

Berkswell Draft Neighbourhood Development Plan – Consultation Responses – 18th June to 31st July 2018

Table 4 Developers and Landowners Responses 050918 FINAL

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Richard Brown Planning Ltd 18 Redwood Burnham S11 8JN 1.1			All	Comment	<p>Berkswell Parish Neighbourhood Development Plan (NDP) - Regulation 14 Draft</p> <p>This representation is made by Richard Brown of Richard Brown Planning Ltd on behalf of Colchurch Properties Limited in response to the consultation on the Berkswell Parish Neighbourhood Development Plan (NDP) - Regulation 14 Draft.</p> <p>I have previously submitted a representation to the previous draft NDP and attach this document. I represent the landowners of the site subject to the Proposed Housing Allocation 1: Barratt's Fami, Balsall Common, as identified in the Solihull Local Plan Review (Draft Local Plan, November 2016).</p>	Noted.	No change.

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1.2					<p>Site overview and recent history</p> <p>The site is situated on the eastern edge of Balsall Common and benefits from local facilities within walking distance, including convenience stores; a doctor's surgery; pharmacy; post office; dentist; optician; library and nursery, primary, and secondary education establishments. The site currently comprises a series of open fields, contained by hedgerows. The topography of the site slopes from the west (120 metres approx.) down towards the east (110 metres approx.) and several public footpaths cross the site and run along its boundaries, connecting to the Kenilworth Greenway along the dismantled railway line to the north. The proposed route of HS2 lies just to the north.</p> <p>The site currently lies within the Green Belt. There are no other planning or amenity and landscape designations that cover all or part of</p>	<p>Noted.</p> <p>The identification of possible strategic sites and changes to the Green Belt boundary is being taken forward through the Local Plan Review by SMBC.</p> <p>The NDP does not address Green Belt matters but the parish council is committed to remaining involved in discussions with SMBC and developers through the Local Plan Review process.</p>	No change.

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					<p>the site. There are two listed buildings at Barratt's Lane Farm.</p> <p>The site has been identified in the Solihull Council Draft Local Plan: Reviewing the Plan for Solihull's Future (November 2016), as a Proposed Housing Allocation (ref. Balsall Common, Site 1), for 800 residential units as an indicative capacity. The indicative route of the Balsall Common link road (ref. Solihull UDP 2006, proposal T 12/4) runs from Station Road across the northern and eastern section of the site, from Station Road.</p> <p>The site has been subject to an ongoing process of analysis and investigation to inform an emerging concept masterplan for the site. This has been undertaken with input from Solihull Council, as per their requirements. This also continues to be developed with input from Berkswell Parish Council, with whom we have held several meetings/workshop sessions, the</p>		

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					latest having taken place on 23rd July 2018.		
1.3			Vision and Objectives	Support	<p>Response to the NDP</p> <p>The NDP sets out a draft vision for Berkswell Parish which takes account of key objectives, including housing, landscape character, accessibility and infrastructure and business.</p> <p>We support the vision and objectives of the draft NDP.</p>	Noted.	No change.
1.3			B1	Support / Comment	<p>Draft policy B1: New Housing - General Principles sets out the proposed criteria that new development on the strategic housing sites (including the Barratt's Farm site) would be expected to meet.</p> <p>These criteria include those to do with layout and accessibility; landscaping and drainage; building design; housing mix; and the natural environment.</p>	<p>Partially accepted</p> <p>The parish council is committed to the principle that development of brownfield sites should be a priority, although it is accepted that the proposed strategic sites in the LPR are in greenfield locations.</p> <p>This is in line with the core planning principles of the NPPF and para 111. which sets out that planning policies and decisions</p>	<p>Ament plan.</p> <p>Amend B1. 1.</p> <p>Insert "wherever possible" after "come forward".</p>

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					<p>We broadly support Draft Policy B1: New Housing - General Principles.</p> <p>It should be noted however that the proposals at Barratt's Farm will provide an urban extension to the settlement which will include open market and affordable housing with schools and other community facilities such as extensive public open space. It is considered that whilst the redevelopment of brownfield land can be a sustainable option, it is not possible to deliver housing and community needs on brownfield sites alone and so we recommend that Draft Policy B1: New Housing, criteria 1 is amended accordingly.</p>	<p>should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value.</p> <p>Inserting the words "wherever possible" would introduce a degree of flexibility, in recognition of the fact that the majority of new development in the area is likely to be on greenfield sites.</p>	
1.4			B1	Support	<p>We support Draft Policy B1, which sits within section 5 of the NDP. This section sets out the that development of the strategic sites identified in the Solihull Local Plan Review would have:</p>	Noted.	No change.

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					<p><i>"a significant impact on the character and setting of the Berkswell parish, and in particular the built up and undeveloped areas around Balsall Common."</i></p> <p>As set out in further sections of this response, the emerging masterplan for the site at Barratt's Farm has been and will continue to be developed with particular regard to local landscape character and setting issues due to its location on the edge of the existing settlement. The following section provides further detail in relation to the emerging masterplan.</p>		
1.5			B1 B3 B7 B8	Comment	<p>Emerging masterplan</p> <p>The vision for the site is to provide a sustainable urban extension to Balsall Common which addresses local community needs. It remains both conceptual and illustrative at this stage, and is underpinned by several principles as follows:</p>	<p>Noted.</p> <p>These matters are all supported in the policies of the NDP.</p>	No change.

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					<ul style="list-style-type: none"> - Identification of a 'development envelope' (i.e. those parts of the site where built form will go) that has been led by a careful survey and analysis of the landscape, visual and heritage characteristics of the site; - Combining the main access from Station Road to the north to connect into the site, with what thereafter will comprise the first section of the proposed Balsall Common link-road; - Retention across the site of the hedgerow and hedgerow tree infrastructure; - Retention, integration and enhancement of the existing Public Right of Way network to facilitate a fully accessible and permeable development; - Creation of a clearly defined open space hierarchy, based on the concept of 'transitions' both between neighbourhoods, between built form and the open 		

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					<p>countryside, and in response to heritage and ecological features on site;</p> <ul style="list-style-type: none"> - The potential to provide new rail station car parking; - Identification of a clearly defined, enduring new Green belt boundary to the east of the proposed settlement, using a combination of landscape features and the proposed link-road route; - Retention of elements of open space that both straddle the Green belt boundary but also form substantial links throughout the masterplan area; and - Creation of a sustainable mix of uses that reflects current local need and demand. 		
1.6			All	Comment	<p>Summary</p> <p>The emerging masterplan remains work in progress and will be subject to further discussions with Solihull Council and continued dialogue</p>	Noted.	No change.

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					<p>with and input from Berkswell Parish Council. We actively welcome engagement with the Parish Council and the continuing development of the Neighbourhood Development Plan.</p> <p>Yours sincerely,</p>		
<p>Hunter Page For Spitfire Homes Thornbury House 18 High St Cheltenham GL50 1DZ 2.1</p>			<p>Proposed site allocation</p>	<p>Object</p>	<p>Dear Sir/Madam, Land at Old Waste Lane: Representation to the Berkswell Draft Neighbourhood Plan (regulation 14 consultation)</p> <p>I am writing on behalf of Spitfire Bespoke Homes Ltd to provide representations to the Berkswell Draft Neighbourhood Plan and who advocate that Land at Old Waste Lane ('the site') should be recommended as a housing site in the Neighbourhood Plan.</p> <p>This representation promotes the site on the basis that it would provide much needed housing in a manner which allows Berkswell to remain a pleasant and safe place in which to live and bring up families; continuing to be a supporting and</p>	<p>Noted.</p> <p>The identification of strategic sites and associated changes to the Green Belt boundary are matters which are being addressed through the Local Plan Review by SMBC.</p> <p>The NDP does not include site allocations and indeed, having been prepared under the first iteration of the NPPF, changes to the Green Belt were not matters that could be addressed in an NDP.</p> <p>Although the new revised NPPF sets out in para 136 that "<i>where a need for changes to Green Belt boundaries has been established</i></p>	<p>No change.</p>

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					<p>inclusive society offering a range of housing options for young people and resizing opportunities for current residents; in accordance with the NDP's vision statement.</p> <p>Who are Spitfire Bespoke Homes</p> <p>Spitfire Bespoke Homes is an award-winning housebuilder with an aim to be the leading niche housebuilder in the UK, creating quality developments in desirable and sustainable locations. Spitfire are passionate about design and quality of construction, with their bespoke approach resulting in beautifully crafted homes with a real sense of individuality. As a business, they have a wealth of skills, experience and creative flair to make not just houses but homes for communities. Spitfire is not a land promoter, they build homes (market and affordable) and ensure high quality at every stage of the process. They are currently delivering a range of new homes across the West Midlands and</p>	<p><i>through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, including neighbourhood plans", Annex 1 para 214 sets out that "policies in the previous Framework will apply for the purpose of examining plans where those plans are submitted on or before 24 January 2019."</i></p> <p>It is proposed that the Berkswell NDP will be submitted in Autumn 2018.</p> <p>In any event, in interpreting para 136 it would seem that the Local Plan Review would have to include a strategic policy or policies supporting the preparation of non-strategic policies for Green Belt boundary changes in the Berkswell NDP. The Local Plan Review is still at an early stage and it may be some time before the new Local Plan is adopted.</p>	

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					South which range in scale and appearance to reflect the local communities that they are being built within.		
2.2			Proposed site allocation	Comment	<p>The Site Location</p> <p>The site lies on the south eastern edge of the large village of Balsall Common which is identified as a large post war suburban commuter village in the emerging Solihull Borough Plan (see appendix 1, page 5). It has expanded significantly in recent years such that it is seen as one of the larger rural settlements in Solihull. It is situated some 7.5 miles (12.1 km) west of Coventry, 8.5 miles (13.7 km) east of Solihull and 14 miles (23 km) to the southeast of Birmingham. The site being in the village of Balsall Common, falls within the Berkswell Parish boundary (which comprises the eastern third of Balsall Common and the countryside between there and Coventry) which is also the designated area for the Berkswell</p>	<p>Noted.</p> <p>This submission refers to Balsall Heath on several occasions. Balsall Heath is not in Berkswell Parish and is to be found 15 miles away in Birmingham. We presume the respondent means Balsall Common.</p>	No change.

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					<p>Neighbourhood Plan. Around 60% of the residents of Berkswell Parish live in Balsall Common. The two areas are linked by their close proximity and shared services, with Balsall Common acting as a Local Centre for the surrounding areas and reducing the needs of local residents to travel for basic services and amenities. The site area is approximately 1.64ha with the B4101 Waste Lane running along the site's southern boundary. To the north of the site boundary is Old Waste Lane. The nature of the existing dwellings in the immediate area constitute large detached properties of differing architectural styles. Beyond the immediate site area lies Barratts Lane Farm to the north (allocated in the Draft Local Plan for 800 units) and Pheasant Oak Farm to the south. The site comprises two field parcels which are bisected by a mature hedgerow, further hedgerows bound the site to the north, south, west and east. The site therefore benefits from recognisable boundaries on all four</p>		

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					<p>sides. A PROW (public right of way) runs through the western parcel of the site which forms part of the millennium way linking Pershore to Middleton Cheney. The B4101 Waste Lane to the south of the site is a key strategic route through Balsall Common and is a bus route. Therefore, access is proposed via Old Waste Lane to the immediate north of the site. Balsall Heath is not washed over by but surrounded by the Solihull Metropolitan Green Belt which covers around two thirds (67%) of the Solihull District. It separates the West Midlands conurbation from surrounding settlements. The vital strategic gap between Birmingham/Solihull and Coventry is known as the Meriden Gap. However, it is accepted in the preparation of the LP that given the anticipated levels of growth to be accommodated, significant releases of land from the Green Belt to meet development needs will occur. The site is located entirely in Flood Zone 1, it has no landscape designations aside from its location within the</p>		

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					<p>green belt as set out above. There are no historic designations which affect the site such as a Conservation Area or the presence of listed buildings on the site or within its immediate vicinity. The site is also considered to have low ecological potential. Overall, there are not considered to be any constraints which could not be mitigated against to prevent the site coming forwards for residential development. Services The site is approximately 1 mile from the village centre which is focused around Station Road and contains a number of community services and facilities including: a primary and secondary school (both within 10 minutes' walk of the site), village hall, pub, post office, bus stops, places of worship, pharmacy, dentist, bank, small supermarkets (Co-op and Tesco) and several other businesses including restaurants and cafes. Accessibility There are several bus routes which provide services through the village including the 233,62,87,88,89</p>		

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					<p>Services. These provide links to Solihull, Knowle, Coventry and Leamington Spa. Waste Lane forms part of a key bus corridor. Service 233, 87, and 89 are serviced along Waste Lane, the nearest bus stop to the site is situated on Waste Lane, approximately 50m east of the site. These services provide direct links to Solihull, Coventry and Kenilworth. The site is connected to Kenilworth to the south east, Dorridge to the south west and Meriden to the north. The A452 passes through the centre of the village connecting Balsall Common to the wider strategic highways network. The M42 motorway passes to the west of Balsall Common and the M6 to the north. The M42 motorway is a strategically important route acting as a key north-south route connecting the south east to the north. Berskwell Station is located to the north east of Balsall Common. The station is situated on the Birmingham-Coventry section of the West Coast Mainline serving many key public</p>		

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					<p>transport hubs such as Birmingham New Street and Birmingham International Airport, and offers direct connections to London, Northampton, Rugby and Coventry. The planned route of HS2 runs to the east of Balsall Common. The site does not fall within the 300m consultation zone. The site is therefore in an accessible location and with the exception of the Green Belt is free from landscape and environmental designations. Further in terms of Green Belt the site benefits from what is quite a unique position in having recognisable physical boundaries on all four sides. This creates a clearly defined residential curtilage which separates the site from the countryside beyond, preventing further encroachment into the countryside from defensible boundaries.</p>		
2.3			Basic Conditions	Object	<p>Legislation and National Policy</p> <p>Provision for Neighbourhood Planning is made within the 2011 Localism Act which empowers local</p>	<p>Not accepted.</p> <p>The Basic Conditions Statement sets out in detail how the NDP meets the required Basic</p>	No change.

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					<p>communities to develop a shared vision for their neighbourhood and to deliver sustainable development.</p> <p>The National Planning Policy Framework advises on the preparation of Neighbourhood Plans stating at paragraph 184 that: <i>"The ambition of the neighbourhood plan should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them"</i>.</p> <p>The Planning Practice Guidance further advises on the role of Neighbourhood Plans explaining that they are a mechanism to support strategic development</p>	<p>Conditions. Ultimately this will be tested by the examiner during the independent examination.</p> <p>Planning officers from SMBC have provided comments largely supporting the policies in the NDP subject to some proposed minor amendments which strengthen and improve the clarity of NDP policies. Two matters (a proposed Local Green Space and car parking requirements) were identified for further consideration but it was suggested that these could be considered in detail as part of the examination process.</p>	

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					<p>needs and to plan positively. To be made, a Neighbourhood Plan must meet each of the four 'basic conditions' set out at paragraph 8(2) of Schedule 4B to the 1990 Town & Country Planning Act. A Neighbourhood Plan will be considered to have met the basic conditions if all of the following are met:</p> <ol style="list-style-type: none"> 1. Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan; 2. The making of the neighbourhood development plan contributes to the achievement of sustainable development; 3. The making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of the area); 4. The making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations. 		

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					This representation queries the draft Neighbourhood Plan's ability to meet the requirements of the basic conditions 1, 2 and 3. The representation additionally considers the soundness of the emerging Local Plan Review, likely amendments thereto and the impact on the Neighbourhood Plan.		
2.4			Basic Conditions / Proposed site allocation	Object	<p>Local Plan Context Basic Condition no.3 requires that Neighbourhood Plans are in general conformity with the strategic policies of the Local Plan.</p> <p>The statutory development plan is the 'Solihull Local Plan' which was adopted in December 2013 and covers the period 2011 to 2028. However, and since the Local Plan was adopted, a legal challenge has resulted in the overall housing requirement for the authority area being deleted and the Council tasked with reconsidering the need for housing. The Local Plan cannot therefore be relied on to advise housing targets for Neighbourhood Planning purposes. Additionally, the</p>	<p>Not accepted.</p> <p>Refer to 2.1 above.</p> <p>The respondent should refer suggested site and submission to SMBC for their information and consideration.</p>	No further change.

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					<p>government's plans for HS2 have passed through Parliament and Royal Assent has now been granted for Phase One of the route which is expected to be delivered before 2026. The first station outside of London is to be built in Solihull within the new plan period. For these reasons, the Council has seen fit to undertake a Local Plan Review (LPR). The LPR will cover the period to 2033 and advise on strategic growth in the authority area. The LPR has been drafted, consultation undertaken thereon and reported to cabinet. The Submission draft is due to be published summer/autumn 2018 with the EIP scheduled for Spring 2019. The Council advise that the LPR should be adopted in summer 2019. The function of the LPR is, inter alia, to determine housing targets for the borough, allocate strategic sites for housing and to amend Green Belt boundaries. The Local Plan is the mechanism by which land can be removed from or included in the Green Belt. The broad options for</p>		

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					<p>growth and development are outlined in the latest draft version of the emerging local plan and an exercise was undertaken and Balsall Heath performed favourably such that land to the north, east and south east of the settlement were identified as locations where growth should be focused and land released from the Green Belt. This was due to its medium-high accessibility credentials, relatively unconstrained nature and low – moderate impacts on the Green Belt. The LPR proposes the release of Green Belt sites to meet the housing needs of the Borough. This is entirely justified as necessary to meet the needs of the borough and the wider HMA. The Strategic Housing and Economic Housing Land Availability Assessment identifies that only 1,090 units could be delivered from land that is not currently within the Green Belt. This would result in a huge shortfall of 13,939 units against the housing requirement suggested in the draft Local Plan Review. The draft Local</p>		

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					<p>Plan Review does not allocate the site for housing but as identified above the site is in a highly accessible location where new development is supported. There are three proposed allocations within its immediate surroundings all of which are located within the Green Belt:</p> <ul style="list-style-type: none"> • Barratt's Farm with an indicative capacity for 800 new dwellings (situated to the immediate north west of the site); • Frog Lane with an indicative capacity for 200 new dwellings (situated to the south west of the site); and • Windmill Lane/Kenilworth Road with an indicative capacity for 150 new dwellings (situated to the south west of the village). <p>Of the above proposed allocated sites, Barratt's Farm and Windmill Lane/Kenilworth Road fall within the Berkswell NDP boundary.</p>		

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					<p>The Neighbourhood Plan The Neighbourhood Plan is at regulation 14 stage consultation. When adopted, the plan will cover the period 2018-2033. From July 2015 some early work was undertaken together with neighbouring Balsall Parish Council to prepare a joint NDP for both parishes. This has since stopped and the Parishes are now preparing separate NDP. The Berkswell Neighbourhood Plan sets out a vision for the plan period derived from consultation with interested parties including residents and local businesses, when the First Draft Plan was published for informal public consultation during March and April 2018. It sets out the key planning issues identified for the area and includes 10 draft planning policies to guide new development in Berkswell Parish up to 2033. In terms of housing provision, the draft NDP objectives are as follows: 1. To provide the types of property to attract young people to live and work here and resizing</p>		

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					<p>opportunities for older current residents.</p> <p>2. To promote high quality housing designs and layouts that allow for space, privacy, visual amenity and ecological sustainability and water management</p> <p>Paragraph 5.5 of the draft Berkswell NDP states: "There is a timing issue as until the new Solihull Local Plan is adopted, the NDP has to be prepared to be in general conformity with the existing adopted Solihull Local Plan 2013, and the two additional strategic sites are currently within the Green Belt. If the NDP supports ... major development in the Green Belt it would not be in general conformity with the adopted local plan or have regard to national planning policy, both of which protect the Green Belt from development."</p> <p>This is in part correct as the Solihull Local Plan is currently being revised however, this is due to an uplift in housing number requirement and</p>		

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					<p>therefore the adopted Local Plan's housing policies are rendered out of date, with the revised local plan accepting the need for green belt release to accommodate further housing. Whilst it is acknowledged that the Green Belt is an important consideration in determining the growth strategy for Local Plans other considerations are important to ensuring an appropriately sustainable growth strategy is achieved. Such considerations include accessibility to services and facilities and whether the level of planned growth is proportional to any given settlement relative to social cohesion and pressure on existing infrastructure. It is also entirely appropriate to ensure that growth takes place in all settlements to maintain their viability for example by supporting services and facilities and providing affordable housing. By prioritising the protection of the Green Belt over other issues this could lead to unsustainable patterns of development occurring. Whilst it is</p>		

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					<p>accepted that the NDP cannot allocate sites within the Green Belt until adoption of the LP they have the ability to recommend/support sites proposed. This is the case for a recently adopted NDP in Keyworth, Nottinghamshire where the NDP has an appendix which is not part of the NDP but supports the proposed allocations contained within the Emerging Rushcliffe Local Plan for Green Belt release. The inclusion of something such as this in the Berkswell NDP would positively acknowledge the need for growth and those locations where it might best be provided. Housing Amount Draft LPR Policy P5 'Provision of Land for Housing' establishes that the Council will allocate sufficient land to deliver 15,029 dwellings (791 net dwellings per annum) during the period 2014-2033. Paragraph 6.1 of the NDP states that the emerging new Solihull Local Plan will set out the requirement for the majority of new housing in Berkswell Parish and this will be provided on the proposed strategic</p>		

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					<p>sites, subject to changes to the boundary of the Green Belt thus, no housing allocations are made within the Berkswell NDP. There is however an indication that the proposed housing numbers set out in the draft LPR are set to increase further which reinforces the view that the NDP should recommend a number of smaller non-strategic sites to come forwards in order to meet this uplift. Draft Policy B1 merely sets out the general principles required for strategic allocations; the Old Waste Lane site can largely accommodate these principles through the provision of;</p> <ul style="list-style-type: none"> • A SHMA led policy compliant housing mix and tenure; • The incorporation of Sustainable Design principles; • A pedestrian link along the western edge for easy access to the bus stop; • Retention and enhancement of existing trees and hedgerows on site where possible; • Use of SuDs for attenuation purposes; 		

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					<ul style="list-style-type: none"> • PROW enhancement through the provision of generous open space surrounding it creating a green link through the development; • Building heights not exceeding 2/2.5 storey; • Central public open space provision. <p>In order to achieve the general housing principles, Spitfire would look to work with the NDP team to ensure an appropriate design and layout for the site.</p> <p>Draft Policy B1 also states that brownfield sites should come forwards before greenfield sites are released. Despite best intentions brownfield sites are never going to deliver the quantum of development required compared to greenfield sites. There are no site allocations and no rural exception site allocations (although draft policy B2 supports small scale affordable development of 1 or 2 homes in brownfield or infill sites). However, the emerging LPR states</p>		

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					<p>in draft policy P17 that Berkswell is not a suitable settlement for infill development to take place which would not constitute inappropriate development and no brownfield sites have been identified as part of the NDP. A reliance on strategic sites to deliver housing is erroneous as the benefits of non-strategic site delivery are well known given that their cumulative impact can make a significant contribution to the supply of housing as they are not prone to the hold ups or reliance of infrastructure delivery that large scale strategic sites are – which often fail to deliver. These smaller sites can come forward much quicker and are able to respond sensitively to existing settlement character and directly to local need, without applying huge pressure on existing services, facilities and infrastructure. Provision of these smaller sites opens up the market to small and medium scale house builders who have local and or regional connections to sites, so have to provide a high quality final</p>		

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					product – such as Spitfire Bespoke Homes. The growth in the small and medium housebuilder sector will reduce the over reliance on the large scale monopoly housebuilders and is endorsed by the NPPF2. It is therefore proposed that the Berkswell NP recommends some smaller sites to be allocated in the LPR in order to support a more dispersed settlement strategy which supports vitality and viability of smaller rural areas. Spitfire are of the firm belief that the Site is appropriate for development whereby it should be a part of the strategy for residential growth in the area.		
2.5			Proposed Site Allocation	Comment	<p>Allocating the Site</p> <p>The site is considered to have potential to accommodate around 40 units and located adjacent to the proposed Barratt's Farm allocation and to the south west of the village of Balsall Common, where there is good potential to access local facilities and service by sustainable transport modes. This is set out in</p>	<p>Not accepted.</p> <p>Noted.</p> <p>Refer to 2.1 above.</p> <p>The respondent should refer suggested site and submission to SMBC for their information and consideration.</p>	No change.

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					<p>further detail in the accompanying Spatial Vision Document (see appendix 1). It is also clear that the NDP places huge importance on achieving appropriate design. The site and developer offers real opportunity to realise this goal. Being of a smaller size, the site is more likely to be developed in a manner which benefits from bespoke design as opposed to the 'off-the-shelf' approach preferred by large house builders. It is also relevant that Spitfire have an excellent track record for delivering schemes which are of high quality design as evidenced by the supporting Spatial Vision Document (appendix 1). Commitment to design is something which sets Spitfire apart from their competitors. If the Neighbourhood Plan were to recommend the site for development in the future, this would help to close the gap between demand and supply. In the likely scenario that the LPR allocations are carried through, the site provides a logical extension to</p>		

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					<p>the Barratt's Farm proposed allocation and is well contained by existing residential development to the north and Old Waste Lane to the South preventing further expansion potential but, logically rounding off development in this location. The allocation of the proposed site in the NDP would ensure that the Neighbourhood Plan aids the Council's endeavour to 'continue to boost significantly the supply of housing' in an area where additional housing delivery is clearly required, as evidenced by the reasoning behind the legal challenge to the adopted Solihull Local Plan. Overall, the Site relates well to the allocated site at Barratt's Farm to the west of Balsall Common and would provide the Neighbourhood Plan with certainty of housing delivery. The allocation of the site in addition to other, smaller sites would respect the character and appearance of the area by dispersing the anticipated additional housing numbers across a greater number of sites around</p>		

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					<p>the settlement edge of Balsall Common. The additional residential development will come forward in an organic manor with little impact on highway capacity and environmental designations, whilst supplementing the proposed LPR site allocations. Overall, the Site does not have any historic or ecological designations which would restrict its development. Furthermore, the site is in Flood Zone 1 which has the lowest probability of flooding and although it is located in the Green Belt, the LPA accept that Green Belt release is required to meet housing demand. The entire site is physically and visually well contained by existing trees and hedgerows which demarcate its boundary, limiting any intervisibility between the site and its immediate context. Given the surrounding residential development there is potential to link with existing services such as sewers and mains electricity with ease. The site also relates well to its context providing potential for c. 40</p>		

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					<p> dwellings to assimilate well with its semi urban setting. It affects no other environmental designations. Residential use on this site is deemed to be the most suitable use for the site given its proximity to a range of facilities and services provided within the settlement centre.</p>		
2.6			Proposed site allocation	Comment/ Object	<p>Summary</p> <p>Spitfire contend that Housing Policies in the Neighbourhood Plan do not provide certainty on housing numbers or housing delivery as they rely on strategic allocations requiring Green Belt release to come forwards as part of the emerging Local Plan Review, whilst not supporting them within the NDP. No further sites are allocated and despite favouring brownfield development, no suitable sites are identified to come forwards. In the event that those allocations are removed, the Policy would fail to deliver housing. Windfall development alone would be insufficient to meet the housing</p>	<p>Not accepted.</p> <p>The NDP does not include site allocations in the Green Belt. The NDP was prepared in line with the previous NPPF which sets out that changes to the Green Belt can only be undertaken through the Local Plan Review process.</p> <p>The respondent should refer suggested site and submission to SMBC for their information and consideration.</p>	No change.

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					<p>target for the area. There is also evidenced concern that housing requirements across the borough will be increased compared with targets in the current draft iteration of the LPR. This would require a proportionate uplift on housing delivery in the Neighbourhood Area. For the above reasons, the Neighbourhood Plan fails to conform to national advice or the strategic policies of the Development Plan. Furthermore, in failing to clearly show how housing would be delivered over the plan period, the Neighbourhood Plan doesn't contribute to the achievement of sustainable development. The Neighbourhood Plan therefore fails to meet three of the basic conditions. To meet the basic conditions, The Neighbourhood Plan's housing policies needs to provide a firmer steer on its housing strategy i.e. how it intends to deliver housing sufficient for the needs of the area over the plan period including through site allocations. Spitfire</p>		

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					<p>suggest that a number of smaller allocations around the settlement edge such as the proposed site on Old Waste Lane are an appropriate distribution strategy to meet the required housing needs for Borough whilst complying with the vision for the area. The Site, at Old Waste Lane, Balsall Common is one such site which should be recommended for development. Its contribution to the Green Belt is low as show in the emerging LPR which notes the area as having low to moderate contribution to the Green Belt and land to the South East of the settlement being highlighted as a future growth point. The site is suitably and sustainably located for development with good accessibility to local services, as identified in the above section of this document. There are no physical constraints that would prevent or delay development coming forward on the developable area of the site. The wider area surrounding the site to the north and west is made up of existing residential development</p>		

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					<p>(large detached properties to the immediate north) and as such, the site is clearly located in a sustainable location suitable for residential development given the surrounding compatible land uses. Therefore and whilst development of this site would lead to a loss of a greenfield site which would be removed from the Green Belt as part of the Local Plan Review process, this is offset by the identification of further growth within rural areas and by providing a high quality scheme that will deliver substantial social and economic benefits which seeks to integrate with the existing built environment and local community. I trust all of the above is of use and if you require any further information, please do not hesitate to contact me. Yours Faithfully,</p>		
2.7			Proposed site allocation	Comment	See full document for Appendices including graphics and maps.	<p>Noted.</p> <p>The respondent should refer suggested site and submission to SMBC for their information and consideration.</p>	No change.

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Parish Priest On behalf of Blessed Robert Grissold Church Meeting House Lane 3.1			Policy B4	Object	<p>See letter in appendix 3 dated 20th July 2018 (and the attached letter dated 19th April 2018)</p> <p>Clerk to Berkswell Parish Council PO Box 6379 Coventry CV6 9LP 20th July 2018</p> <p>Dear Sir / Madam,</p> <p><u>Representations to Berkswell Parish Neighbourhood Development Plan Regulation 14 Consultation from Blessed Robert Grissold (BRG) Catholic Church</u></p> <ol style="list-style-type: none"> 1. These representations follow on, and build upon comments made by BRG to the consultation on the First Draft Plan in April 2018 (attached as Appendix One). 2. As landowner, BRG objects to the proposal to designate land at Meeting House Lane, Balsall 	<p>Not accepted.</p> <p>The First Draft Plan was publicised widely for informal public consultation with all stakeholders including local landowners and developers.</p> <p>There were a range of opportunities to become engaged in the process including attendance at public meetings and by submitting written representations.</p> <p>Further details about the extensive informal public consultation processes at all stages of the NDP's preparation can be found in the accompanying Consultation Statement.</p> <p>Landowners and developers have a responsibility to become and remain engaged in planning processes including NDPs where they have land holdings. The NDP website provided up to date</p>	No change.

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					<p>Common as Local Green Space by virtue of Draft Policy B4.</p> <p><i>Basic Conditions – a. having regard to national policies and advice</i></p> <p>3. As noted in paragraph 1.5 of the NDP, the final draft of the NDP must demonstrate it meets the basic conditions set out in paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended). These include the requirement that the NDP has had regard to national policies and advice contained in guidance issued by the Secretary of State.</p> <p>4. National planning policy on the designation of Local Green Space (LGS) is currently set out at paragraphs 76 to 78 of the National Planning Policy Framework (NPPF). Guidance is set out at references ID: 37-005-20140306 to ID: 37-022-20140306 of the National</p>	<p>information on the progress of the plan and all stakeholders were invited to take part at all stages.</p> <p>The Parish Council met with the landowner on 21st August 2018 to discuss their representation and to explain about future opportunities for engagement.</p>	

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					<p>Planning Practice Guidance (NPPG).</p> <p>5. The draft NDP has failed to have regard to these policies and guidance for the following reasons:</p> <p><i>Failure to engage with BRG at an early stage</i></p> <p>6. As a preliminary point, paragraph: 019 Reference ID: 37-019-20140306 of the NPPG advises qualifying bodies to contact landowners at an early stage about proposals to designate their land as LGS. No such contact was made, and BRG were not aware of the proposals until their attention was drawn to the First Draft Plan in April 2018 to which it responded. Further, BRG has still yet to receive a response from the NDP Committee to its offer to meet to discuss the matter.</p>		

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3.2					<p><i>Failure to comply with the criteria for Local Green Space</i></p> <p>7. Paragraph 77 of the NPPF explains that the LGS designation will <u>not</u> be appropriate for most green areas or open space. It is self-evident therefore that this designation should only be made where it can be clearly demonstrated by robust and compelling evidence that the land in question meets in full all three criteria set out in paragraph 77. The fact that most green areas or open space will not meet in full all criteria suggests that the bar has been set high by national policy.</p> <p>8. In respect of the first criteria, the green area must be in reasonably close proximity to the community it serves. There is no dispute that the land is close to the community of Balsall Common as noted in</p>	<p>Not accepted.</p> <p>The NDP includes detailed supporting text setting out the justification for designating the site as a Local Green Space, in line with the criteria in the NPPF.</p> <p>This sets out details about how the site is in close proximity to the local community it serves, how it is demonstrably special, and how it is local in character and not an extensive tract of land.</p> <p>The site's recreational value is also documented in a background report, provided as part of the NDP's evidence base.</p> <p>It is not accepted that the area has no value in terms of tranquillity and an Examiner could take a view on this when undertaking a site visit.</p> <p>The site has a number of mature of mature trees and hedgerows</p>	No change.

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					<p>Table 1 on page 33 of the Draft NDP, however it is not accepted that the land serves that community in any form as explained below. Accordingly, this criteria has not been met.</p> <p>9. In respect of the second criteria, the designation should only be applied where the green area is demonstrably special to a local community and holds a particular local significance.</p> <p>10. The Draft NDP states that this test is met based on its high recreational value, its tranquillity, and its value for wildlife (Table 1). The evidence base to support this statement is a report on a survey of use of the land, and a Preliminary Ecological Report (January 2018).</p> <p>11. It is strongly disputed that this test has been met for the following reasons.</p>	<p>and these have an intrinsic wildlife value, which could increase over time (as could the value of the grassland if left unimproved and allowed to become populated by wildflowers).</p> <p>Indeed, the large number of residents' responses at Reg 14 consultation stage supporting the NDP and the Local Green Space in particular, continue to demonstrate the strength of local feeling about its particular local significance for recreational value and tranquillity through informal use.</p> <p>The NDP notes the reasoning and evidence informing the policies and proposals in line with the emerging Local Plan Review and therefore complies with NPPG.</p> <p>Solihull MBC (see Table 1) notes that " The justification for the designation as a Local Green Space in the Pre-Submission Draft</p>	

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					<p><i>Recreational Value</i></p> <p>12. The Draft NDP evidence makes reference to the former use of the land by the Hornets Football Club. Their use of the land ceased in 2015 and the land has not been used since by the club. The fact the land is no longer recreational land is supported by evidence found within the Playing Pitch Assessment (January 2017) which has been prepared for the Borough Council to inform the preparation of the Development Plan for the area (including the preparation of this Neighbourhood Plan).</p> <p>13. It presents a supply and demand assessment of playing pitch facilities in accordance with Sport England's Playing Pitch Strategy Guidance. All playing pitches are included irrespective of ownership, management and use. The land</p>	<p>NDP has been strengthened, and details of the site's history and public use provided as part of the evidence base for the NDP."</p> <p>SMBC goes on to advise that although the designation at this point may be premature in terms of masterplan process, "it is recognised that the Parish Council is clearly keen to take forward the designation of this Local Green Space, and it may be that testing this through the NDP examination is the appropriate way forward."</p> <p>The Parish Council supports this view and considers that the appropriate way forward is through the examination of the NDP.</p>	

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					<p>in question is not identified within this Assessment in acknowledgement of the fact that the previous use of the land as a sports pitch has ceased.</p> <p>14. The Draft NDP evidence also makes reference to use of the land for exercise, dog walking, informal games, and social use. As BRG's response to the First Draft Plan advised, there is no prescriptive public access to the land for recreation or any other purpose (save for a public footpath alongside the western boundary). The Draft NDP does not acknowledge this fact.</p> <p>15. Paragraph: 018 Reference ID: 37-018-20140306 of the NPPG makes clear that there is no need to designate public footpaths that are linear corridors as LGS simply to protect rights of way. The existence of the public footpath</p>		

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					<p>through the land is not a reason therefore to designate the land.</p> <p>16. Paragraph: 017 Reference ID: 37-017-20140306 of the NPPG is also clear in that land without public access can only be considered for designation if it is valued for reasons other than those associated with public access. Put simply, if the land cannot be accessed it cannot have recreational value sufficient to warrant designation as LGS.</p> <p>17. In these circumstances, there is no evidence or justification to support the designation of the land as LGS on the basis that it is demonstrably special for its recreational value.</p> <p><i>Tranquillity</i></p> <p>18. No evidence has been provided to support the assertion that the land holds a particular significance for its tranquillity,</p>		

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					<p>other than the statement in Table 1 that the land forms a quiet sheltered meadow and a green oasis in the midst of a built up area.</p> <p>19. National planning policy and guidance advises on what areas may constitute being designated for their tranquillity. Paragraph 123 of the NPPF states:</p> <p><i>Planning policies and decisions should aim to: identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.</i></p> <p>20. Further, paragraph: 012 Reference ID: 30-012-20140306 of the NPPG sets out the factors relevant to identifying areas of tranquillity. It states:</p> <p><i>There are no precise rules, but for an area to be protected for its</i></p>		

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					<p><i>tranquillity it is likely to be relatively undisturbed by noise from human caused sources that undermine the intrinsic character of the area. Such areas are likely to be already valued for their tranquillity, including the ability to perceive and enjoy the natural soundscape, and are quite likely to be seen as special for other reasons including their landscape.</i></p> <p>21. The land cannot be described as demonstrably special for its tranquillity given it falls within the urban area of Balsall Common, and is bordered on three sides by residential development, a church, and roads. The Draft NDP itself acknowledges the land is in a 'built up area', and users of the public footpath through the land would not experience an environment undisturbed by noise from human caused sources.</p> <p>22. The land is not valued for its tranquillity in any current</p>		

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					<p>Development Plan Document for the area, and nor does the emerging Solihull Local Plan Review (LPR) propose to designate this land for its tranquillity. In fact, to the contrary, the LPR proposed the allocation of the land and the immediate land to the south and east for the development of up to 800 dwellings and associated uses including highway infrastructure. Noise levels experienced on the land will clearly increase as a consequence of the noise and disturbance arising from development proposed within the LPR.</p> <p>23. With reference to paragraph 123 of the NPPF, the land is also not prized for its recreational or amenity value given there is no prescriptive public access. Furthermore, with reference to the NPPG above, the land is not seen as special for other reasons. This includes</p>		

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					<p>landscape as accepted by the lack of reference to any landscape value within the Draft NDP.</p> <p>24. There is therefore no evidence or justification to designate the land as LGS on the basis that is demonstrably special for reasons of its tranquillity.</p> <p><i>Wildlife</i></p> <p>25. The ecological evidence presented to support the Draft NDP contains a constraints map derived from Phase 1 habitat mapping. This map shows where development should be avoided and ecological enhancement encouraged. The map on page 10 of the report clearly shows <u>no</u> ecological constraints on the land. The report also concludes the land has medium distinctiveness for its habitat importance (page 24). The land is therefore less</p>		

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					<p>distinctive in terms of its habitat importance than other areas of the Parish, including the land to the immediate south which is noted as medium-high and therefore of greater wildlife value.</p> <p>26. The land cannot therefore be described as demonstrably special in terms of its wildlife value, and does not qualify for designation as an LGS based on the richness of its wildlife.</p> <p><i>Conclusion</i></p> <p>27. In summary, therefore, there is no evidence or justification to demonstrate that the land is demonstrably special to the local community and holds a particular local significance on the grounds of recreational value, tranquillity, or wildlife. On that basis, the Draft NDP fails to have regard to national policy and advice in respect of</p>		

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					<p>its proposed designation of the land as LGS.</p> <p><i>Failure to consider the relationship with the Local Plan Review</i></p> <p>28. As noted in Paragraph 1.5 of the draft NDP, and explained within Paragraph: 009 Reference ID: 41-009-20160211 of the NPPG, the draft NDP must give consideration to the emerging Solihull Local Plan Review (LPR) and supporting evidence base in its preparation in order to ensure the NDP remains relevant and up-to-date.</p> <p>29. The Draft LPR published in late 2016 is the latest iteration of the Plan. This proposed the allocation of the land for residential development as part of Barratt's Farm (LPR Ref.1). The proposed allocation of the land as a Local Green Space in the Draft NDP is therefore in conflict with the emerging LPR. This was recognised as an issue</p>		

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					<p>in the Borough Council's response to the consultation on the First Draft Plan, but the Draft NDP does not address or respond to this issue being raised.</p> <p><i>Failure to take into consideration its Green Belt designation</i></p> <p>30. Paragraph: 010 Reference ID: 37-010-20140306 of the NPPG advises that if land is already protected by Green Belt policy, then consideration should be given to whether any additional local benefit would be gained by designation as Local Green Space.</p> <p>31. The land at Meeting House Lane is already protected by Green Belt policy, and the NDP does not give any consideration to what additional local benefit is gained by the designation.</p> <p>32. It is of course acknowledged, and noted in the Draft NDP,</p>		

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					<p>that the status of the land as Green Belt is under review as part of the emerging Local Plan Review (LPR). That review once concluded may result in the removal of the designation, and the allocation of the land for residential development as indicated in the latest version of the Draft Local Plan.</p> <p>33. That review is however some way from concluding (at least 12 months) and the NDP will be 'made' well in advance of the adoption of the LPR. In this context, the draft NDP must therefore give consideration to what additional local benefit is gained from the designation at this time.</p> <p><i>Basic Conditions – d. contributes to the achievement of sustainable development</i></p>		

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					<p>34. Another basic condition set out in paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended) is to contribute towards the achievement of sustainable development.</p> <p>35. There is a lack of clarity within the Draft NDP as to how the Plan as a whole will contribute towards sustainable development. In particular, there is a lack of policy and guidance as to how the economic and social roles of sustainable development will be fulfilled in terms of ensuring sufficient land is available to support economic growth and meet housing needs.</p> <p>36. Further, in respect of the environmental role, there is a clear disconnect between the draft NDP policies and the NDP evidence in that its policies are seeking to protect areas of lower wildlife value from</p>		

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					<p>development, whereas areas of higher value are left unprotected.</p> <p><i>Concluding Comments</i></p> <p>37. The Church of Blessed Robert Grissold, Balsall Common acknowledge the efforts the Parish Council have gone to in preparing this Draft NDP. Much of its content, they welcome and support.</p> <p>38. For example, they agree with the need to integrate new development into the existing built form (paragraph 5.7), the need for accessible pedestrian and cycle linkages (paragraph 5.8), the need to retain the hedgerows within the Barratt's Farm allocation to maintain connections with the open countryside (paragraph 5.10), and the need for smaller houses for older residents wishing to downsize or resize (paragraph 5.11). This is precisely the form</p>		

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					<p>of development that the BRG are hoping to deliver on its land. Providing accommodation for older people in arguably the most accessible location to local services within the proposed allocation is clearly sensible, and appropriate having regard to the policies of the NPPF.</p> <p>39. It acknowledges the history of this land, and that it has allowed its public use by the local community. However, that use was only ever temporary and permitted on the basis that one day the BRG would seek to find an alternative use that would provide greater benefit to the local community through the provision of housing for older people. For this reason, BRG maintains its objection to the proposed designation of its land as Local Green Space and has identified above why the Draft NDP fails to meet the basic tests</p>		

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					<p>and would not pass an Examination.</p> <p>40. The BRG therefore respectfully request that land at Meeting House Lane is removed from Draft Policy B4 in the next iteration of the NDP.</p> <p>41. The BRG recognise that some people in the community will feel worried or anxious about the future of the land, and its potential development. Much of that concern may relate to the detail as to the scale of buildings, and the design and use of open spaces. This detail has yet to be considered as the LPR has some way to go before being adopted. However, at the appropriate time, the BRG will want to engage with the local community to understand their concerns and to shape its plans accordingly.</p> <p>42. The BRG also recognise the importance of ensuring the</p>		

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					<p>appropriate provision of public open space alongside new development. It is evident from the emerging policies of the LPR (Policy P20) that the proposed allocation of land at Barratt's Farm would accommodate significant areas of public open space. The scale, location, and design of those spaces will need to be carefully considered as part of the masterplanning of the allocation to ensure that it successfully integrates with the development. Again, that detail has yet to be considered and will form part of future consultations.</p> <p>Yours faithfully,</p>		

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Philip Rawle Greenlight Developments 4.1			B1	Comment	<p>Berkswell Draft Neighbourhood Development Plan (NDP) Regulation 14 Public Consultation Date: 30th July 2018 Our Ref: GLD16-02</p> <p>As the Berkswell NDP Steering Committee will be aware, Greenlight Developments Limited (Greenlight) has an interest in the land located adjoining Barratts Lane and properties along Meeting House Lane – the site comprises four agricultural paddocks. The site forms part of the wider ‘Barratt’s Farm’ housing allocation (Site 1) in Balsall Common (with an indicative capacity of 800 dwellings) in the Draft Solihull Local Plan, as published in December 2016; with our site having the ability to be accessed independently off Meeting House Lane.</p> <p>Greenlight made representations at the First Draft Consultation stage of Berkswell Draft NDP in April 2018. These representations from Greenlight to this Public</p>	Noted.	No change.

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					<p>consultation are made in respect of the Draft NDP itself and also part of its evidence base (Ecological Report) – comprising:</p> <ol style="list-style-type: none"> 1. Berkswell Draft Neighbourhood Development Plan 2018 – 2033 (Regulation 14 Draft Plan), Summer 2018 2. Preliminary Ecological Report Parish Neighbourhood Plan for Berkswell Parish Council – Habitat Biodiversity Audit Partnership for Warwickshire, Coventry and Solihull Warwickshire Wildlife Trust Ecological Services Warwickshire County Council, January 2018 		
4.2			All	Comment	<p>1. Berkswell Draft Neighbourhood Development Plan (NDP) Planning Policies – Section 5: Housing in Balsall Common</p> <p>Greenlights' representations to the First Consultation Draft of the Berkswell Draft NDP (letter dated 26th April 2018) was very much based on the Solihull Local Plan</p>	<p>Noted.</p> <p>Please refer to the Basic Conditions Statement.</p> <p>The NDP has been prepared to be in general conformity with the adopted Local Plan, but policies and proposals and supporting text have a degree of flexibility built in and take account of the</p>	No change.

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					<p>Review being adopted prior to the Berkswell NDP.</p> <p>However, it is now understood that Berkswell Parish Council are keen to get their Neighbourhood Plan finalised before April 2019, when changes resulting from a separate review of parish boundaries could come into force.</p> <p>As the courts have confirmed there is nothing to stop a Neighbourhood Plan coming before a Local Plan. It has to be in general conformity with an extant Local Plan (in this case, the 2013 Solihull Local Plan), not an emerging one. If the latter is adopted it will take precedence over the former to the extent there is inconsistencies. Whether there is a review mechanism in the Berkswell NDP, that is a matter for the Parish Council.</p> <p>If policies are adopted in the Berkswell NDP which are inconsistent with the emerging Local Plan, once the emerging Local</p>	<p>policies and proposals in the Local Plan Review.</p>	

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					Plan is adopted, such policies in the NDP will be superseded by the Local Plan. On this basis, Greenlight is still of the opinion, common sense would say the NDP should have an eye on the emerging Local Plan and not do anything in conflict with it.		
4.3			B1	Objection	<p>Draft Policy B1: New Housing – General Principles</p> <p>1. Brownfield sites will be supported in preference to greenfield sites and should come forward before greenfield sites are released</p> <p>This approach to brownfield sites is not consistent with national planning policy. The new National Planning Policy Framework (NPPF) states at paragraph 117: <i>“Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or brownfield’ land.”</i> This is as far as the NPPF goes in terms of how brownfield land should be utilized</p>	<p>Partially accepted.</p> <p>The NDP has been prepared to be in general conformity with the previous NPPF and will be submitted in Autumn 2018 and therefore the policies in the previous Framework will continue to apply.</p> <p>The parish council is committed to a "brownfield" first approach to development, but recognises that the proposed strategic sites in the Local Plan Review are in greenfield locations.</p> <p>Refer to 1.3 above.</p>	No further change.

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					to deliver housing; it is not considered to amount to a preference over greenfield land in a hierarchical sense. As such, this element of the Policy B1 should be re-drafted to reflect national planning policy.		
4.4			B1 2.	Comment	<p>2. Layouts and Accessibility Greenlight notes the headline caveat 'where practical'. However, in order for this policy to provide the requisite level of flexibility, it is considered, a further amendment to its wording is required – this being:</p> <p><i>"Where practical, developers should seek to incorporate the following principles into the layout of schemes:"</i></p>	<p>Not Accepted.</p> <p>The Parish Council considers that by incorporating the words "should seek to", the policy is considerably weakened and developers would not be required to address all the criteria properly in proposed schemes.</p>	No change.
4.5			B1 2.a.	Comment / Object	<p>a. Vehicle access to new development should be from main roads</p> <p>A key person would consider a 'main road' as a primary route, the type that would link the Strategic Road Network with residential areas (see</p>	<p>Not accepted.</p> <p>See Table 1 - SMBC did not suggest any changes were required to 2a.</p> <p>No further change.</p>	No change.

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					<p>ICE's definition). This is considered to be an excessive requirement of all new development.</p> <p>The NDP should recognize that access to new development needs to be taken from suitable roads based on local circumstances to ensure that safe access can be provided for all road users.</p>		
4.6			B1 2.b.	Comment / Object	<p>b. Layouts should include small clusters of mixed scale dwellings (up to 20) to facilitate social cohesion and community security</p> <p>This policy is considered to be overly prescriptive. Layouts will be dependent on the opportunities and constraints of a particular site, which may well result in a site having to be designed in a specific way, in order to make effective use of it. This policy needs to be flexible to allow for this to take place. In fact, it is suggested, the policy should just refer to layouts aiming to deliver social cohesion and community security, but not going</p>	<p>Not accepted.</p> <p>See Table 1 - SMBC did not suggest any changes were required to 2b.</p> <p>No further change.</p>	No change.

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					<p>as far to stipulate how this should be achieved, i.e. by removing the reference to 'small clusters'. office@greenlightdevelopments.co.</p> <p>Paragraph 126 of the NPPF is quite clear on this: <i>"To provide maximum clarity about design expectations at an early stage, plans or supplementary planning documents should use visual tools such as design guides and codes. These provide a framework for creating distinctive places, with a consistent and high quality standard of design. However their level of detail and degree of prescription should be tailored to the circumstances in each place, and should allow a suitable degree of variety where this would be justified."</i> (Greenlight emphasis)</p>		
4.7			B1 2.d.	Comment	<p>d. Closes and cul-de-sacs are preferred to limit vehicular through routes</p> <p>Such an approach may not be appropriate. There is now a greater</p>	<p>Partially accepted.</p> <p>The wording to 2d. has been amended already in line with comments from SMBC.</p>	No further change.

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					emphasis on limiting cul-de-sac access routes and promoting greater use of loop roads, connecting streets, or cul-de-sacs with emergency link access. Furthermore, emergency vehicles often need secondary access routes to larger sites in case of obstacles.		
4.8			B1 2.e.		<p>e. Longer new roads should include grass verges as well as pavements and highway design should discourage parking on pavements and verges</p> <p>We refer to the IHT's Standards and specifically where they refer to access road specification in paragraph 3.3.3 (page 8). This shows that on 'Access Roads' the footway on one side can be substituted at the discretion of the Local Highway Authority. This again is quite ambiguous as major developments would have a range of roads. Therefore, if this approach is to be pursued, it needs some form of flexibility and should provide clarity on road types (i.e.</p>	<p>Not accepted.</p> <p>Refer to Table 1.</p> <p>Grass verges are an important local feature and contribute to the green character of much of the built up area. The Parish Council considers therefore that the reference to incorporating grass verges and pavements on longer roads should be retained.</p>	No change.

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					approach roads/access roads/mews), all of which serve a different function.		
4.9			B1 2.h.	Object	<p>h. Schemes should aim to integrate the natural environment into the layout and form the new development through the provision of gardens, and provide quality public open space at a standard of 2.86 hectares of green space plus 0.4 hectare of informal green space per 1000 inhabitants in line with Solihull Green Space Strategy Review</p> <p>It will not be practical to accommodate all open space requirements on site; therefore, this policy also needs to reflect the fact that a development's specific open space requirements can also be dealt with by way of off-site developers' contributions.</p>	<p>Not accepted.</p> <p>The Parish Council considers it inappropriate to highlight any particular planning rule that can be dealt with by way of offsite development contributions. Such considerations are best handled during the development management process when planning applications are submitted for specific sites.</p> <p>However the criteria could be given greater flexibility / future proofing by referring to possible future standards.</p>	<p>Amend NDP.</p> <p>Amend Policy B1 2.</p> <p>h. delete policy wording after "gardens" and insert new policy criterion i (and renumber others):</p> <p>" Developments should provide quality public open space at a standard of 2.86 hectares of green space plus 0.4 hectare of informal green space per 1000 inhabitants in line with Solihull Green Space Strategy Review (insert reference) or relevant successor open space policy standard adopted by Solihull MBC in their Local Plan."</p>
4.10			B1 2. i.	Comment / Object	<p>i. Quality open space should be placed between existing homes and new development in Balsall Common to retain the green</p>	<p>Noted.</p> <p>Refer to Table 3. Comment 93.2.</p>	No further change.

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					<p>suburban character of Balsall Common and to support community integration through joint use by existing and new occupiers</p> <p>Greenlight agrees with the provision of quality open space at appropriate levels; however, this policy should not dictate where this open space is located within a site, as the most appropriate location will vary from site to site dependent on its opportunities and constraints.</p> <p>For example, where a site has long gardens with existing houses backing onto it, it would not be good design practice to locate open space to the rear of these existing properties, as this could lead to a low standard of amenity, with poor surveillance and the creation of an unsafe environment. The location of open space in this part of the site could also lead to it being inaccessible from the majority of the development.</p>	<p>The policy has been amended to require a 50 metres gap between existing and new houses where open space is not possible.</p> <p>The policy also has been amended to increase flexibility and taking account of the comments from West Midlands Police in Table 2.</p>	

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					The location of the open space within developments should be left to the design of those specific sites, which will lead to quality open space being located in the most appropriate location(s) on the site. It is suggested this policy is removed.		
4.11			B1 3.a.	Comment / Object	<p>3. Landscaping and Drainage Greenlight notes the headline caveat 'wherever possible'.</p> <p>a. Mature trees and hedgerows should be retained as significant natural environmental features which contribute towards local landscape character and biodiversity</p> <p>This policy is considered to be overly prescriptive. Noting the headline caveat 'wherever possible', a more appropriately worded policy is suggested as follows:</p> <p><i>"Mature trees and hedgerows should ideally be retained, especially where they represent</i></p>	<p>Partially accepted.</p> <p>Refer to Table 1.</p> <p>The policy wording has been amended in line with comments from SMBC. Further wording as suggested could also be incorporated into the criterion.</p>	<p>Amend NDP.</p> <p>Insert further wording to B1 3a. as suggested:</p> <p>Insert at end of (new) policy wording:</p> <p>"Where such features, or parts thereof cannot be retained, suitable mitigation planting will be expected. Appropriate buffers to retained trees and hedgerows should reflect a requirement to avoid damage to the feature itself and also any site-specific constraints identified through relevant surveys."</p>

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					<i>significant natural environment features which contribute towards local landscape character and biodiversity. Where such features, or parts thereof cannot be retained, suitable mitigation planting will be expected. Appropriate buffers to retained trees and hedgerows should reflect a requirement to avoid damage to the feature itself and also any site-specific constraints identified through relevant surveys."</i>		
4.12			B1 3. d.	Comment / Object	d. Narrow hedgerows or tree lines should be provided within development sites as landscaped buffer zones to support a gentle, green transition between built-up areas and the open countryside This policy is considered to be overly prescriptive. Such an approach will be dependent on the opportunities and constraints of a particular site. Noting the headline caveat 'wherever possible', a more appropriately worded policy is suggested as follows:	Partially accepted. Refer to Table 1 comment 1.6. The policy wording has been amended in line with advice from officers from SMBC. No further change is required.	No further change.

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					<i>"Appropriate landscaping could be provided within development sites to help provide a green transition between built-up areas and the open countryside."</i>		
4.13			B1 4.a.	Comment / Object	<p>4. Building Design Principles Greenlight notes the headline caveat 'wherever possible'. a. Building heights should not exceed 2 ½ storeys, including rooms in the roof space</p> <p>This policy is considered to be overly prescriptive. The level of detail and degree of prescription should be tailored to the circumstances in each place and should allow a suitable degree of variety where this would be justified (see paragraph 126 of the NPPF).</p> <p>Furthermore, such a restriction on the heights of buildings could lead to poor design. As set out in a whole raft of urban design guidance used to inform planning decisions (for example, English Partnerships</p>	<p>Not accepted.</p> <p>The policy wording has been amended on the advice of officers from SMBC to provide greater flexibility.</p> <p>No further change is required.</p>	No further change.

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					<p>Urban Design Compendium), taller buildings are advocated for their use in emphasizing key locations – rising above areas with a more uniform profile.</p> <p>Section 5 of this policy on 'housing mix' (discussed below) implies a need for more smaller properties; however, by restricting building heights to no more than 2 ½ storeys, options for delivering apartments (a house-type that is usually found in larger blocks) could be restricted/limited.</p> <p>It is suggested this policy is removed.</p>		
4.14			B1 5.a.	Comment	<p>5. Housing Mix</p> <p>a. A suitable mix of housing should be provided in line with needs identified in the most up to date Strategic Housing Market Assessment. Housing mix should have an emphasis on 2 or 3-bedroom properties including some single storey dwellings,</p>	<p>Partially accepted.</p> <p>SMBC planning officers did not comment on this part of the policy, however it is accepted that some of the proposed wording put forward by the developer may offer a slight improvement.</p>	<p>Amend NDP.</p> <p>Amend Policy B1 5.a. to:</p> <p>"A suitable mix of housing should be provided, informed by the latest Strategic Housing Market Assessment and / or other local data, for example,</p>

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					<p>smaller units suitable for starter homes and residents wishing to downsize or resize and some larger houses (3 to 4 bedrooms) for families</p> <p>The Strategic Housing Market Assessment is not the only source of housing mix information/data. Other sources can include Parish Surveys and developers' assessments, etc. The policy should acknowledge these other sources, and in turn recognise there is not one answer to delivering an appropriate housing mix for a development; therefore, these sources should be used to inform not dictate what the housing mix for a development should be. By acknowledging that there are various sources which can inform housing mix, it would be inappropriate for the policy to then specify the need for specific house-types with reference to bedrooms.</p> <p>On this point, 3 bedroom houses should not be defined as large. 4</p>	<p>The consultation work undertaken by the parish council for the NDP (and referred to in para 5.11) suggests a need for more smaller houses and some 3-4 bedroom houses. Other technical evidence as set out in paras 5.12 - 5.13 points to a need for more affordable, shared ownership and rented homes and a predominant need for 3-4 bedroom market homes followed by 2 bedroom flats and 2 bedroom houses in Solihull.</p> <p>Amend policy using part of the suggested wording as appropriate.</p>	<p>Parish Surveys and developers' assessments.</p> <p>Housing mix, having regard to location, site size and scheme viability, should contain a range of types and size of housing needed for different groups in the community. The mix should include but not be limited to:</p> <ul style="list-style-type: none"> - those who require affordable housing, - families with children, - older people, - people with disabilities, - people who rent their homes, and - people wishing to commission or build their own homes. <p>Overall schemes should have an emphasis on 2 or 3 bedroom properties including some single storey dwellings, smaller units suitable for starter homes and residents wishing to downsize or resize and some larger houses (4 bedrooms or more) for families or those requiring multi-generational homes."</p>

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					<p>and 5 bedroom houses are large properties.</p> <p>Based on the above comments and paragraph 61 of the NPPF (latest relevant national planning policy on housing mix), the following amended housing mix policy is suggested:</p> <p><i>“A suitable mix of housing should be provided, informed by the latest Strategic Housing Market Assessment and / or other local data, for example, Parish Surveys and developers assessments. Housing mix, having regard to location, site size and scheme viability, should contain a mix of types and size of market housing needed for different groups in the community (including but not limited to, those who require affordable housing, families with children, older people, people with disabilities, people who rent their homes, and people wishing to commission or build their own homes).”</i></p>		

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4.15			B1	Comment / Object	<p>Where developers consider that any of the above criteria are not practical or deliverable, suitable evidence should be provided to demonstrate that a different approach is required</p> <p>Such a statement is considered to be contrary to the headline caveats provided for within this policy; caveats which very much indicate the provisions specified are not strict requirements of this policy that need to be substantiated if they cannot be delivered – the policy is not drafted and therefore read in such a strict and prescriptive way, because these caveats exist.</p> <p>The policy actually says that the provisions stated should be provided 'where practical' or 'where possible'.</p> <p>On this basis, this statement is not considered appropriate and consistent with the manner in which this policy has been drafted and in turn, is read.</p>	<p>Not accepted.</p> <p>The final sentence of the policy provides a degree of flexibility and puts the emphasis on developers to explain why a different approach to that set out in Policy B1 is required and justified.</p> <p>Planning officers at SMBC did not comment on this sentence or require any changes.</p>	No change.

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4.16	2 7	7.2 2		Comment	<p>Character of Built Up Areas (Page 27)</p> <p>1. Meeting House Lane Area</p> <p>Although grass verges are part of its existing character, the introduction of sensitively designed and in-keeping footways along Meeting House Lane is considered to be acceptable. When one inspects the highways ownership plan for Meeting House Lane it shows that such footways could be provided for within these existing grass verges.</p> <p>Such an approach is consistent with the latest national planning policy, in the form of paragraph 102 of the NPPF, which states:</p> <p><i>“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:</i></p> <ul style="list-style-type: none"> • <i>Opportunities to promote walking, cycling and public transport use are identified and pursued.”</i> 	<p>Noted.</p> <p>This is a detailed matter and will be considered as part of the development management process.</p> <p>However the NDP overall seeks to maintain the greenness of the area. Wide grass verges perform an important green infrastructure function. They can contribute to reduced levels of run off and so should be retained where possible.</p>	No change.

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4.17			B3 Landscape Character 2.	Comment / Object	<p>Draft Policy B3: Protecting Local Landscape and Built Character</p> <p>Landscape Character</p> <p>2. Development should retain any features of local heritage interest such as ridge and furrow, and local landscape features and wildlife habitats such as ancient woodlands, mature trees and hedgerows, semi natural grassland, field ponds and river wetlands</p> <p>The approach taken in this policy is considered to be far too prescriptive and is not supported by national planning policy – compromises can take place and are allowed for under the NPPF's costs-benefits analysis approach to planning. It is the true value of a receptor, as ascertained through detailed survey and assessment that is important and not the mere attachment of a label. The policy currently affords the same level of protection to examples of poor quality habitat as it does to</p>	<p>Partially accepted.</p> <p>The suggested wording significantly weakens the existing policy which was accepted by SMBC officers who did not submit comments (see Table 1).</p> <p>However parts of the wording could be incorporated into the policy as appropriate to increase flexibility slightly.</p>	<p>Amend NDP.</p> <p>Amend Policy B3 landscape Character criterion 2. To:</p> <p>"Development should retain any features of identified local heritage interest such as ridge and furrow, and local landscape features and wildlife habitats of identified value such as ancient woodlands, mature trees and hedgerows, semi natural grassland, field ponds and river wetlands. Where proposals would impact adversely on such features detailed survey information should be used to inform the assessment and identify appropriate mitigation measures."</p>

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					<p>examples of high quality habitat. This cannot be a correct approach.</p> <p>The following is suggested by way of an amendment to this policy:</p> <p><i>“Development should seek to retain any features of identified local heritage interest such as ridge and furrow, and local landscape features and wildlife habitats of identified value such as ancient woodlands, mature trees and hedgerows, semi natural grassland, field ponds and river wetlands. In each case, detailed survey information should be used to inform the assessment into a features value and any identified impacts will require appropriate mitigation.”</i></p>		
4.18			B3 Landscape Character 3.	Comment / Object	3. All developments should mitigate the impact from the loss of countryside, wildlife and the natural environment. For larger sites (10 houses or with an area of 1 hectare or more) the developer will be required to produce an	Not accepted. It would be onerous and inappropriate to require developers of small sites to prepare an evidence based mitigation plan.	No change.

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					<p>evidence-based mitigation plan covering the wildlife, mature hedges, mature trees, streams, ponds. This should include the retention of existing important features and the inclusion of new features such as trees, bird boxes, wild life areas, ponds and woodlands. Street trees should be provided wherever possible.</p> <p>We question why at over 10 units an evidence-based mitigation plan is required, whereas under 10 units there is no such requirement.</p> <p>The last paragraph of this policy is overly prescriptive. The following is suggested by way of an amendment to this element of the policy:</p> <p><i>“Wherever possible, this should include the retention of existing important features and the inclusion of new features such as trees, bird boxes, wildlife areas, ponds and woodlands. Street trees should also be provided wherever possible.”</i></p>	<p>Planning officers from SMBC did not comment on the wording of this policy (see Table 1) and the parish council wishes to retain the existing wording.</p>	

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4.19			B3 Heritage assets 2.		<p>Heritage Assets</p> <p>2. Great weight will be given to the conservation of the parish's heritage assets. Any harm to the significance of a designated or non-designated heritage asset must be justified. Proposals will be weighed against the public benefits of the proposal; whether it has been demonstrated that all reasonable efforts have been made to sustain the existing use, find new uses, or mitigate the extent of the harm to the significance of the asset; and whether the works proposed are the minimum required to secure the long term use of the asset.</p> <p>This policy needs to be considered against the relevant national planning policy contained within the NPPF (particularly paragraphs 193 – 202).</p> <p>For example, paragraph 197 clearly suggests the public benefits 'test' only applies when there is harm to the significance of a designated</p>	<p>Not accepted.</p> <p>There were no comments from SMBC planning officers related to this policy wording.</p> <p>However Historic England (see Table 2 - Consultation Bodies) advised that "<i>The emphasis on the conservation of local distinctiveness through good design and the protection of heritage assets, archaeological remains, local green space and important views, along with landscape character through the retention of the "Meriden Gap" is to be applauded</i>" and went on to say that they "<i>consider that an exemplary approach is taken to the historic environment of the Parish and that the Plan constitutes a very good example of community led planning</i>".</p> <p>No change is therefore required.</p>	No change.

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					heritage asset. Instead, non-designated heritage assets require a balanced judgement to be undertaken having regard to the scale of any harm or loss and the significance of the heritage asset.		
4.20			Map 6	Comment	<p>Map 6 – Proposed Safe Walking and Cycle Routes, Berkswell Parish</p> <p>Map 6 (Proposed Safe Walking and Cycle Routes, Berkswell Parish) identifies Meeting House Lane as a 'quiet lane used by cyclists and pedestrians'.</p> <p>Looking at the major proposed allocation sites east of Meeting House Lane (including Greenlights' site), desire lines would be formed with the path through to The White Horse and along Meeting House Lane to the south, to reach bus stops on Kelsey Lane. Increased movements within these areas generated by these proposed allocation sites would generate a need for new pedestrian/cycle infrastructure to maintain safe</p>	<p>Noted.</p> <p>Map 6 provides an indication of proposed walking and cycling routes in the parish. These routes are not fixed and the detail will ultimately depend upon master planning of proposed development sites and the development management process. However the map provides an indication of desired routes and the map has been welcomed informally by officers at SMBC.</p>	No change.

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					movement for all. There is an existing footway along around half the length of Meeting House Lane, which would support extending the provision (as discussed above in discussing the character of the Meeting House Lane area [page 27 of the NDP]).		
4.21 Ecology Solutions submission by Greenlight			Ecological Report	Comment	<p>2. Preliminary Ecological Report Parish Neighbourhood Plan for Berkswell Parish Council – Habitat Biodiversity Audit Partnership for Warwickshire, Coventry and Solihull Warwickshire Wildlife Trust Ecological Services Warwickshire County Council, January 2018</p> <p>Greenlights' comments on the Preliminary Ecological Report are dealt with by the accompanying 'review' document, which has been prepared by Ecology Solutions (Greenlights' retained ecologists for their land interest within the proposed 'Barratt's Farm' housing allocation).</p>	<p>Noted.</p> <p>These are detailed comments relating to the Ecological Report commissioned from Warwickshire County Council by the parish council as part of the evidence base for the NDP. The report is not part of the NDP.</p>	No change.

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					<p>LAND AT BALSALL COMMON Berkswell Neighbourhood Plan Review of Preliminary Ecological Report – Parish Neighbourhood Plan for Berkswell Parish Council 30.07.18</p> <p>– Ecology Solutions has undertaken a review of the report titled “Preliminary Ecological Report – Parish Neighbourhood Plan for Berkswell Parish Council”. Specific regard has been had to parcels of land forming part of a wider area referenced as “Barratt’s Farm”, as discussed in the section titled “Proposed Housing Allocations (pages 30 and 31).</p> <p>The land in question is located in the west of the Barratt’s Farm “proposed housing allocation”, situated immediately west of Barratt’s Farm itself and annotated as forming part of a Development Constrained Buffer (hereinafter referred to as the “study site”).</p>		

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					<p>It is noted that the study site is not subject to any statutory or non-statutory designation. However, the Preliminary Ecological Report cites the land as being a Development Constraint Buffer, with 5m hedgerow protection buffers, an 8m pond protection buffer and habitat Constraints 4,5 and 6 all being relevant. In addition, in relation to protected species, the local metapopulation of Great Crested Newts is cited as a constraint. Each of these matters are discussed in detail below.</p> <p>Hedgerows</p> <p>Regarding hedgerow buffers, it is considered that a blanket 5m buffer as recommended within the Preliminary Ecological Report is not appropriate.</p> <p>To protect a hedgerow, the buffer should conform to that required in respect of root protection zones and this will vary between hedgerows depending on the age and previous management of the</p>		

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					<p>hedgerow. Consideration in respect of other protected species, and the need to deliver closely associated habitat of ecological value would necessarily be guided by faunal constraints identified through detailed and specific surveys.</p> <p>With reference to Figure 2 (habitats constraints map) of the Preliminary Ecological Report, it is noted that the 5m hedgerow buffer has been applied throughout the site.</p> <p>However, on review of the phase 1 habitat map, included as Figure 6 (page 23 of the Preliminary Ecological Report), it is clearly shown that the vegetated boundaries in question are considered to represent "linear scrub" as opposed to any of the hedgerow categories.</p> <p>Ecology Solutions would therefore conclude that the application of the (5m) hedgerow buffer as described in the Preliminary Ecological Report, should not be applicable.</p>		

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					<p>Ponds</p> <p>In relation to ponds, it is considered that the blanket application of an 8m buffer is not appropriate.</p> <p>Any requirement for pond retention and the application of a buffer should be determined through appropriate and specific surveys and assessments in relation to a pond's intrinsic value and also any value afforded to it by virtue of the species which it is known to support. The application of a blanket buffer zone around identified ponds effectively disregards the ecological evaluation process, affording the same protection to ponds of no or limited ecological value, with those of high value.</p> <p>With reference to Figure 10 (page 29 of the Preliminary Ecological Report), it is noted that records for amphibian species exist for the site itself and locations in very close proximity. These records include several for Great Crested Newt, and</p>		

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					<p>one such record is for a field pond located within the study site. It should be noted that Ecology Solutions undertook a suite of specific Great Crested Newt surveys and assessments relating to the study site and also, ponds close by in 2016. These specific surveys did not record Great Crested Newts within the study site, including the field pond shown as present in the Preliminary Ecological Report. The species was however recorded in an off-site pond to the north east. Further, background records do indicate Great Crested Newt presence in the local area, but no records were returned for the study site itself.</p> <p>It is accepted that there would be a requirement for any scheme being brought forward at the study site to include appropriate mitigation for Great Crested Newts, but this must be proportionate to the likely impacts. It is considered that an appropriately designed development scheme could easily</p>		

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					<p>be brought forward which avoids a negative impact on the metapopulation of Great Crested Newts present in the local area. Indeed, enhanced breeding and foraging / shelter habitat delivered as part of a suitably designed scheme would represent a net gain for Great Crested Newts and other amphibian species at the local level.</p> <p>Habitat distinctiveness</p> <p>Regarding the distinctiveness of the "semi-improved neutral" grassland, cited as being of "medium distinctiveness", the following points are raised.</p> <p>The study site has been cited as a development constrain buffer, with a blanket buffer applied across the site. With reference to the commentary on pages 30 and 31 of the Preliminary Ecological Report, which relates to proposed housing allocations at Barratt's Farm, it is noted that specific reference is made to the neglected state of</p>		

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					<p>viable semi-improved grasslands. Reference is also made to restoration of such grassland, specifically that grassland along the southern boundary of the proposed housing allocation site (i.e. not including the study site), to include a rejected Local Wildlife Site (annotated as number 25 "Two Fields" in Table 1, at page 17 of the Preliminary Ecological Report). Further, reference is made to the need for a long-term management plan to prevent "domination of the sward by scrub and aggressive species". Ecology Solutions can confirm that the value of the grassland within the study site is indeed degraded through neglect which has resulted in domination by scrub and ruderal vegetation in many parts. Restorative measures and appropriate future management are certainly required if degradation of the ecological value is to be halted / reversed. Such measures could be secured through the delivery of a suitably designed development scheme</p>		

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					<p>where future management of retained and enhanced habitats is the subject of a suitably worded planning condition, for example. In the absence of this security, there is no legally binding mechanism to secure appropriate management and the management undertaken (or lack of management) is at the discretion of the landowner.</p> <p>Summary conclusions</p> <p>It is recognised that within the planning system, weight should be afforded to the presence of habitats of ecological value and that impacts on such habitats will be of material consideration when planning applications are being determined. However, the weight afforded to any such impacts must be determined in the light of the baseline situation and the ability of development proposals to mitigate those impacts and deliver appropriate enhancements where appropriate. This is set out within adopted planning policy (including</p>		

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					<p>the National Planning Policy Framework) and relevant guidance. There is no basis in legislative or planning policy terms to preclude development at the study site and available ecological information does not support the preclusion of development. Ecological constraints exist, as they do on many sites. However, these can be addressed through an appropriately designed scheme which has regard to any impacts which could arise, following detailed assessment of baseline information.</p> <p>So long as any scheme being brought forward is sensitive to the need to maintain functional ecological links, deliver enhanced species rich grassland areas, enhanced aquatic habitat and retained / enhanced hedgerow or linear scrub habitat; there is no reason why the site could not support residential development, from an ecological perspective. The recognised value of habitats for certain protected species, means</p>		

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					that specific mitigation would be required but it is considered that this could easily be delivered in tandem with a sensitively designed development scheme.		
RPS for Barwood Development Securities Limited. 321 Bedford St. Birmingham B5 6ET 5.1			All	Comment	Dear Sir/Madam BERKSWELL REGULATION 14 DRAFT NEIGHBOURHOOD PLAN: REPRESENTATIONS ON BEHALF OF BARWOOD DEVELOPMENT SECURITIES LIMITED RPS Planning & Development (RPS) is instructed by Barwood Development Securities Limited (Barwood Land) to submit representations to the Berkswell Draft Neighbourhood Development Plan 2018-2033 (Regulation 14 Public Consultation). It is evident that the Neighbourhood Plan group has put a lot of work into the preparation of	Noted.	No change.

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					<p>the draft Plan, which sets out clearly the key priorities and aspirations for the Parish for the next 15 years.</p> <p>Barwood Land welcomes this opportunity to comment on the draft Neighbourhood Plan. The following comments focus on the relevant legislation and national planning policy context for neighbourhood planning in order to assist in ensuring that the Neighbourhood Plan meets the Basic Conditions before its examination.</p>		
5.2			All	Comment	<p>Plan Period</p> <p>The NP proposes to cover the period 2018-2033. The adopted Solihull Local Plan covers a period of 2011 to 2028. Neither the draft Local Plan (published November 2016), or the Local Development Scheme (January 2018) state the period that the emerging plan will cover. In</p>	Noted.	No change.

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					<p>our view, it would be clearer if the NP covered the plan period of the emerging Solihull Borough Council (SBC) Local Plan so that it is consistent with the Local Plan Spatial Strategy for Solihull.</p> <p>Given that Neighbourhood Plans must be in general conformity with the strategic policies of the Local Plan, this should also help to remove any confusion amongst the community about the wider policy framework that the Neighbourhood Plan sits within and also make easier the process of reviewing the Plan once Solihull Borough Council has advanced its Local Plan Review.</p>		
5.3			All / Suggestion for additional policy relating to	Comment	<p><i>Continuation Sheet</i> 2 Monitoring/Review The NP does recognise (Para 1.5) that consideration will need to be given to the emerging</p>	<p>Partially accepted.</p> <p>The decision about whether the NDP requires reviewing will be taken by the parish council, in consultation with SMBC, following the adoption of the</p>	No change.

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			monitoring and review.		<p>Local Plan and its supporting evidence base, and that there is a timing issue (para 5.5) in relation to including site allocations from the emerging local plan that are currently in the Green Belt (and therefore contrary to the existing Local Plan).</p> <p>SBC is committed to undertake a Local Plan Review. The Draft Local Plan states that there are three reasons for the early review (Paras 2 to 5 of the Draft Plan). The first reason relates to the successful legal challenge to the Local Plan that means that <i>"the current Local Plan has no overall housing requirement for the Plan period."</i> (Para 3).</p> <p>The second reason relates to the <i>"inability of the Birmingham Development Plan to meet its own housing need within its boundaries, and that the shortfall will have to be met elsewhere</i></p>	<p>new local plan (Local Plan Review). Alternatively the NDP may be reviewed following the local governance review into parish boundaries.</p> <p>It is not necessary at this stage to include a policy in the NDP setting this out the process for monitoring and any triggers for review.</p>	

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					<p><i>within the Housing Market Area (HMA) (or other nearby areas) such as Solihull. The adopted Solihull Local Plan acknowledges that when work on housing needs identifies a need for further provision in the Borough, a review will be brought forward to address this.” (Para 4).</i></p> <p>The emerging Local Plan Review will need to ensure it plans to meet, in full, the objectively assessed needs of the Borough and its agreed proportion of the wider Greater Birmingham Housing Market Area's (HMA).</p> <p>We appreciate that the Local Plan Review is not yet sufficiently advanced for any new strategic policies, including the objectively assessed housing needs of the Borough and the wider HMA at this stage and this should not preclude a Neighbourhood Plan being 'made'.</p>		

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					<p>However, it is acknowledged that the housing needs of the HMA are significant and that green belt release will be required.</p> <p>Moreover, a recent Strategic Growth Study for the HMA, which was prepared by GL Hearn on behalf of the Greater Birmingham Authorities, identifies a number of areas which warrant further investigation as to their suitability for allocation in the emerging Local Plan Review, which includes land at Balsall Common.</p> <p>The NP is likely to be quickly overtaken by the SBC Local Plan Review and may become out of-date shortly after adoption. An early review of the NP is therefore likely to be needed and so we strongly recommend that a degree of flexibility is incorporated into the NP which includes a policy that provides specific dates for monitoring and "triggers" to ensure that the NP is reviewed as</p>		

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					appropriate within a defined timeframe.		
5.4			Vision and Objectives	Comment	<p>Draft Vision for Berkswell Parish NDP</p> <p>Reference is made to 'protecting the rural environment within the Meriden Gap' but it is unclear precisely what the NP means by the word 'protecting'. Clearly this cannot mean that the Meriden Gap will be 'protected' from any development as this would be contrary to the NPPF (2018), the adopted development plan and the emerging Local Plan, which do allow for development within the Green Belt.</p> <p>In addition, as stated above, the emerging Local Plan may seek to make additional housing allocations in the Green Belt. Further consideration should be given to the wording to ensure that this is clear.</p>	<p>Not accepted.</p> <p>Officer comments from SMBC (Table 1) did not propose any changes to the wording in relation to the Vision and reference to the "Meriden Gap".</p> <p>Historic England (Table 2) advised that " <i>The emphasis on the conservation of local distinctiveness through good design and the protection of heritage assets, archaeological remains, local green space and important views, along with landscape character through the retention of the "Meriden Gap" is to be applauded. "</i></p> <p>No change is required.</p>	No change.

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5.5		5.5			<p><i>Continuation Sheet</i> 3</p> <p>Planning Policies</p> <p>Para 5.5 of the NP states that the adopted local plan and national planning policy both protect the Green Belt from development.</p> <p>The NPPF (2018 – Para 143) states that “Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.” (RPS emphasis). The NP should refer to ‘inappropriate’ development and to ‘very special circumstances’ so that it is consistent with local and national planning policy.</p>	<p>Accepted.</p> <p>Insert additional text to paragraph 5.5 as suggested (note refer to previous NPPF para number).</p>	<p>Amend NDP.</p> <p>Insert additional text to end of para 5.5: " NPPF para 87 states that <i>“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.”</i></p>
5.5		5.5	B1	Comment / Object	<p>Draft Policy B1: New Housing –</p> <p>General Principles</p> <p>Policy B1 states that “Brownfield sites will be supported in preference to greenfield sites and</p>	<p>Noted.</p> <p>The parish council is committed to the principle that development of brownfield sites should be a priority, although it is accepted that the proposed strategic sites</p>	<p>No further change.</p>

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					<p>should come forward before greenfield sites are released." The stipulation that greenfield sites will not be released until brownfield sites have come forward goes beyond the requirements set out in the NPPF (2018).</p> <p>NPPF Para 84 states that the use of previously developed land should be "encouraged" and Para 117 states that "<i>planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield'.</i>"</p> <p>There is a reference to brownfield land coming forward before greenfield land, and this is made</p>	<p>in the LPR are in greenfield locations.</p> <p>This is in line with the core planning principles of the NPPF and para 111.which sets out that planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value.</p> <p>Refer to 1.3 above.</p>	

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					<p>in reference to the release of Green Belt land for development. NPPF Para 138 states that</p> <p><i>“where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport.”</i> (Para 138).</p> <p>The wording of draft Policy B1 must therefore be amended in order to be consistent with national planning policy. Any reference to requiring all brownfield land to be developed before greenfield must be deleted and we would suggest updated to state that brownfield land and/or land that is well served by public transport should be encouraged and given first consideration.</p>		

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5.6			B1 2. b. and c.	Comment / Object	<p>Draft Policy B1 Criteria b. and c.</p> <p>Criterion a. of draft Policy B1 states that <i>layouts should include small clusters of mixed scale dwellings (up to 20) to facilitate social cohesion and community security.</i></p> <p>Criterion b. goes on to state that <i>larger developments should be broken into character areas of about 250 properties (such as at Riddings Hill which is considered to demonstrate good practice).</i></p> <p>It is our view that this is too restrictive and could, inadvertently, lead to poorer design quality and cohesiveness on sites. Good design is informed by a number of site-specific considerations, including technical constraints and opportunities of each site and so there needs to be flexibility to ensure that the policy objective of ensuring cohesion and a high design standard is achieved.</p>	<p>Not accepted.</p> <p>See Table 1 - SMBC did not suggest any changes were required to 2b or 2c.</p> <p>No further change.</p>	No change.

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					We recommend that criteria b. and c. are deleted and replaced by a criterion that reads: <i>Proposals should be supported by information explaining how the design and layout will facilitate social cohesion and community security.</i>		
5.7			B1. 2.d.		<i>Continuation Sheet</i> 4 Draft Policy B1: Criterion d. Criterion d. states that closes and cul-de-sacs are preferred to limit vehicular through routes. While the objective of preventing rat-running is noted, there are other options available to achieve the same aim and the Neighbourhood Plan group may wish to consider whether a focus on cul-de-sacs may have unintended consequences, including on design quality and longer term impacts on the local road network. It is also often important to ensure permeability and connectivity both within new development	Partially accepted. The wording to 2d. has been amended already in line with comments from SMBC.	No further change.

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					schemes and also into the existing community to ensure integration and ensuring a choice of routes. This also helps to 'future-proof' developments, including the flexibility to help the longterm management of the local road network.		
5.8		6.1		Comment	Para 6.1: Please see the detailed comments above regarding the issue of the emerging Local Plan potentially allocating additional land for development within Balsall Common. Reference should be made in the NP to any subsequent allocations for new housing development that are made within the emerging Local Plan.	Not accepted. The NDP already refers to this in Section 5.	No change.
5.9		6.2			Para 7.1: As above, the NPPF does set out what forms of development should be regarded as 'inappropriate' development within the Green Belt. But such development is allowable if 'very special circumstances' are	Accepted. Amend para 7.1 to refer to very special circumstances.	Amend NDP. Amend para 7.1 second sentence: " Paragraph 87 sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be

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					demonstrated to justify it. The paragraph should acknowledge this.		approved except in very special circumstances. Paragraph 88 goes on to say that 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Paragraph 89. sets out that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt but provides a number of exceptions to this".
5.10		7.2		Comment	Para 7.2 As above, the NP wording states that there is a 'requirement' for appropriate brownfield sites to be developed before green field land. NPPF Para 138 states that brownfield land and/or land that is well served by public transport should be given first consideration, when it has been concluded that it will be necessary to release Green Belt land for development. The	Not accepted. The NDP has been prepared under the previous NPPF (in line with the revised NPPF para 214 which sets out that plans which are submitted before 24 Jan 2019 will be examined against the former NPPF). Para 111 of the NPPF sets out that " <i>planning policies and decisions should encourage the</i>	No further change.

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					requirement therefore is that previously developed land is given first consideration, not that it must be developed before greenfield land will be released (where it is concluded that the release of land is necessary).	<p><i>effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value. Local planning authorities may continue to consider the case for setting a locally appropriate target for the use of brownfield land."</i></p> <p>The parish council continues to consider the development of brownfield land as a priority over greenfield sites.</p> <p>Refer to 1.3 above.</p>	
5.11			B8	Comment / Object	<p>Draft Policy B8: Car Parking and Cycle Storage</p> <p>The draft Policy seeks to require a set level of car parking provision for new housing schemes. It is considered that the requirement for 4-bedroom and 5-bedroom houses to provide 4 and 5 spaces respectively is not justified; it is inconsistent with current local parking standards and there is no</p>	<p>Not accepted.</p> <p>Refer to Table 1.</p> <p>SMBC planning officers noted the additional justification provided in the NDP and that car parking a key issue in the area and therefore is a matter the parish council wish to address through the NDP.</p>	No change.

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					<p>evidence provided which would justify a departure from those standards included with the draft Neighbourhood Plan.</p> <p><i>Continuation Sheet</i> 5 The emerging Local Plan Policy P8 (Managing Travel Demand and Reducing Congestion) states that the Council will support development proposals which: <i>"takes an evidence-based approach to demonstrate appropriate car parking provision, taking account of location, trip rates and, where relevant, travel plan targets and forecast levels of car ownership"</i>. It is considered that the evidence-based approach would be more appropriate than seeking to apply specific parking standards through the NP.</p> <p>The policy wording should therefore be amended to remove the car parking provision for new</p>	<p>commented that "given that the wording of the policy allows flexibility to reduce the standard where compliance would not be possible, it may be that testing this policy during the examination is again an appropriate way forward."</p> <p>No change.</p>	

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					<p>housing schemes. We note that the local parking standards include sufficient flexibility to allow for additional car parking for larger properties should there be site-specific evidence to justify this.</p> <p>We trust that the above representations are clear, but should you require any clarification please do not hesitate to contact me.</p> <p>Yours sincerely ...CONTINUED.</p>		