



Planning Policy
Wychavon District Council
Civic Centre
Queen Elizabeth Drive
Persnore
WR10 1PT

Our Ref: P/H Div/0004/15

10 June 2016

Dear Sir or Madam

**North Claines Submitted Neighbourhood Plan Consultation
Representations on behalf of the Police and Fire & Rescue Services**

Place Partnership Limited (PPL) is the new company that manages the combined estates of Warwickshire Police (WP), West Mercia Police (WMP), Hereford & Worcester Fire and Rescue Service (HWFRS), Worcestershire County Council, Worcester City Council and Redditch Borough Council. It is wholly owned, funded and run by the aforementioned public bodies.

As part of the above WP, WMP and HWFRS act as one on all infrastructure and town planning related matters across their combined geographical area. This includes making joint representations through PPL to all local planning authorities and other parties in relation to planning applications and planning policy. For the avoidance of doubt, the three emergency services retain their separate governance arrangements.

These representations have been prepared in response to the invitation to comment on the North Claines Neighbourhood Plan 2015 – 2030 Submission Version (March 2016) (NCNP). They follow-on from the submission made by PPL on behalf of WP, WMP and HWFRS to the 'Consultation Draft' of the NCNP in December 2015.

Paragraph 3.17 – Page 13

WP, WMP and HWFRS welcome and support the amendments that have been made to this paragraph in relation to Hindlip Park. They reflect the comments of WP, WMP and HWFRS submitted to the previous public consultation.

However, paragraph 3.17 requires updating to reflect the fact that full planning permission (W/15/02662/PN) for a new Operations and Communications Centre (OCC) at Hindlip Park was granted by Wychavon District Council on 04 March 2016. We therefore recommend that paragraph 3.17 is amended as follows:

*'...The three emergency services **secured planning permission for the OCC from Wychavon District Council on 04 March 2016.** The other proposals for the site include...*

Figure 3.1: Services and Facilities – Pages 16 and 17

There are two errors in Figure 3.1 with respect to Hindlip Park.

Firstly and as stated in our December 2015 representations, the map incorrectly identifies the site of the OCC at Hindlip Park as *'Recreational Open Space'*. To demonstrate this, please find enclosed in **Appendix 1** the site plan that was approved (W/15/02662/PN) by Wychavon District Council on 04 March 2016.

Furthermore, as there are no plans to re-provide the recreational open space that was available to the public at Hindlip Park, the *'Recreational Open Space'* designation for the site should be deleted completely. In any case and as stated in paragraph 6.88 of the NCNP, future provision of a publically available playing pitch should be within Fernhill Heath itself.

The second error on Figure 3.1 is that the *'Commercial'* designation for Hindlip Park does not reflect the site's unique purpose and function as a core centre for the emergency and civil resilience services. Figure 3.1 should recognise this through a new category and associated colour on the map for the site.

Incorporating the above change in Figure 3.1 would also ensure that the NCNP was in accordance with the South Worcestershire Development Plan (SWDP) (adopted February 2016), which allocates the site as a *'Major Developed Site'* (MDS) under Policy SWDP 2 in recognition of its uniqueness. Figure 3.1 should accordingly reflect the Hindlip Park MDS map from the SWDP, which is enclosed in **Appendix 2** of these representations.

Notwithstanding the above, we welcome the inclusion of the Jacky Smith Training Centre as part of the operational core of Hindlip Park in Figure 3.1. This addresses our comments on this point in our representations of December 2015.

Section 4 - Vision and Objectives: Objectives – Page 30

WP, WMP and HWFRS support Objective 10 and are grateful that the amendments requested in December 2015 have been included within it. This will help ensure that the NCNP will deliver the objectives of paragraphs 58 and 69 of the National Planning Policy Framework (NPPF) within the Parish.

Objective 10 as drafted also now supports the delivery of Policy NCD1: *Development and Design Principles*, which requires that new development meets Secured by Design standards. This therefore addresses the comments of WP, WMP and HWFRS during the last public consultation.

Figure 5.1: Key Diagram – Pages 32 and 33

WP, WMP and HWFRS strongly object to Hindlip Park being allocated as a *'Locally Important Historic Park and Garden'* (LIHPG) by Figure 5.1. There are two reasons for this.

Firstly, the vast majority of Hindlip Park is not within the North Claines Neighbourhood Plan Area, which was designated on 28 May 2013 (see **Appendix 3**). This is recognised by paragraph 3.16 of the NCNP. Under the provisions of the Localism Act 2011 and associated regulations, Neighbourhood Plans may only allocate land and adopt associated policies for officially designated areas.

By attempting to do so anyway within the *'NPA Context Area'* shown in Figure 5.1, which does not form part of the officially designated area and appears to have been arbitrarily drawn in any case, the NCNP is exceeding its authority (i.e. is *ultra vires*).

Secondly, and in view of the aforementioned reason, the NCNP could only allocate Hindlip Park as a LIHPG in Figure 5.1 if existing adopted planning policy had already done so. In this case, the adopted development plan comprises the SWDP and the *'Wychavon District Historic Parks and Gardens*

Supplementary Planning Document' (adopted January 2005) (HPGSPD). Neither have done so. This is elaborated on below.

The SWDP does not allocate Hindlip Hall or Hindlip Park as a LIHPG at all. The SWDP instead allocates Hindlip Park as a MDS in the Green Belt, as shown on the map enclosed in **Appendix 2**, due to its importance for the emergency and civil resilience services.

Neither the gardens immediately around the buildings at Hindlip Park, nor the land of the wider site, have listed status. There is a single reference only to Hindlip Hall in the HPGSPD and that is within a large inventory of sites in Appendix 1 of the document. We would like the independent examiner to be aware of six key points in relation to this:

1. The reference is to Hindlip Hall, which is only 1 of 24 buildings at Hindlip Park.
2. The inventory in Appendix 1 of the HPGSPD begins with the following disclaimer:

'Gardens indicated in bold type are listed on the Historic Parks and Gardens Register (Note: Hindlip Hall is not). The rest of this list has been compiled using a source based on documentary evidence for the existence of the historic gardens. No site surveys have been completed. This list should not be taken as definitive and may be subject to amendment following further research.'

Therefore Hindlip Hall has been referenced with no surveys of the site being done by Historic England or the District Council to establish a historic parkland boundary. This is why the HPGSPD does not contain a map of Hindlip Hall or Hindlip Park and therefore does not allocate the site in a spatial way. This means there is no adopted planning policy basis at all for the boundary shown in Figure 5.1 of the NCNP.

3. Wychavon District Council's professional Conservation Officer, Ms Elaine Artherton, was contacted on 08 June 2016 by telephone and asked whether the Council had any maps at all showing a boundary for Hindlip Hall LIHPG. Ms Artherton confirmed that the Council did not.
4. Even if the majority of Hindlip Park were within the designated neighbourhood plan area, the above means that the Parish Council would have to carry out their own survey of Hindlip Park, with the aid of heritage specialists, to establish where the boundary should be. This has not been done and there is therefore no evidence at all that can be independently tested to justify the LIHPG allocation shown in Figure 5.1.
5. The boundary shown in Figure 5.1 for the Hindlip Hall LIHPG in fact only shows the land owned by the West Mercia Police and Crime Commissioner (WMPCC), in so far as it lies within the 'NPA Context Area'. The logic that seems to have been applied here is that if WMPCC owns the land, then it must form part of the Hindlip Hall LIHPG. This is patently not a reasonable and sound methodology for drawing a boundary showing the extent of historic parkland.
6. There are two policies in the NCNP that concern the heritage environment (as confirmed by paragraph 5.53 of the NCNP 'Basic Conditions Statement' (March 2016)). These are Policies NCLE2: *Local Heritage Assets* and NCLE3: *Local Heritage Area*. Neither one, nor their reasoned justifications, make any reference to the HPGSPD or Hindlip Hall. This means that notwithstanding all the other points made on this matter in these representations, there is no policy basis within the NCNP itself justifying the allocation of Hindlip Hall as an LIHPG in Figure 5.1.

WP, WMP and HWFRS therefore contend that the NCNP does not comply with any of the relevant legislation with respect to the above and that to resolve this problem, all references to a 'Hindlip Hall LIHPG' should be deleted throughout the entire Plan.

Paragraphs 3.61, 4.2 (third bullet point) and 6.8 – Pages 26, 29 and 35

WP, WMP and HWFRS strongly object to the statements in these paragraphs that part of the Hindlip Hall LIHPG is located within the Parish and by extension, the implication that a boundary has been established. As explained in detail above, there is no planning policy basis or technical evidence supporting this. The references to the Hindlip Hall LIHPG should therefore be deleted.

Policy NCT1: Transport and Development – Page 42

WP, WMP and HWFRS support the content of this policy. The three emergency services particularly welcome the inclusion of part 6 of NCT1, which states that the design of proposed roads, pavements and cycle routes should create a safe and efficient layout for the emergency services. This reference fully addresses the comments made on this policy in December 2015.

Policy NCT4: Fernhill Heath Rail-Halt Park and Ride Facility – Page 43

WP, WMP and HWFRS support the principle of a Fernhill Heath rail-halt park and ride facility. There is a significant pressure on car parking at Hindlip Park, which would in part be alleviated by delivery of this facility. The three emergency services would therefore welcome the opportunity to discuss this proposal further with the Parish Council and other stakeholders should it be progressed.

Policy NCD1: Development and Design Principles – Page 51

WP, WMP and HWFRS are pleased to see part 5 of Policy NCD1, which states that proposals should demonstrate that they will create a safe and accessible environment through the application of Secured by Design. This fully addresses the comments submitted in December 2015 by WP, WMP and HWFRS. The inclusion of part 5 is also fully supported by the following National Planning Practice Guidance (NPPG):

‘Designing out crime and designing in community safety should be central to the planning and delivery of new development. Section 17 of the Crime and Disorder Act 1998 requires all local authorities to exercise their functions with due regard to their likely effect on crime and disorder, and to do all they reasonably can to prevent crime and disorder. The prevention of crime and the enhancement of community safety are matters that a local authority should consider when exercising its planning functions under the Town and Country Planning legislation.

(Paragraph: 011 Reference ID: 26-011-20140306)

In a secondary matter, there appears to be a typographical error in that Secured by Design and Manual for Streets have been linked together. They are separate and for the avoidance of doubt, part 5 of Policy NCD1 should be read as follows:

*‘Creates a safe and accessible environment that integrates into the existing environment through the application of Secured by **Design, Manual for Streets** and the Worcestershire County Council’s Highways Design Guide;’*

Policy NCD2: Detailed Design Elements – Page 52

We welcome and support Policy NCD2. In particular, the three emergency services support the requirements for development proposals to make provision for CCTV and effective firefighting. This will ensure that developments are much safer and secure for the people who live, work and visit them; thereby in turn reducing incidences of property damage, death and injuries resulting from fire and crime in the Parish.

Paragraph 6.87 – Page 55

This paragraph requires updating given that the OCC was granted full planning consent (W/15/02662/PN) on 04 March 2016. We ask that the references to Hindlip Park in paragraph 6.87 be deleted entirely in view of this.

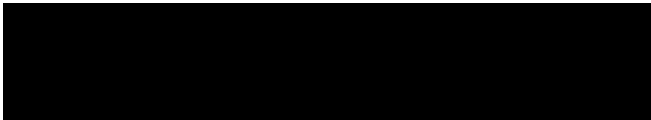
Overall WP, WMP and HWFRS hope that these representations will aid the independent examiner in assessing whether the NCNP complies with the relevant legislation and in determining if it can proceed to referendum.

If it is the intention of the independent examiner to hold public hearings on the submitted NCNP, we would be very grateful for the opportunity to participate in these, particularly in relation to our representations concerning Figure 5.1.

In the event that there should be any questions or further information is needed, in relation to any of the matters raised in these representations, please do not hesitate to contact us.

Yours faithfully

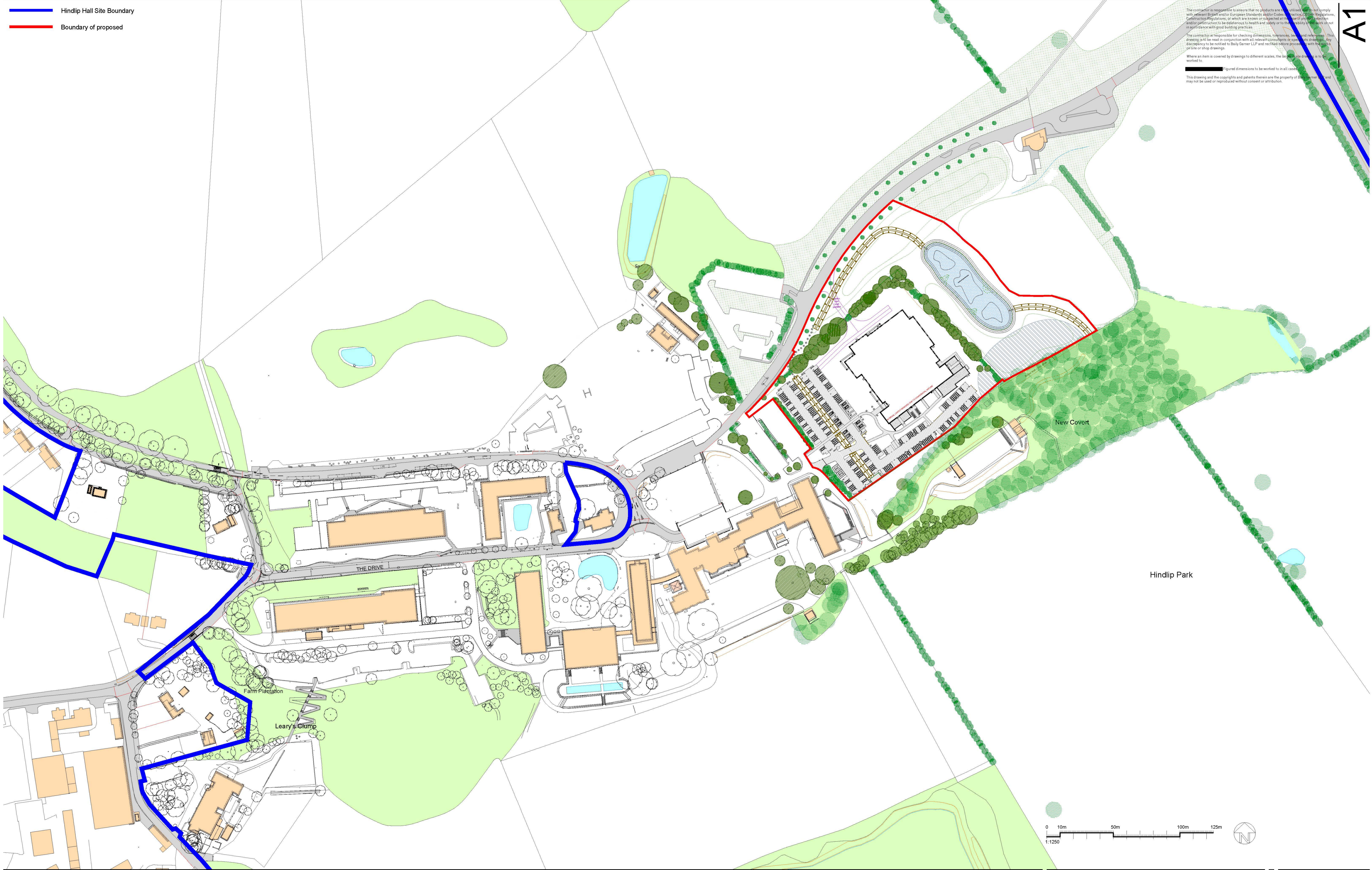
Andrew Morgan MRTPI
Strategic Planning Manager



— Hindlip Hall Site Boundary
— Boundary of proposed

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OCC
 Hindlip Hall, Hindlip, Worcestershire

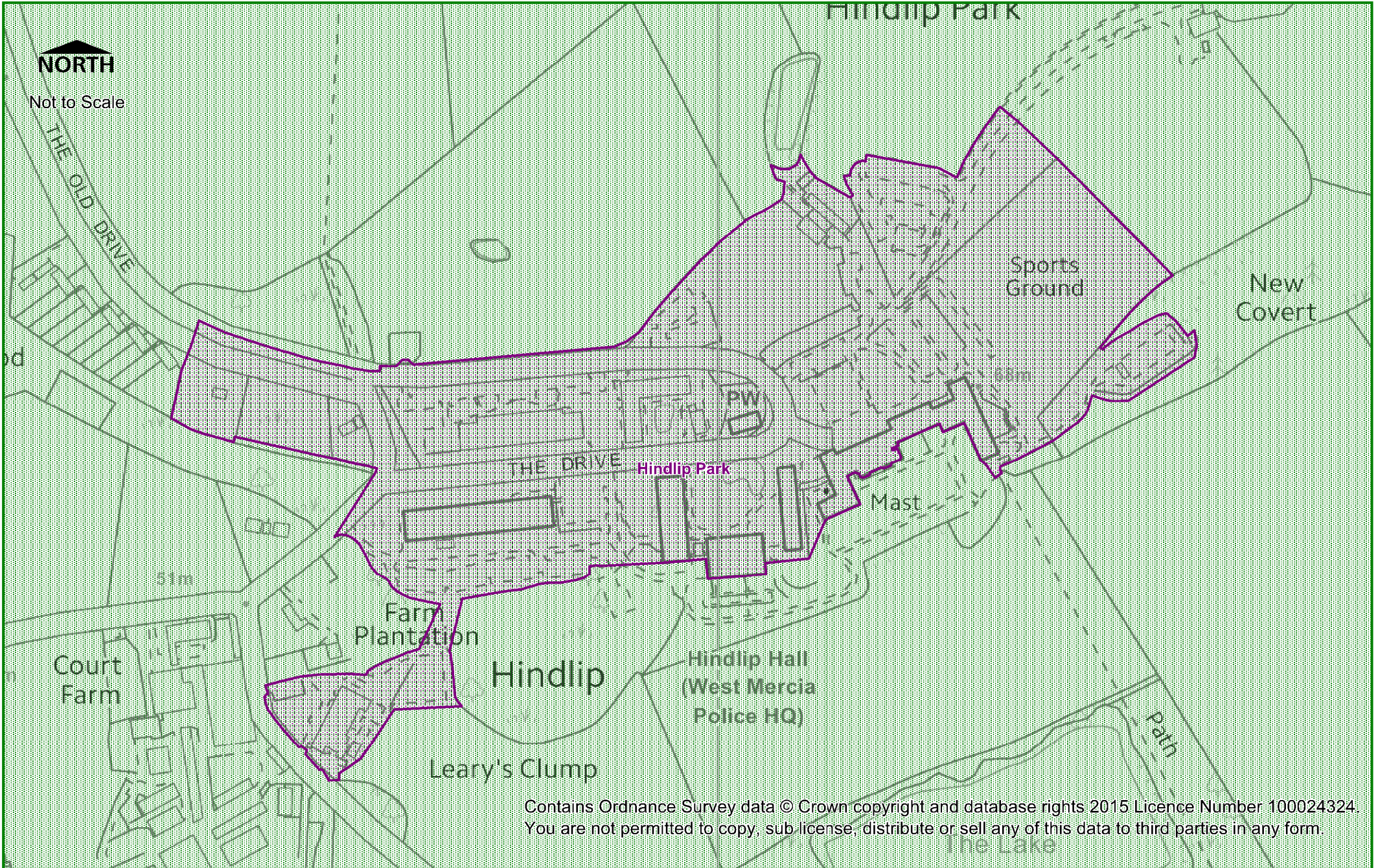


CLIENT Warwickshire Police West Mercia Police & HWFRS	PROJECT OCC
ADDRESS Hindlip Hall Hindlip Worcestershire	TITLE Proposed Location Plan
SCALE 1:1250	PURPOSE OF ISSUE Planning
DATE October 2015	DATE October 2015
REVISION B	REVISION B
DRAWING NO. 27393	PROJECT NO. P 005



Appendix 2
Hindlip Park Major Developed Site Boundary

**Mapping Changes to the Policies Map associated with the Main Modifications
(September 2015) - Modification to Hindlip Park,
(Major Developed Site in the Green Belt)**



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Appendix 3
Map of Designated North Claines Neighbourhood Plan Area

Parish of North Claines - Neighbourhood Planning Area

(Designated 28th May 2013)

Scale : Not to Scale

Date : October 2013



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