

# **Burntwood Regulation 16 Submission Neighbourhood Development Plan**

## **Paragraph 8 of Schedule 4b**

# **‘Basic Conditions’ Statement**

**June 2019**

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## **1.0 Legal Requirements**

### **The Submission Plan is being submitted by a qualifying body**

This Submission Plan is being submitted by a qualifying body, namely Burntwood Town Council.

### **What is being proposed is a neighbourhood development plan**

The plan proposal relates to planning matters (the use and development of land) and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.

### **The proposed Neighbourhood Plan states the period for which it is to have effect**

The proposed Neighbourhood Plan states the period for which it is to have effect. That period is from the Plan being made (2018) up to 2029 (the same period as the Lichfield Core Strategy Local Plan).

### **The policies do not relate to excluded development**

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

### **The proposed Neighbourhood Plan does not relate to more than one neighbourhood area and there are no other neighbourhood development plans in place within the neighbourhood area.**

The Neighbourhood Development Plan (NDP) proposal relates to the Burntwood Neighbourhood Area and to no other area. There are no other Neighbourhood Plans relating to that neighbourhood area.

## 2.0 Basic Conditions

A draft neighbourhood Plan must meet a set of basic conditions before it can be put to a referendum and be made. The basic conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. How the Burntwood NDP meets these basic conditions is set out below.

### Have Appropriate Regard to National Policy and Guidance

The Burntwood NDP has been produced with appropriate regard to the policy contained within the National Planning Policy Framework (NPPF) and the National Planning Practice Guide (NPPG).

### 2. Achieving Sustainable Development

Paragraph 1 of the NPPF explains that "*The National Planning Policy Framework sets out the Government’s planning policies for England and how these should be applied.*" Paragraph 7 sets out that "*The purpose of the planning system is to contribute to the achievement of sustainable development.*" The planning system has 3 overarching objectives to achieve sustainable development (paragraph 8): an economic objective, a social objective and an environmental objective. These should be delivered through the preparation and implementation of plans (paragraph 9).

Table 1 sets out how the Burntwood NDP delivers the 3 overarching Objectives:

**Table 1. Delivering Sustainable Development**

NPPF Overarching Objectives	Burntwood NDP Policies and Proposals
<p><b><i>a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;</i></b></p>	<p>The NDP supports new development within Burntwood Town Centre (Policy B1) and environmental improvements in that centre (Policy B2). The NDP also supports development in the neighbourhood area’s four neighbourhood centres (Policy B3). Policy B4 of the NDP</p>

	<p>seeks to protect local shops. Each of these policies will help to build a stronger economy in the Burntwood neighbourhood area..</p>
<p><b><i>b) a social objective –to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and</i></b></p>	<p>The Submission Neighbourhood Development Plan offers the local community the opportunity to shape the future development of Burntwood in a creative way, ensuring that the identity, quality and distinctiveness of the neighbourhood area is enhanced.</p> <p>The NDP focusses on the promotion of well designed, sensitive development, appropriate to the area (Policy B5) and good quality design in new housing (Policy B6).</p> <p>The NDP seeks to improve accessibility (Policy B8), protect and enhance local sport and recreation facilities (Policy B9), protect designated Local Green Spaces (Policy B10), and other open spaces (Policy B11), and to retain and enhance community facilities (Policy B12).</p> <p>In these ways, the Burntwood NDP helps to meet the social objective of national planning policy.</p>
<p><b><i>c) an environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.</i></b></p>	<p>The Burntwood NDP recognises the neighbourhood area’s distinct components and puts forward policies appropriate to each of these areas. The NDP includes policies on sensitive development, appropriate to the area (Policy B5) and good quality design in new housing (Policy B6). Policy B4 seeks to promote specific environmental improvements in Burntwood Town Centre.</p>

	<p>Policy B7 seeks to conserve and enhance non-designated heritage assets, and Local Green Spaces (Policy B10) and other open spaces (Policy B11).</p> <p>Through these policies the Burntwood NDP will help to deliver the environmental objective of national planning policy.</p>
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### 3. Plan Making

In Section 3 Plan Making, the NPPF sets out that 6 principles that plans should address. Table 2 sets out how the Burntwood NDP addresses each of these in turn.

**Table 2. Plan Making**

<b>NPPF Plan Making</b>	<b>Burntwood NDP</b>
<b>a) be prepared with the objective of contributing to the achievement of sustainable development;</b>	Table 1 of this Statement sets out how the Burntwood NDP has been prepared with the objective of contributing to the three objectives of sustainable development.
<b>b) be prepared positively, in a way that is aspirational but deliverable;</b>	The plan has been prepared positively to support growth strategy in the Lichfield District Local Plan. The NDP is aspirational and deliverable.
<b>c) be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;</b>	The plan has been shaped by effective engagement. This is set out in detail in the accompanying Consultation Statement.

<p><b>d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;</b></p>	<p>The Burntwood NDP policies are clearly written and unambiguous and have been revised at various times during consultation, including based on comments from Lichfield District Council, the local planning authority.</p>
<p><b>e) be accessible through the use of digital tools to assist public involvement and policy presentation; and</b></p>	<p>Throughout the plan’s preparation a variety of tools have been used, including publication of documents and press and publicity on the Town Council web site.</p>
<p><b>f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).</b></p>	<p>The policies in the Burntwood NDP serve a clear purpose and avoid duplication.</p>

### **The Plan Making Framework**

Paragraph 18 sets out that policies to address non-strategic matters should be included in local plans that contain both strategic and non-strategic policies, and/or in local or neighbourhood plans that contain just non-strategic policies. The Burntwood NDP contains non-strategic planning policies and proposals that add local detail and value to strategic policies in the Lichfield District Local Strategy 2009-2029 and the saved policies of the 1998 Lichfield District Local Plan. The supporting text for the NDP policies refers to the relevant strategic policies, where considered necessary and relevant.

### **Non-strategic policies**

Paragraph 29 advises that neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies. The Burntwood NDP supports development in line with the Lichfield District Local Strategy 2009-2029.

Paragraph 30 goes on to say that once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.

### **5. Delivering a sufficient supply of homes**

Paragraph 65 sets out that strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations. Burntwood NDP has been prepared to support the Lichfield District Local Strategy 2009-2029, this sets a growth target for the area. The Burntwood NDP does not seek to allocate housing sites. The Burntwood NDP has been prepared at the same time as the Local Plan Land Allocations document that has addressed the site allocations issue.

### **6. Building a strong, competitive economy**

Paragraph 80 sets out that planning “policies and decisions should help create the conditions in which businesses can invest, expand and adapt”. The Burntwood NDP seeks to support this by supporting development within Burntwood Town Centre (Policy B1) and environmental improvements in that centre (Policy B2). The NDP also supports development in the neighbourhood area’s four neighbourhood centres (Policy B3). Policy B4 of the NDP seeks to protect local shops.

### **8. Promoting healthy and safe communities**

Paragraph 91 sets out that planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible and enable and support healthy lifestyles. The Burntwood NDP includes policies which seek to improve accessibility (Policy B8), protect and enhance local sport and recreation facilities (Policy B9), protect designated Local Green Spaces (Policy B10), and other open spaces (Policy B11), and to retain and enhance community facilities (Policy B12).

### **9. Promoting sustainable transport**

Paragraph 102 advises that opportunities to promote walking, cycling and public transport use should be identified and pursued. Policy B8 of the of the NDP seeks to improve accessibility. The planning policies for the town and neighbourhood centres also make specific sustainable transport proposals.



### **11. Making effective use of land**

Paragraph 117 advises that planning policies should “promote an effective use of land in meeting the need for homes and other uses”. The Burntwood NDP seeks to promote support development within Burntwood Town Centre and the Neighbourhood Centres..

### **12. Achieving well-designed places**

Paragraph 124 explains that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Paragraph 125 goes on to say that design policies should be developed with local communities, so they reflect local aspirations, and are grounded in an understanding and evaluation of each area’s defining characteristics. Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development. The Burntwood NDP includes policies on sensitive development, appropriate to the area (Policy B5) and good quality design in new housing (Policy B6). Policy B4 seeks to promote specific environmental improvements in Burntwood Town Centre..

### **14. Meeting the challenge of climate change, flooding and coastal change**

Paragraph 148 advises that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. Paragraph 151 goes on to set out that to help increase the use and supply of renewable and low carbon energy and heat, plans should c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers and in paragraph 152, local planning authorities should support community-led initiatives for renewable and low carbon energy, including developments outside areas identified in local plans or other strategic policies that are being taken forward through neighbourhood planning. The Burntwood NDP does not include any relevant policies on these matters. They area dealt with in the Local Plan.

### **Planning and flood risk**

Paragraph 157 sets out that plans should avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by various measures including c) using opportunities provided by new development to reduce the causes and impacts of flooding (where appropriate through the use of natural flood management techniques). The Burntwood NDP does not include any relevant policies on this matters. They area dealt with in the Local Plan.

### **15. Conserving and enhancing the natural environment**

Paragraph 170 advises that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and sites of biodiversity and recognising the intrinsic character and beauty of the countryside. The Burntwood NDP includes Policy B10 that seeks to protect designated Local Green Spaces and Policy B11 that seeks to protect and other open spaces (Policy B11). Some of these sites have biodiversity value. Wider issues of landscape, biodiversity and countryside policy are set in the Local Plan Strategy.

### **16. Conserving and enhancing the historic environment**

Paragraph 184 advises that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Paragraph 18 goes on to say that plans should set out a positive strategy for the conservation and enjoyment of the historic environment. The Burntwood NDP includes Policy B7 which seeks to conserve and enhance non-designated heritage assets.

### **Have Special Regard to the Desirability of Preserving any Listed Building or its Setting or any Features of Special Architectural or Historic Interest** (this applies to Orders only but is included for the sake of completeness).

The Submission Neighbourhood Plan has taken account of the Listed Buildings in the neighbourhood area.

### **Have Special Regard to the Desirability of Preserving or Enhancing Character or Appearance of any Conservation Area** (this applies to Orders only but is included for the sake of completeness).

The neighbourhood area does not contain a Conservation Area.

**The making of the neighbourhood development plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010(2)) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007(3)) (either alone or in combination with other plans or projects).**

### **Strategic Environmental Assessment (SEA)**

To meet the ‘basic conditions’ which are specified by law a Neighbourhood Development Plan must be compatible with EU obligations. Furthermore, as at 9th February 2015 Regulation 15 of the 2012 Neighbourhood Planning Regulations was amended to require that when a plan is submitted to the Local Planning Authority it should include either an environmental report prepared in accordance with the applicable regulations or where it has been determined as unlikely to have significant environmental effects, a statement of reasons for the determination. A screening report was prepared by Lichfield District Council to determine whether or not the content of the Burntwood Neighbourhood Plan requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004; and/or a Habitats Regulations Assessment (HRA) in accordance with Article 6(3) of the EU habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended). The draft screening report was subsequently sent to the relevant statutory bodies: Natural England, Historic England and the Environment Agency to clarify whether they agreed with Lichfield District Council’s findings as to whether the plan requires a full SEA and/or HRA assessment.

### **Requirement for HRA / Legislative Background**

Article 6 (3) of the EU Habitats Directive (Council Directive 92/43/EEC) and regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) requires that an appropriate assessment of plans and programmes is carried out with regard to the conservation objectives of European Sites (Natura 2000 sites) and that other plans and projects identify any significant effect that is likely for any European Site. In the context of neighbourhood planning, a Habitats Regulation Assessment (HRA) is required where a Neighbourhood Plan is deemed likely to result in significant negative effects occurring on protected European Sites (Natura 2000 sites) as a result of the plan’s implementation.

## **Screening Determination**

### **Strategic Environmental Assessment (SEA)**

An original screening assessment (January 2017) to determine the need for a SEA in line with regulations and guidance was undertaken and can be found in section 8 of Lichfield’s Screening Report. The assessment finds that it is unlikely that significant environmental effects will occur as a result of the implementation of the Burntwood Neighbourhood Plan. The assessment also finds that the Neighbourhood Plan will conform to the strategic influence of the Lichfield Core Strategy which has been subject to a full SA/SEA where no significant effects were identified. Consequently, from the findings of the screening assessment it is recommended that a full SEA does not need to be undertaken for the Burntwood Neighbourhood Plan. This was confirmed through the responses from Historic England, Natural England and the Environment Agency.

### **HRA**

An original screening assessment (January 2017) to determine the need for HRA in line with regulations and guidance was undertaken and is set out in Section 8 of the Screening report. It found that there are no internationally designated wildlife sites within the Neighbourhood Plan Area or within 20km of it. The Burntwood Neighbourhood Development Plan will not, therefore, have an adverse effect on the integrity of internationally designated either on its own or in combination with other plans and does not need to be subject to a Habitats Regulations Assessment. This was confirmed through the responses from Historic England, Natural England and the Environment Agency which are set out in the accompanying Consultation Statement for the Burntwood Neighbourhood Plan.

### **Updated Screening**

Following receipt of Lichfield District’s comments on the Regulation 14 Draft Plan, that included the suggestion of updating the original January 2017 SEA/HRA Screening it was decided to act on this advice and produce a revised screening (November 2018).

The conclusion of this revised screening, this document is part of the submitted documents was as follows:

### **“Strategic Environmental Assessment (SEA)**

5.3 In relation to the requirement for the Burntwood Neighbourhood Plan to be subject to Strategic Environmental Assessment, the assessment detailed in Section 3 of this report concludes that as the plan in its current form is not likely to have significant environmental effects and therefore SEA will not be required. The statutory consultees indicated they agreed with the conclusions of this screening report with regard to SEA.

### **Habitat Regulations Assessment (HRA)**

5.4 In relation to the requirement for the Burntwood Neighbourhood Plan to be subject to Habitat Regulations Assessment, the assessment detailed at Section 4 of this report concludes that there are no potential significant effects upon European Sites and further work as part of the compliance with the Habitat Regulations will be required. Natural England’s response to this screening report recommended that the competent authority sought legal opinion with regards to the BNDP and HRA. This legal opinion recommended that the neighbourhood plan would need to be subject to further work as part of the compliance with the Habitat Regulations and that the further stages of Appropriate Assessment would need to be undertaken.”

### **Appropriate Assessment**

In January 2019, Burntwood Town Council commissioned a “Shadow Habitat Regulations Assessment – Burntwood Neighbourhood Development Plan”. This was sent to Lichfield District Council on completion in April 2019. This represents the appropriate assessment stage.

The assessment concludes that the Burntwood Neighbourhood Development Plan (as drafted at the base date of the screening report (November 2018) is unlikely to have a significant effect on the interest features of the Cannock Chase SAC. Lichfield District Council has reviewed the assessment and concurs with its conclusions. The review concluded:

- The HRA conclusions acknowledges the presence of additional mitigations, avoidance and cancellation measures within the Local Plan Strategy;
- Appendix 2 of the SEA & HRA Screening Report (dated November 2018) provides a review on a policy by policy basis. This assessment does not identify any policies with the potential for significant effects;

- The HRA was carried out on the precautionary principle basis;
- Government guidance remains that generally neighbourhood plans are unlikely to result in significant effects;
- The appropriate assessment concludes that the Burntwood Neighbourhood Plan is unlikely to have a significant effect on the interest features of the Cannock Chase SAC.
- Natural England concur with the conclusions of the assessment that the Burntwood Neighbourhood Development Plan is unlikely to have a significant effect on the interest features of the Cannock Chase SAC (Appendix A of this addendum).

### **Conclusion**

The “Shadow Habitat Regulations Assessment – Burntwood Neighbourhood Development Plan” concludes that the Burntwood Neighbourhood Plan is not likely to have a significant effect on the interest features of the Cannock Chase SAC. Natural England have confirmed their agreement with the conclusions of the Appropriate Assessment. The District Council also agrees with the conclusions. All of the above form part of the submitted documents.

## **Contribute to the Achievement of Sustainable Development**

The Submission Neighbourhood Development Plan contributes strongly to the achievement of sustainable development.

Paragraphs 7-10 of the 2019 National Planning Policy Framework outline the Government’s approach to achieving sustainable development.

The UK Government’s interpretation of the concept of sustainable development builds on that of the UN resolution 42/187, which is ‘meeting the needs of the present without compromising the ability of future generations to meet their own needs.’

The NPPF amplifies this simple definition, at paragraph 8, stating that sustainable development has three dimensions, economic, social and environmental. Planning needs to perform a number of roles in relation to these issues:

- ❑ “an economic role - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- ❑ a social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of the present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well- being; and
- ❑ an environmental role - contributing to protecting and enhancing our natural, built and historic environment; and as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.”

Table 1 above gives a clear and comprehensive narrative of how the Burntwood NDP seeks to meet the government’s three sustainable development objectives.

## **Be in General Conformity with Strategic Local Planning Policy**

The Submission Neighbourhood Plan is in general conformity with strategic Local Plan policies contained in the Lichfield Local Plan Core Strategy, and, where relevant, the ‘saved’ Local Plan Review policies.

Planning Practice Guidance 2014 para 009 advises that “*Neighbourhood plans, when brought into force, become part of the development plan for the neighbourhood area. They can be developed before or at the same time as the local planning authority is producing its [Local Plan](#).*”

*A draft neighbourhood plan or Order must be in general conformity with the strategic policies of the development plan in force if it is to meet the [basic condition](#). A draft Neighbourhood Plan or Order is not tested against the policies in an emerging Local Plan although the reasoning and evidence informing the Local Plan process may be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested.”*

Table 3 below sets out the way that the Burntwood Submission Neighbourhood Plan conforms to the relevant ‘saved’ strategic policies contained in the Lichfield District Local Plan Review 2006 and policies contained in the Lichfield District Local Plan Core Strategy 2008-2029. An emerging Site Allocations Plan is in preparation and has reached examination stage. This emerging plan and its evidence base have been taken into account when preparing the BNDP. Assessment for general conformity with this emerging plan is not a basic condition.

**Table 3. General Conformity with Local Strategic Policy**

<b><i>Burntwood Submission Neighbourhood Development Plan</i></b>	<b><i>Lichfield District Local Plan Review 2006 ‘saved’ policies (LPR 2006)</i></b>	<b><i>Lichfield District Local Plan Core Strategy (LPCS)</i></b>	<b><i>Statement on “general conformity”</i></b>
<p><b>Policy B1 – Burntwood Town Centre</b></p> <p><b>Proposals for development within Burntwood Town Centre (see Policies Map 3) will be supported when they are for the following:</b></p> <p><b>a) Creation of a new town square at Sankey’s Corner, including retail provision, food and drink uses, community uses and residential development on upper floors. Proposals should</b></p>	<p>Policy B.5: New Shopping Development. Sankey’s Corner: Town Centre Proposals.</p> <p>Policy B6: Indoor Leisure</p> <p>Policy B.9: Redevelopment and Town Square</p>	<p>Core Policy 1: The Spatial Strategy</p> <p>Core Policy 2: Presumption in Favour of Sustainable Development</p> <p>Core Policy 3: Delivering Sustainable Development</p> <p>Core Policy 8: Our Centres</p> <p>Policy Burntwood 1: Burntwood Environment</p> <p>Policy Burntwood 2: Burntwood services and facilities</p> <p>Policy Burntwood 3: Burntwood Economy</p>	<p>Policy B1 is in general conformity with the policies in the LPCS.</p> <p>Policy B1 is in line with LPCS Core Policy 1 that seeks to direct the majority of development to a number of locations, including Burntwood Town Centre. Core Policy 1 also seeks to focus new and improved retail development in the commercial centres of Lichfield and</p>



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<p>also address the opportunity to include a new health centre to replace that at Salters Meadow;</p> <p><b>b) Development for new and enhancements to existing retail, office and food and drink uses;</b></p> <p><b>c) On sites A and B large format retail (Use Class A1) and leisure uses (Use Classes A3 (restaurant and cafes), A4 (public house) and D2 (assembly and leisure e.g. cinema, concert hall, bingo hall, etc.) will be supported;</b></p> <p><b>d) B1 business and office development;</b></p> <p><b>e) Development of new and enhancement of existing community facilities and social enterprises;</b></p> <p><b>f) Creation of new green corridors with footpath and cycle links to and from the centre;</b></p>			<p>Burntwood. Policy B1 supports this strategy and provides more detailed development management policy for Burntwood centre.</p> <p>Policy B1, and the other policies in the BNDP, support sustainable development and are in general conformity with LPCS Core Policies 2 and 3.</p> <p>LPCS Core Policy 8 seeks to focus proposals for retail, leisure, office and cultural facilities in Burntwood town centre. Policy B1 supports this strategic policy and sets more detailed development management policy for Burntwood town centre. The town centre boundary in the BNDP is the same as that in the emerging Site Allocations Plan Document.</p> <p>Policy B1 of the BNDP is in general conformity with Policy</p>

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<p>g) Proposals that bring back into use vacant upper floors;</p> <p>h) New car parking;</p> <p>i) Creation of a transport hub.</p> <p>All new development within the Town Centre boundary should be of good design that seeks to create a strong physical and visual identity for Burntwood Town Centre by including integrated links to the wider centre, use of materials, signage and street furniture.</p> <p>Within Burntwood Town Centre the following specific proposals (also shown on Map 3) will be prioritised over the period of the plan:</p> <ol style="list-style-type: none"> <li>1. Environmental improvements centred on Sankey’s Corner and radiating out along Cannock Road, High Street and Rugeley Road; and highway safety improvements at throughout the centre, especially those that improve access to the centre for</li> </ol>			<p>Policy Burntwood 1: Burntwood Environment of the CSLP that seeks to maintain and enhance Burntwood’s role as a separate and freestanding community that offers a range of services and facilities. Policy B1 provides more detailed development management policy to help support LPCS Policy B1’s aim of delivering town centre and environmental improvements, including at Sankeys Corner. Policy B1 of the BNDP also supports the LPCS aim of improving green infrastructure, cycling and walking links to the wider countryside, including Chasewater Country Park.</p> <p>Policy Burntwood 2: Burntwood services and facilities. Policy B1 of the BNDP is in general conformity with LPCS Policy B2 and provides more detailed local policy to improve local services and facilities, including</p>

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<p>pedestrians e.g. at the A5190 roundabout/Sycamore Road;</p> <p><b>2. Improved, green corridors with footpath and cycle links to Chasetown, Chasewater Park and Swan Island and to key facilities including schools and the leisure centre. Schemes should be designed in such a way that they promote healthier and more active lifestyles and that they create a greener environment;</b></p> <p><b>3. Redevelopment of Burntwood Shopping Centre for a mix of town centre uses;</b></p> <p><b>4. Proposals to create a multi-functional community hub at Emanuel Church will be supported.</b></p>			<p>the delivery of a new town centre. Policy B1 is also in general conformity with and supports proposals to improve the transport network in Burntwood.</p> <p>Policy Burntwood 3: Burntwood Economy</p> <p>In supporting development and regeneration in Burntwood town centre Policy B1 of the BNDP is in general conformity with Policy B3 of the LPCS that has the same aims.</p> <p>In terms of LPR 2006 policies Policy B1 of the BNDP is in general conformity with Policy B5 that supports “major shopping development and associated town centre facilities” at Sankey’s Corner, including pedestrian routes, public realm enhancements and public transport provision.</p>

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			BNDP Policy B1 is in general conformity with LPR 2006 policies B6 that supports indoor leisure development at Sankey’s Corner; and B9 that supports redevelopment proposals at Sankey’s Corner. .
<p><b>Policy B2 – Improving the Environment of Burntwood Centre</b></p> <p><b>Within and on key road and pedestrian approaches to Burntwood Town Centre (Policies Map 3) the following environmental improvements will be supported:</b></p> <p><b>a) Temporary use of vacant sites and empty properties for main town centre uses that do not have a significant adverse impact on the environment, local business and residents;</b></p> <p><b>b) Public realm and other improvements (such as landscaping and improved signage) within the Town</b></p>	<p>Policy B.5: New Shopping Development. Sankey’s Corner: Town Centre Proposals</p> <p>Policy B.9: Redevelopment and Town Square</p>	<p>Core Policy 1: The Spatial Strategy</p> <p>Core Policy 2: Presumption in Favour of Sustainable Development</p> <p>Core Policy 3: Delivering Sustainable Development</p> <p>Core Policy 8: Our Centres</p> <p>Core Policy 10: Healthy &amp; Safe Lifestyles</p> <p>Policy Burntwood 1: Burntwood Environment</p> <p>Policy Burntwood 2: Burntwood services and facilities</p> <p>Policy Burntwood 3: Burntwood Economy</p>	<p>Policy B2 of the BNDP is in general conformity with a number of the Policies in the LPCS: Core Policy 1: The Spatial Strategy</p> <p>Core Policy 2: Presumption in Favour of Sustainable Development</p> <p>Core Policy 3: Delivering Sustainable Development</p> <p>Core Policy 8: Our Centres</p> <p>Core Policy 10: Healthy &amp; Safe Lifestyles</p> <p>Policy Burntwood 1: Burntwood Environment</p>

<b><i>Burntwood Submission Neighbourhood Development Plan</i></b>	<b><i>Lichfield District Local Plan Review 2006 ‘saved’ policies (LPR 2006)</i></b>	<b><i>Lichfield District Local Plan Core Strategy (LPCS)</i></b>	<b><i>Statement on “general conformity”</i></b>
<p><b>Centre, on key routes (A5190/Cannock Road and Cannock Road/Rugeley Road) and gateways (A5190/Bridge Cross Road/Cannock Road; Cannock Road/Rugeley Road; Cannock Road/Rugeley Street; A5190/High Street) and, where appropriate, at key links in to the surrounding green infrastructure network;</b></p> <p><b>c) Improvements to road, pedestrian and cycle links when they lead to all of the following improved safety, increased accessibility for all and a greener streetscene including street trees and planting;</b></p> <p><b>d) Public Art.</b></p>			<p>Policy Burntwood 2: Burntwood services and facilities</p> <p>Policy Burntwood 3: Burntwood Economy</p> <p>Policy B2 provides more detailed local development management policy for environmental improvements that help to support these higher-level strategic policies.</p> <p>BNDP Policy B2 is in general conformity with LPR 2006 policies B5 and B9 and the improvements and enhancements, including possible redevelopment that they support at Sankey’s Corner.</p>
<p><b>Policy B3 – Chasetown, Swan Island, Rycroft Shopping Centre and Morley Road Neighbourhood Centres</b></p>	<p>Policy S.2: Neighbourhood Shopping Centres</p> <p>Policy B.13: Redevelopment and Expansion of Neighbourhood Centres</p>	<p>Core Policy 1: The Spatial Strategy</p> <p>Core Policy 2: Presumption in Favour of Sustainable Development</p> <p>Core Policy 3: Delivering Sustainable Development</p> <p>Core Policy 8: Our Centres</p>	<p>Policy B3 is in general conformity with the approach set out in the LPCS, but, in particular Core Policy 8 that identifies Chasetown, Swan Island and Morley Road as</p>

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<p><b>Within the four defined neighbourhood centres (see Policies Maps 4, 5 6 and 7) the following types of development will be supported:</b></p> <ul style="list-style-type: none"> <li><b>a) Development of new and enhanced retail, office, service and food and drink uses providing that such development serves a local need appropriate to the size and function of the particular neighbourhood centre;</b></li> <li><b>b) Temporary use of vacant sites and empty property for uses compatible with or that would not undermine the health and vitality of the neighbourhood centres;</b></li> <li><b>c) Where appropriate, retention and re-introduction of traditional shopfronts;</b></li> </ul>		<p>Policy Burntwood 2: Burntwood services and facilities Policy Burntwood 3: Burntwood Economy</p>	<p>neighbourhood centres. The approach set out in BNDP Policy B1 support appropriate development to serve local needs as set out in Core Policy 8 of the LPCS. A series of more detailed development management criteria are also included in Policy B2 that are in line with those in Core Strategy policy, including improving accessibility as set out in Core Policy 8 of the LPCS.</p> <p>The Ryecroft Shopping Centre based on its size and local function is identified as an additional neighbourhood centre. This is in line with the approach set in LPCS Core Policy 8 and does not undermine strategic planning policy.</p> <p>Policy B3 is in general conformity with LPR2006 Policy B13 and the limits this policy sets on future retail expansion.</p>

<b><i>Burntwood Submission Neighbourhood Development Plan</i></b>	<b><i>Lichfield District Local Plan Review 2006 ‘saved’ policies (LPR 2006)</i></b>	<b><i>Lichfield District Local Plan Core Strategy (LPCS)</i></b>	<b>Statement on “general conformity”</b>
<p><b>d) Improved signage on key routes and gateways;</b></p> <p><b>e) Public realm and other improvements that improve a particular neighbourhood centre’s image, including public art;</b></p> <p><b>f) Improvements to public transport and car parking;</b></p> <p><b>g) Measures to improve road safety and improve the environment for pedestrians and cyclists e.g. on Chasetown High Street.</b></p> <p><b>Within the neighbourhood centres the following specific proposals (also shown on Maps 4, 5, 6 and 7) will be prioritised over the period of the plan:</b></p> <p><b>1. Protection of retail shops within the identified key retail frontages (see Policies Maps 4, 5 6 and 7), unless the proposed non-retail use would not undermine the health and</b></p>			<p>Policy B3 is also in general conformity with LPR 2006 Policy S2 that seeks to maintain an adequate range of local shops and services in such centres.</p>

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<p>vitality of the neighbourhood centre;</p> <p>2. Creation of green corridor links to other centres and key attractions, such as Chasewater Park and the new town square at Burntwood;</p> <p>3. Retention and improvements to the environment and management of existing car parks</p> <p>4. Re-use of the Police Station, Chasetown;</p> <p>Creation of a “community hub” at the Old Mining College, Chasetown.</p>			
<p><b>Policy B4 – Local Shops</b></p> <p><b>Outside of the defined Town Centre and neighbourhood centres, development that would help to retain and improve local shops and retail premises will be supported where it would not have a significant adverse impact on</b></p>	<p>None.</p>	<p>Core Policy 1: The Spatial Strategy Core Policy 2: Presumption in Favour of Sustainable Development Core Policy 3: Delivering Sustainable Development Policy Burntwood 2: Burntwood services and facilities</p>	<p>BNDP policy B4 is in general conformity with strategic planning policy. In particular, Policy B4 supports Policy Burntwood 2 that seeks to improve the range of services and facilities in Burntwood and remedy existing deficiencies.</p>



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<p>residential amenity and traffic congestion.</p> <p>Where development proposals would lead to the loss of local shops and retail premises such development will only be supported when:</p> <p>a) The shop(s) have been vacant for an extended period of time (a minimum of 12 months) during which they have been actively marketed for retail uses, including in the neighbourhood plan area, and that marketing has failed to find a new retail owner or tenant; or</p> <p>The applicant can demonstrate that the shop unit(s) is/are in such a poor state of physical repair that it/they cannot be economically brought back in to retail use.</p>			<p>Policy B4 by protecting local shops will help to achieve this.</p>

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<p><b>Policy B5 – Enhancing the Identity and Distinctiveness of Local Neighbourhoods</b></p> <p><b>Development should seek to enhance and reinforce the distinctiveness of the different neighbourhoods within Burntwood. To help achieve this planning proposals should make appropriate use of the following:</b></p> <ul style="list-style-type: none"> <li><b>a) Traditional local building materials, building sizes and forms, and building lines, or where appropriate assessment of the surrounding context has been carried out and a sympathetic and complementary design solution identified the use of more contemporary materials’ building sizes, forms, and building lines;</b></li> <li><b>b) Incorporation of existing on-site architectural and heritage</b></li> </ul>	<p>None.</p>	<p>Core Policy 1: The Spatial Strategy            Core Policy 2: Presumption in Favour of Sustainable Development            Core Policy 3: Delivering Sustainable Development            Core Policy 14: Our Built &amp; Historic Environment            Policy BE1: High Quality Development            Policy Burntwood 1: Burntwood Environment            Policy Burntwood 2: Burntwood services and facilities</p>	<p>By seeking to enhance the identity and distinctiveness of local neighbourhoods the BNDP will complement and provide more detailed local policy for the neighbourhood area. In particular, Policy B5 will support LPCS Core Policy 1’s aim of protecting and enhancing the District’s high quality and natural and built environment that is vital to the distinctiveness and character of the district. It will also provide detailed local policy to help implement Coe Policy 14 of the LPCS that seeks to maintain local distinctiveness through the built environment in terms of buildings and public spaces.</p>

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<p>features such as datestones, ornamentation and mouldings;</p> <p>c) Relationship to the street and road pattern;</p> <p>Signage, street furniture and hard and soft landscaping to promote a sense of place clearly linked to the surrounding area and wider local neighbourhood.</p>			
<p><b>Policy B6 Promoting Good Quality Design in New Housing Development</b></p> <p><b>New residential development should be of a good quality design. In assessing development proposals, where appropriate to a proposal, the following design principles will be used:</b></p> <p><b>1. Setting</b></p> <p><b>The visibility of the site from other parts of Burntwood should be considered, including which areas of the site can be seen and from where. This is particularly important if the proposed development will break the skyline. In some cases, a Landscape Visual Impact</b></p>	<p>None relevant</p>	<p>Core Policy 2: Presumption in Favour of Sustainable Development Core Policy 3: Delivering Sustainable Development Core Policy 14: Our Built &amp; Historic Environment Policy Burntwood 1: Burntwood Environment Policy BE1: High Quality Development</p>	<p>In seeking to promote good quality design in new housing development Policy B6 is in general conformity with strategic planning policy in the LPCS: Core Policy 2 that seeks to secure development that improves economic and social conditions in the area; Core Policy 3 that seeks to enhance the distinctiveness of the District’s settlements, protect amenity, ensure access for all, be of a scale and nature appropriate to its locality, and</p>

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<p>Assessment may be required by the local planning authority.</p> <p><b>2. Public Realm</b></p> <p>New development should give careful consideration to the surrounding public realm and, where appropriate, include measures to integrate with and make a positive addition to the surrounding public realm. In doing this, development should be designed so as to create a clear distinction between streets, other publicly accessible spaces, and areas that are intended for private use by the occupants.</p> <p>Larger developments should incorporate a designed sequence of public spaces. These spaces should connect with and relate to the pattern of spaces already present in the immediate area.</p> <p><b>3. Layout and Accessibility</b></p>			<p>use various site features and characteristics.</p> <p>Policy B6 is also in general conformity with LPCS development management policy BE1 that seeks to a high quality sustainable built environment can be achieved.</p>

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<p>Layouts should incorporate traffic calmed streets, changes of direction, and a sense of enclosure.</p> <p>New vehicle and pedestrian route networks should be designed to link with routes and facilities adjacent to the site. In larger developments a hierarchy of routes should be established.</p> <p>Public transport, pedestrian and cycle routes should be incorporated in the layout wherever possible, especially where these can provide safe and convenient routes to schools and local shops.</p> <p><b>4. Making use of Existing Site Features and Characteristics</b></p> <p>Where they are present, site boundaries formed of local stone, traditional brick, cast iron or hedge planting should be retained and repaired. Any proposed openings in such existing boundaries should be kept</p>			

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<p>to a minimum and salvageable materials used elsewhere on site.</p>			
<p><b>Policy B7 – Conserving and Enhancing Local, Non-Designated Heritage Assets</b></p> <p><b>Development proposals should identify and assess any potential impact on local, non-designated heritage assets. These are buildings, building features and structures having a degree of significance meriting consideration in planning decisions, because of their heritage interest.</b></p> <p><b>Development proposals will be supported when they conserve and enhance local, non-designated heritage assets.</b></p> <p><b>Development that would result in the loss of, or have a significant adverse impact on local, non-designated heritage assets will only be supported in the following circumstances:</b></p> <p><b>a) Where renovation or alteration of non-designated heritage assets require planning</b></p>	<p>None.</p>	<p>Core Policy 14: Our Built &amp; Historic Environment Policy BE1: High Quality Development</p>	<p>Policy B7 is in general conformity with LPCS policy. By setting neighbourhood area wide policy for non-designated heritage assets Policy B7 supports Core Policy 14 of the Core Strategy that seeks to conserve “other heritage assets” i.e. those not designated so as to “protect and improve the built environment”.</p> <p>Policy B7 is also in general conformity with development management policy BE1 of the LPCS that seeks to have a positive impact on the significance of the historic environment.</p>

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<p>permission, such changes are designed sensitively and with careful regard to the heritage asset’s historical and architectural value and pay appropriate regard to the asset’s setting; or</p> <p>Where a development proposal would result in the loss of, or substantial harm to a locally non-designated heritage asset, such development will only be supported when the public benefit of the proposed development outweighs the loss of, or harm to the asset and its setting. Where development is permitted, this may be conditioned in such a way so as to ensure the proposed development takes place after the loss, or harm, has occurred and that appropriate recording of the heritage asset takes place prior to any loss or harm.</p>			
<b>Policy B8 – Improving Local Accessibility Outside the Defined Centres</b>	None.	Core Policy 1: The Spatial Strategy	By seeking to improve local accessibility outside the neighbourhood area’s defined centres Policy B8 is in general

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<p><b>Outside of the Town Centre and neighbourhood centres as defined on the Policies Maps, new development should encourage walking and cycling by creating and providing linkages to local facilities, the town and neighbourhood centres, local employment areas and recreation resources. Where new routes are created they should promote healthy, active lifestyles, be safe and incorporate trees and landscaping.</b></p>		<p>Core Policy 2: Presumption in Favour of Sustainable Development</p> <p>Core Policy 3: Delivering Sustainable Development</p> <p>Policy Burntwood 1: Burntwood Environment</p> <p>Policy Burntwood 2: Burntwood services and facilities</p>	<p>conformity with LPCS Core Policy 1 that seeks to reduce the need to travel and improve health and wellbeing; Core Policy 2’s presumption in favour of sustainable development; and Core Policy 3 that seeks to ensure access for all and reduce the need to travel.</p> <p>Policy B8 is also in general conformity with Policy Burntwood 1 that seeks to improve green infrastructure, walking and cycling links and Policy Burntwood 2 that seeks to enhance access to services and facilities and improve the transport network and encourage investment to increase walking and cycling.</p>
<p><b>Policy B9 – Protecting and Enhancing Local Sport and Recreation Facilities</b></p>	<p>None</p>	<p>Core Policy 3: Delivering Sustainable Development</p>	<p>Policy B9 is in general conformity with Core Policy 10 that seeks to facilitate access to “a range of high quality and well maintained</p>



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<p><b>The following local sport and recreation facilities will be protected:</b></p> <ul style="list-style-type: none"> <li>• <b>The Scholars football field and Church Road car park</b></li> <li>• <b>Burntwood Rugby Club and sports fields</b></li> <li>• <b>St Matthews cricket field</b></li> <li>• <b>Burntwood Leisure Centre</b></li> <li>• <b>Burntwood Memorial Institute Sports Field</b></li> </ul> <p><b>Schemes to enhance and improve these local recreational facilities and open spaces will be supported.</b></p> <p><b>Development that will lead to the loss of these facilities will only be supported when equivalent, or better provision of alternative facilities is provided within the neighbourhood area; or</b></p>		<p>Core Policy 10: Healthy &amp; Safe Lifestyles</p> <p>Core Policy 11: Participation in Sport &amp; Physical Activity</p> <p>Policy Burntwood 2: Burntwood services and facilities</p> <p>Policy HSC2: Playing Pitch and Sport Facility Standards.</p>	<p>open spaces, playing pitches, sport, recreation, play facilities and cultural assets”.</p> <p>Core Policy 10 also supports, where appropriate, the improvement of such facilities.</p> <p>Policy B9 is in general conformity with Core Policy 11 that seeks to “protect and enhance” existing sport facilities, and other assets that “encourage participation in physical activity”.</p> <p>Policy B9 helps to support Core Strategy Policy HSC2 that seeks to resist the loss of playing spaces and sport facilities.</p> <p>Policy B9 identifies local sport and recreational facilities and is in general conformity with Core Strategy Policy Burntwood 2 that seeks improvements to open space and playing pitch provision when in line with LPCS</p>

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<p>The development is for alternative sport and recreation facilities the need for which clearly outweighs the loss of the existing facility.</p>			<p>development management policy HSC2.</p>
<p><b>Policy B10 – Local Green Spaces</b></p> <p>The following areas listed below and shown on Maps 7 are designated as Local Green Spaces:</p> <ul style="list-style-type: none"> <li>• Chase Terrace Park</li> <li>• Redwood Park</li> <li>• Ryecroft Park</li> <li>• Burntwood Park</li> <li>• Chasetown Memorial Park</li> </ul> <p>Development proposals for the designated Local Green Spaces must be consistent with national Green Belt policy.</p>	<p>None.</p>	<p>Core Policy 10: Healthy &amp; Safe Lifestyles                      Core Policy 11: Participation in Sport &amp; Physical Activity                      Policy HSC1: Open Space Standards                      Policy HSC2 Playing Pitch &amp; Sport Facility Standards                      Policy Burntwood 1: Burntwood Environment                      Policy Burntwood 2: Burntwood services and facilities</p>	<p>By designating five Local Green Spaces the BNDP is in general conformity with LPCS Core Policy 10 that seeks to enable people to live healthy and safe lifestyles by “facilitating access to a range of high quality and well maintained” open spaces to meet the needs of local communities; and Core Policy 11 that seeks to protect and enhance existing assets that encourage participation in physical activity, such as the five parks designated as Local Green Spaces.</p> <p>Policy B10 is in general conformity with development management Policy HSC1 of the</p>

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			LPCS that seeks to protect open space, sport and recreation facilities and development management Policy HSC2 that seeks to protect sports facilities, such as those in the five named parks.
<p><b>B11 – Protected and New Open Spaces</b></p> <p><b>The open spaces identified on Policies Map (Map 8) will be protected.</b></p> <p><b>Development of these areas for built development will only be supported when:</b></p> <p><b>There is clear evidence the open space is no longer used by the local community; or</b></p> <p><b>When the space is still used by the local community, alternative provision of equal or better community benefit is provided elsewhere within the local area; or</b></p> <p><b>The development is for alternative sport and recreation facilities the need</b></p>	None	<p>Core Policy 1: The Spatial Strategy</p> <p>Core Policy 2: Presumption in Favour of Sustainable Development</p> <p>Core Policy 3: Delivering Sustainable Development</p> <p>Core Policy 10: Healthy &amp; Safe Lifestyles</p> <p>Core Policy 11: Participation in Sport &amp; Physical Activity</p> <p>Policy HSC1: Open Space Standards</p> <p>Policy HSC2 Playing Pitch &amp; Sport Facility Standards</p> <p>Policy Burntwood 2: Burntwood services and facilities</p>	<p>By protecting open spaces Policy B11 is in general conformity with and helps to supports Core Strategy policies 1, 2 and 3 that promote sustainable development.</p> <p>Policy B11 is in general conformity with Core Policy 10 that seeks to facilitate access to “a range of high quality and well maintained open spaces, playing pitches, sport, recreation, play facilities and cultural assets”.</p> <p>Policy B11 is in general conformity with Core Policy 11 that seeks to “protect and enhance” existing sport facilities, and other assets that</p>

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<p>for which clearly outweighs the loss of the existing facility.</p> <p>Proposals to improve the open spaces identified on Policies Map 8 and for new open spaces will be supported.</p>			<p>“encourage participation in physical activity”.</p> <p>Policy B11 helps to support Core Strategy Policy HSC1 that seeks to protect facilities identified in the Open Space Assessment.</p> <p>Policy B11 helps to support Core Strategy Policy HSC2 that seeks to resist the loss of playing spaces and sport facilities.</p> <p>In supporting these policy aims Policy B11 is also in general conformity with Policy Burntwood 2.</p>
<p><b>Policy B12 – Retaining and Enhancing Existing Community Facilities</b></p> <p><b>Development proposals to enhance the following community facilities will be supported:</b></p> <p><b>All schools</b></p> <p><b>All public houses</b></p>	None.	<p>Core Policy 2: Presumption in Favour of Sustainable Development</p> <p>Core Policy 3: Delivering Sustainable Development</p> <p>Core Policy 4: Delivering our Infrastructure</p>	<p>Policy B12 identifies local community facilities for protection and is in general conformity with Core Strategy Policy Burntwood 2 that seeks to improve the range of facilities in Burntwood and address exiting deficiencies.</p>

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<p><b>All churches and church halls</b></p> <p><b>All scout &amp; guide halls</b></p> <p><b>All health centres</b></p> <p><b>Burntwood Leisure Centre</b></p> <p><b>The Old Mining College Centre</b></p> <p><b>Burntwood Memorial Institute and grounds</b></p> <p><b>The Library</b></p> <p><b>All existing car parks</b></p> <p><b>Development proposals requiring planning consent that would result in the loss of these facilities to non-community uses will only be supported when:</b></p> <p style="padding-left: 40px;"><b>a) the facility is adequately replaced elsewhere within the neighbourhood plan area, or within reasonable access by sustainable transport to the neighbourhood plan area; or</b></p>		<p>Policy Burntwood 2: Burntwood services and facilities</p>	<p>This approach supports the sustainable development policies 2, 3 and 4 of the Core Strategy.</p> <p>The protection of community facilities is also in general conformity with Core Policy 4 of the Core Strategy that seeks to “protect, and where appropriate improve, services and facilities that provide a key function in the operation of existing communities.” Policy B12 is also in general conformity with the principle that “New facilities must be located and designed so that they are integrated, accessible and compatible with the character and needs of the local community” contained in Core Policy 4.</p>

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<p><b>b) the applicant can clearly demonstrate there is no longer a viable need for the facility or that it is no longer commercially viable.</b></p>			

## **Be Compatible with EU Obligations**

The Submission Neighbourhood Plan is fully compatible with EU Obligations.

The Neighbourhood Plan has been subjected to a SEA Screening Assessment undertaken by Lichfield District Council. This concluded that the Neighbourhood Development Plan will not have significant effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations, and therefore does not need to be subject to a SEA report..

The Submission Neighbourhood Plan is fully compatible with the European Convention on Human Rights. It has been prepared with full regard to national statutory regulation and policy guidance, which are both compatible with the Convention. The Plan has been produced in full consultation with the local community. The Plan does not contain policies or proposals that would infringe the human rights of residents or other stakeholders over and above the existing strategic policies at national and district-levels, as demonstrated below.

The Human Rights Act 1998 incorporated into UK law the European Convention on Human Rights (“The Convention”). The Convention includes provision in the form of Articles, the aim of which is to protect the rights of the individual.

Section 6 of the Act prohibits public bodies from acting in a manner, which is incompatible with the Convention. Various rights outlined in the Convention and its First Protocol are to be considered in the process of making and considering planning decisions, namely:

Article 1 of the First Protocol protects the right of everyone to the peaceful enjoyment of possessions. No one can be deprived of possessions except in the public interest and subject to the conditions provided by law and by the general principles of international law. The Submission Neighbourhood Plan is fully compatible with the rights outlined in this Article. Although the Submission Plan includes policies that would restrict development rights to some extent, this does not have a greater impact than the general restrictions on development rights provided for in national law, namely the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011. The restriction of development rights inherent in the UK’s statutory planning system is demonstrably in the public interest by ensuring that land is used in the most sustainable way, avoiding or mitigating adverse impacts on the environment, community and economy.

Article 6 protects the right to a fair and public hearing before an independent tribunal in determination of an individual’s rights and obligations. The process for Neighbourhood Plan production is fully compatible with this Article, allowing for extensive consultation on its proposals at various stages, and an independent examination process to consider representations received.

Article 14 provides that “The enjoyment of the rights and freedoms set forth in ... [the] ... European Convention on Human Rights shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.” The Parish Council has developed the policies and proposals within the Plan in full consultation with the community and wider stakeholders to produce as inclusive a document as possible. In general, the policies and proposals will not have a discriminatory impact on any particular group of individuals.





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