residents to have good quality and active lifestyles.

5.5. The environmental goals are to protect and enhance the natural and built environment and ensure that it can be enjoyed by future generations. It is important that environmental features including green and open spaces, hedgerows and trees and traditional landscape features are retained. Green space provides multifunctional benefits including habitats for wildlife, recreation for residents and help to manage the impacts of climate change for example reducing flooding. The plan also wishes to reduce the community's reliance on the motor car and improve connectivity in the parish.

5.6. The economic goals are intertwined within the social and environmental benefits; by ensuring that new development is well designed and that the landscape character of the parish is respected and maintained it will assist in ensuring that Norton-juxta-Kempsey continues to be an attractive place to live and work. Supporting and improving existing community facilities, improving connectivity and providing a high-quality environment in which to live, work and visit will also bring economic gains.

5.7. Table 4 overleaf sets out an assessment of each policy of the plan and how it impacts on each of the three strands of sustainability; economic, social and environmental.

Table 4. How the Neighbourhood Plan policies contribute to sustainable development

++ Very positive impact + positive impact 0 neutral impact - negative impact - - very negative impact

Policy Number and Title	Economic	Social	Environmental	Comment
NJK1 Built and Natural Landscape Policy	+	+	++	This policy has positive economic, social and environmental benefits in ensuring that full account is taken of the landscape character of the parish in future development. This will ensure the distinctive rural character of Norton-juxta-Kempsey and its individual settlements is maintained for the benefit of the local community and make it an attractive and desirable place to live and work. It aims to deliver a high-quality built environment that respects its surroundings. It ensures that the new design of new buildings reflects the distinctive character of the built forms and settlement pattern in the parish. The policy encourages measures to mitigate and adapt to climate change for example by encouraging renewable energy generation.
NJK2 Trees and Hedgerows Policy	+	+	++	This policy has strong environmental benefits which will in turn bring about social and economic benefits by ensuring that the parish is an attractive place to live and work. Enhancing and retaining trees and hedgerows will improve biodiversity and help to mitigate some of the impacts of climate change including providing shade and water absorption at times of heavy rainfall.
NJK3 Green Infrastructure Policy	+	+	++	This policy has strong environmental benefits which will in turn bring about social and economic benefits by ensuring that the parish is an attractive place to live and work. Enhancing and retaining integrated green space will improve biodiversity and help to mitigate some of the impacts of climate change including providing shade and water absorption at times of heavy rainfall. It will provide social benefits through access to open space and a network of footpaths and interconnected spaces improving people's quality of life and encouraging healthy lifestyles.

NJK4 Local Green Space Policy	0	+	++	This policy has positive social and environmental benefits in preventing the harmful and inappropriate development of valued open spaces within the parish. This will ensure the distinctive character of each the settlements and the parish is maintained for the benefit of the local community.
NJK5 Footways, Footpaths, Cycle Paths and Bridleways Policy	0	+	+	This policy has positive social and environmental benefits enabling residents and visitors to access areas on foot and cycle reducing the reliance on motor vehicles thereby reducing pollution and assisting in maintaining healthy lifestyles.
NJK6 Heavy Goods Traffic Policy	0	+	+	Requiring businesses that generate HGV traffic to demonstrate with the assistance of a Transport Statement that the proposal will not have an unacceptable traffic impact within the parish. This will bring about environmental benefits in addressing pollution concerns and social benefits in improving safety and nuisance caused by traffic movement at anti-social hours.
NJK7 Community Facilities Policy	++	++	0	This policy has positive social and economic benefits in protecting important community facilities from unnecessary loss, and by enabling their improvement to ensure they remain viable as community assets for the long term. Maintaining a range of high-quality community facilities will also attract residents and investment from adjoining rural parishes.
NJK8 Existing and Allocated Employment Sites	++	+	0	This policy has positive economic and social benefits in protecting local sources of employment from unnecessary loss and enabling the improvement of their premises to ensure they remain viable for the long term.

NJK9 Agricultural Buildings and Rural Employment Policy	++	+	+	This policy has positive economic and social benefits by supporting the conversion of existing rural buildings to business use to allow for diversification and small-scale business opportunities. It also has environmental benefits in reusing an existing building and where possible protecting and enhancing the natural, built and historic environment'
NJK10 Housing Development Policy	0	+	0	This policy has positive social benefits in providing the opportunity for appropriate infill development to be permitted within defined development boundaries so that development is directed to more sustainable settlements.

++ Very positive impact + positive impact 0 neutral impact - negative impact - - very negative impact

6. Compatibility with EU obligations and legislation

6.1. The Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act. Considerable emphasis has been placed throughout the consultation process to ensure that no sections of the community have been isolated or excluded. Every household in the parish has received information about the Neighbourhood Plan and have had the opportunity to attend meetings, contribute to, or comment on the process.

6.2. The Equality and Human Rights Commission were also consulted on the Draft Plan and despite a response not having been provided it is considered that the content of the Plan, the consultation process and evidence gathering has been undertaken in accordance with the obligations for Parish Councils under the Public Sector Equality Duty (PSED) in the Equality Act 2010.

6.3. A screening opinion consultation was undertaken by Wychavon District Council from 20 October 2020 until 24 November 2020 to identify whether the Plan required a Strategic Environmental Assessment (SEA) and/ or Habitats Regulations Assessment (HRA). The screening exercise involved consultation with the statutory environmental bodies: Historic England, Natural England and the Environment Agency.

6.4. On the requirement for an HRA Appropriate Assessment (AA), all three statutory consultees agreed with Wychavon District Council's conclusion that a HRA AA is not necessary. The Environment Agency state, "the Neighbourhood Plan is considered unlikely to have significant effects on any European designated sites" and Natural England state *"We agree with the conclusion of the report of no likely significant effect upon the named European designated sites:*

- *Lyppard Grange Special Area of Conservation (SAC)*
- *Bredon Hill Special Area of Conservation (SAC)*
- *Dixton Wood Special Area of Conservation (SAC)"*

The Neighbourhood Plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

6.5. On the requirement for a full SEA, the Environment Agency, Historic England and Natural England all concluded that the draft Norton-juxta-Kempsey Neighbourhood Plan is unlikely to have significant environmental effects.

6.6. Therefore, on the basis of the above, Wychavon District Council were able to confirm that neither a full SEA nor a HRA AA is deemed necessary in the preparation of the Norton-juxta-Kempsey Neighbourhood Plan.