

Colwall Neighbourhood Development Plan
Mill Lane v Grovesend Farm site

There are many regulations and requirements to be followed in preparing a statutory planning document. The Neighbourhood Planning (General) Regulations 2012 (as amended), set out the process, including the consultation stages. Also, Neighbourhood Development Plans (NDPs) are examined against a set of 'basic conditions' which are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. These include the need for a Plan to be in general conformity with Herefordshire's Local Plan Core Strategy 2011 - 2031 which identifies Colwall as one of *'the settlements which will be the main focus of proportionate housing development'*. It also imposes an indicative housing growth target of 14%, meaning the NDP has to support at least a 14% increase in housing up to 2031. The Core Strategy sets out, in paragraph 4.8.16, that *'Residential development will be located within or adjacent to the main built up area(s) of the settlement. This will ensure that unnecessary isolated, non-characteristic and discordant dwellings do not arise which would adversely affect the character and setting of a settlement and its local environment.'*

The Plan must also have regard to the Government's national planning policies and advice, principally the National Planning Policy Framework (NPPF). The NPPF, para 172, says *"Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues."*

The NPPF requirement to give 'great weight' to the AONB provides a strong direction and is a key factor in the Colwall NDP because the whole of the Parish lies within the Malvern Hills Area of Outstanding Natural Beauty (MH AONB). The starting point for the NDP was, therefore, the need to protect the special landscape character of the area and views towards and within the Parish.

Based on advice from Herefordshire and the Malvern Hills AONB, CPC decided to use a Landscape Sensitivity and Capacity Assessment (LSCA) as the key piece of evidence for making decisions about changes to the settlement boundary and site allocations. This is in line with good practice for areas within AONBs where landscape character is particularly sensitive to change. The assessment methodology and criteria, which are fully explained in the LSCA follow the guidance of Natural England and other recognised bodies. The MH AONB paid for the preliminary assessment which reported in March 2013; later versions went into more depth and provided a detailed report that allowed all the land around the historic settlement boundary to be ranked, so showing where, and in what sequence, land could be developed to minimise the impact on the AONB. This is set out in Table 1 and Map 3 in the Plan.

A major concern has always been the 'choice' of the Grovesend Farm site rather than the Mill Lane site, but it is important to understand the detail of how this evolved. In 2013, the LSCA graded Plot 9A (behind the village hall and backing onto the houses in Walwyn Road up to the Thai restaurant) as having Medium to High capacity for development; it was therefore identified for 21 homes (see attached LSCA Figure 1 from 2013). In 2015 however, Herefordshire Council asked CPC to identify a site for a new primary school, to which the NPPF says local planning authorities should *'give great weight to the need to create, expand or alter schools through the preparation of plans'* which has to be balanced against the requirement to give *'great weight.....to conserving and enhancing landscape and scenic beauty'* in AONBs. All potential sites were considered, but in terms of its impact on the AONB, the new school was less of an issue than new housing and in the consultation the Parish was very much in favour of the Mill Lane site for the school.

At one stage HC proposed a mixed development of school and houses in order to be able to deliver the school but then announced they would only develop the school on the site, which meant the opportunity for a mixed development including the proposed 21 homes on Plot 9A was lost. Plot 9A now only contains the school.

Based on the parishioners' preference for Mill Lane for the school in the 2015 consultation, it is likely a majority of residents would have also preferred Mill Lane for houses compared to the Grovesend

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Farm site. However, the Mill Lane land west of Plot 9A has always had a lower landscape capacity than the Grovesend Farm site and therefore Grovesend Farm needs to be developed first. Landscape specialists were heavily involved in the school design, to minimise its impact on the landscape, which afforded additional information and resulted in the land in Mill Lane to the west of the school being re-assessed as having the lowest capacity in LSCA terms. CPC had, by this time, concluded that sites in the lowest two bands should not be developed regardless of the housing target, because to do so would have an unacceptable impact on the AONB. Furthermore, if development of land in the lowest band was supported in the NDP it would have set a dangerous precedent, opening up all the 'red' land around the village to development – the opposite of what CPC and the MH AONB were trying to do.

Mill Lane has a lower capacity for development than Grovesend Farm because its landscape and visual functions are of higher value and wider importance. Thus, development there, rather than Grovesend Farm, would give rise to higher and more extensive adverse effects on landscape character, visual amenity and the special qualities of the Malvern Hills AONB.

Development at Mill Lane would form an incongruous, large scale and highly visible extension of urban form into a highly sensitive area of open countryside which is separated from the main built up area of the village. On the other hand, a certain amount of sensitively designed development could potentially be accommodated at Grovesend Farm - as shown on the Indicative Layout - without giving rise to unacceptable levels of harm on the designated landscape. This is because it could be successfully integrated with the existing settlement edge, would not disrupt local settlement and landscape patterns, and not affect views from the Hills and lower-lying public viewpoints to the extent development at Mill Lane would do.

It is important to note the identification of Grovesend Farm as having higher capacity than Mill Lane does not imply the Grovesend Farm site is not valuable or sensitive. On the contrary, the site is located within the conservation area and there will be a need to ensure designs are sensitive to this and of a high quality. The site was not identified as an option for housing development during the first round of assessments because other areas were assessed to be less sensitive and therefore having a greater capacity and should be developed first.

However, these sites were not allocated for development because the landowners concerned did not wish to develop in the CNDP's timescale (up to 2031) and NDPs have to demonstrate that site allocations are deliverable. Of course, development will cause adverse landscape and visual impacts at the Grovesend Farm site, but these will be mitigated by the CNDP's specific requirements in the site allocation policy which include detailed design criteria and provision of an all-weather pedestrian / cycle route. The criteria in the site allocation policy were included in response to the LSCA and residents' and other stakeholders' concerns. In addition, the CNDP includes a range of detailed policies for design of all new residential developments, including in the conservation area, which CPC expect Herefordshire planners and the Highway Authority to apply rigorously. An Indicative Layout has been included in the CNDP which is designed to minimise the impact on the AONB and reflect the density and style of the surrounding houses. It has a low density of 11.7 dwellings per hectare, which is well below other recent developments in Colwall, and can be used as a benchmark against which other proposals can be assessed.

CPC and the NDP Working Group have always worked closely with the MH AONB, which is responsible for conserving and enhancing the landscape and scenic beauty of the area and takes this opportunity to acknowledge the assistance and support of the MH AONB unit throughout the development of our Plan.

CPC's response to the support of the Mill Lane planning application and CPC's response to the objections to the Grovesend Farm site, that were submitted to the Examiner in July 2020, are attached and provide further information on these two issues.

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Landscape Capacity 2013

Colwall Neighbourhood Development Plan Settlement Boundary LSCA

Figure 1: Landscape Capacity

