

# **Armitage with Handsacre Regulation 16 Submission Neighbourhood Development Plan**

**Paragraph 8 of Schedule 4b**

## **‘Basic Conditions’ Statement**

# Table of Contents

1.0	Legal Requirements	3
2.0	Basic Conditions	4

## **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 Armitage with Handsacre Parish 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 Armitage with Handsacre 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 Armitage with Handsacre NDP meets these basic conditions is set out below.

### Have Appropriate Regard to National Policy

The Armitage with Handsacre NDP has been produced with appropriate regard to the guidance contained within the National Planning Policy Framework (NPPF). Paragraphs 183-185 of the NPPF outline specific guidance in relation to the production of Neighbourhood Plans. Paragraph 184 states that “The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the local area. Neighbourhood Plans must be in general conformity with the strategic policies of the local plan.” The Neighbourhood Plan has been drafted with regard to the planning policies of Lichfield Council, and the comprehensive evidence base that supports these policies.

Paragraph 184 also states that Neighbourhood Plans should “not promote less development than set out in the Local Plan or undermine its strategic policies”. The Armitage with Handsacre NDP does not undermine the strategic policies of Lichfield Council; the Plan aims to support these policies by protecting local built and natural heritage assets from inappropriate new development whilst at the same time seeking to manage future housing growth.

The Plan has regard to the twelve core planning principles set out within paragraph 17 of the Framework, as set out in Table 1 below:

**Table 1 NPPF Core Planning Principles and the Armitage with Handsacre Submission Neighbourhood Development Plan**

NPPF Core Planning Principle	Regard that Armitage with Handsacre Neighbourhood Plan has to guidance
Planning should be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and Neighbourhood Plans setting out a positive vision for the future of the area. Plans should be kept up to date, and be based on	The Parish Council has produced the Submission Plan in line with this guidance. It will provide a framework to ensure that development is genuinely plan-led, and through involvement of the local community in shaping its policies and proposals through informal and formal

<p><b>NPPF Core Planning Principle</b></p>	<p><b>Regard that Armitage with Handsacre Neighbourhood Plan has to guidance</b></p>
<p>joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.</p>	<p>consultation, the Plan will empower local people to shape their surroundings. The vision, objectives, policies and proposals in the Plan have been developed with a thorough approach to community engagement. The Plan sets out a positive vision for the area up to 2029. The Neighbourhood Plan sets out a number of development management policies, some with proposals (8 in total) to guide, control and promote future development.</p>
<p>Planning should not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives.</p>	<p>The Submission Neighbourhood Plan offers the local community the opportunity to shape the future development of Armitage with Handsacre Parish in a creative way, ensuring that the quality of the place is enhanced by including policies which seek to protect the historic (Policy AH1) and natural environment (Policy AH2) and better design (Policy AH5).</p>
<p>Planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for</p>	<p>This Submission Neighbourhood Plan refines and amplifies the policies and proposals set out in the adopted Core Strategy. The Submission Neighbourhood Plan supports new housing development with the villages (Policy AH8).</p>

<b>NPPF Core Planning Principle</b>	<b>Regard that Armitage with Handsacre Neighbourhood Plan has to guidance</b>
development in their area, taking account of the needs of the residential and business communities.	
Planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.	The Submission Neighbourhood Plan sets out policies to protect and enhance local character and encourage high quality design in new development. These will ensure that amenity of existing and future residents is protected. Policy AH6 seeks to ensure that the rural character of the parish is preserved whilst Policy AH5 indicates that new development should be of better design.
Planning should take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.	The Submission Neighbourhood Plan sets out policies to protect and enhance local character and encourage high quality design in new development. These will ensure that amenity of existing and future residents is protected. Policy AH6 seeks to ensure that the rural character of the parish is preserved and Policy AH8 seeks to support suitable growth within the villages.
Support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy).	The seeks to encourage better design (Policy AH5) and to support development in the most sustainable locations in the neighbourhood area, through Policy AH8.
Planning should contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land	Policy AH8 seeks to support suitable growth within the villages, thus avoiding greenfield development wherever possible.

<b>NPPF Core Planning Principle</b>	<b>Regard that Armitage with Handsacre Neighbourhood Plan has to guidance</b>
for development should prefer land of lesser environmental value, where consistent with other policies in the Framework.	
Planning should encourage the effective use of land by reusing land that has been previously developed (Brownfield land), provided that it is not of high environmental value.	The Submission Neighbourhood Plan seeks to protect local recreation facilities (Policy AH3) and to safeguard locally important open spaces from new development(Policy AH4). Policy AH6 seeks to ensure that the rural character of the parish is preserved.
Planning should promote mixed-use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as wildlife, recreation, flood risk mitigation, carbon storage or food production).	The Submission Neighbourhood Plan aims to protect the parish’s countryside (Policy AH6) and natural environment (Policy AH2).
Planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations	Policy AH1 is compatible with this principle and identifies and seeks to protect non-designated heritage assets.
Planning should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable	The Submission Neighbourhood Plan seeks to focus development in sustainable locations by promoting development in Armitage with Handsacre villages (Policy AH8).

<p><b>NPPF Core Planning Principle</b></p>	<p><b>Regard that Armitage with Handsacre Neighbourhood Plan has to guidance</b></p>
<p>Planning should take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural services to meet local needs</p>	<p>The Neighbourhood Plan is fully in accord with this principle and has been prepared to take account of other local strategies.</p>

**Have Special Regard to the Desirability of Preserving any Listed Building or its Setting or any Features of Special Architectural or Historic Interest**

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

**Have Special Regard to the Desirability of Preserving or Enhancing Character or Appearance of any Conservation Area**

Policy AH6 requires development proposals to have particular regard to the parish’s Conservation Areas.

**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 Armitage with Handsacre Neighbourhood 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)**

A screening assessment 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 Armitage with Handsacre 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 Armitage with Handsacre Neighbourhood Plan. This was confirmed through the responses from Historic England, Natural England and the Environment Agency.

#### **HRA**

A screening assessment 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 Armitage with Handsacre 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 Armitage with Handsacre Neighbourhood Plan.

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

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

Paragraphs 6-10 of the National Planning Policy Framework outline the Government’s definition of sustainable development.

The UK Government’s interpretation of the concept of sustainable development builds on that of the UN resolution 24/187, 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 7, 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.”

In Paragraph 6, the NPPF states that “the policies in paragraphs 18-219, taken as a whole, constitute the Government’s view of what sustainable development in England means in practice for the planning system”.

Table 1 above gives a clear and comprehensive narrative of how the framework complies with the Core Planning Principles of the NPPF, and by corollary, the achievement of sustainable development.

Table 2 below summarises how the policies and allocations in the Armitage with Handsacre Submission Neighbourhood Plan contribute to the economic, social and environmental aspects of sustainable development.

**Table 2 Armitage with Handsacre Submission Neighbourhood Plan’s contribution to the economic, social and environmental aspects of sustainable development.**

Sustainable Development Role	Neighbourhood Development Plan’s Contribution
Economic	The Plan seeks to support housing growth within the villages. The plan does not have any policies related to economic development.
Social	The Plan seeks to support housing growth within the villages whilst at the same time protecting recreational facilities (Policy AH3), open spaces (Policy AH4) and community facilities (Policy AH7).
Environmental	The Plan seeks to protect historic (Policy AH1) and natural environment (Policy AH2) and the rural nature of the villages (Policy AH6).

## 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 Armitage with Handsacre Submission Neighbourhood Plan conforms to the relevant ‘saved’ strategic policies contained in the Lichfield District Local Plan Review 2006 and policies contained in the emerging Lichfield Core Strategy, as amended by the Main Modifications.

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

<b>Armitage with Handsacre Submission Neighbourhood Development Plan</b>	<b>Lichfield District Local Plan Review 2006 ‘saved’ policies</b>	<b>Lichfield Core Strategy</b>	<b>Statement on “general conformity”</b>
<p><b>Policy AH1 – Conserving and Enhancing Non-Designated Heritage Assets</b></p> <p><b>The non-designated local heritage assets identified below will be conserved and enhanced.</b></p> <ul style="list-style-type: none"> <li>• <b>48 Uttoxeter Road</b></li> <li>• <b>62 Plum Cottage</b></li> <li>• <b>Crown Inn, The Green</b></li> <li>• <b>8, 10 and 12 The Green</b></li> <li>• <b>Olde Peculiar Public House, The Green</b></li> <li>• <b>Old Church Hall, Hall Road</b></li> <li>• <b>16 Hall Road</b></li> <li>• <b>Handsacre Methodist Church, Lichfield Road</b></li> <li>• <b>40 Old Road</b></li> <li>• <b>42 Old Road</b></li> <li>• <b>54 to 76 Old Road</b></li> </ul>	<p>Policy C2: Character of Conservation Areas</p>	<p>Core Policy 14: Our Built &amp; Historic Environment                      Policy Arm1: Armitage with Handsacre Environment                      Policy BE1: High Quality Development</p>	<p>Policy AH1 is in general conformity with the saved policies of the Local Plan and the Core Strategy. By identifying non-designated heritage assets Policy AH1 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 AH1 is in general conformity with Core Strategy Policy Arm1 that seeks to protect the Canal Conservation Area.</p> <p>Policy AH1 is also in general conformity with Core Strategy</p>

<b><i>Armitage with Handsacre Submission Neighbourhood Development Plan</i></b>	<b><i>Lichfield District Local Plan Review 2006 'saved' policies</i></b>	<b><i>Lichfield Core Strategy</i></b>	<b>Statement on “general conformity”</b>
<ul style="list-style-type: none"> <li>• Stone Cottages, Rugeley Road</li> <li>• Armitage Youth Centre, Rugeley Road</li> <li>• Itonia Terrace, Rugeley Road</li> <li>• Ricardia Terrace, Rectory Lane</li> <li>• The Mount, Pike Lane</li> <li>• Havenhill House, Pike Lane</li> <li>• Rose Cottage, Hood Lane</li> <li>• Bramley Cottage, Hood Lane</li> <li>• Violet Cottage, Hood Lane</li> <li>• Yew Tree Cottage</li> <li>• The Coach house and terrace, Westfields Road</li> <li>• Targate Terrace, New Road</li> <li>• Jubilee Terrace, New Road</li> <li>• Westfield House, New Road</li> </ul> <p>Development proposals affecting these non-designated heritage assets will be supported when they conserve and, if possible enhance, these significance of these assets. Development that would result in the loss of, or have a detrimental impact on, these assets will only be supported in the following circumstances:</p>			<p>Policy BE1 that seeks to ensure that proposals have a positive impact on “the historic environment”, and “built vernacular”.</p>

<b><i>Armitage with Handsacre Submission Neighbourhood Development Plan</i></b>	<b><i>Lichfield District Local Plan Review 2006 ‘saved’ policies</i></b>	<b><i>Lichfield Core Strategy</i></b>	<b>Statement on “general conformity”</b>
<p>a) Where renovation or alteration of non-designated heritage assets require planning 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>b) 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 will be conditioned in such a way so as to ensure the development takes place after the loss, or harm, has occurred; and that appropriate recording of the heritage takes place prior to any loss or harm.</p>			

<b><i>Armitage with Handsacre Submission Neighbourhood Development Plan</i></b>	<b><i>Lichfield District Local Plan Review 2006 ‘saved’ policies</i></b>	<b><i>Lichfield Core Strategy</i></b>	<b>Statement on “general conformity”</b>
<p><b>Policy AH2 – Conserving and Enhancing the Local Natural Environment</b></p> <p><b>Development proposals should seek to conserve and enhance the area’s natural environment assets, including habitats, brooks, streams, ponds, hedgerows, semi- and unimproved grassland and broadleaf native woodland. In particular, the following areas will be protected for their natural environmental resource value:</b></p> <ul style="list-style-type: none"> <li>• <b>Shropshire Brook</b></li> <li>• <b>Trent and Mersey Canal</b></li> <li>• <b>Lake, adjacent to Rugeley Road</b></li> <li>• <b>Borrow Pit, including allotments and Environment Centre</b></li> <li>• <b>River Trent and its floodplain</b></li> </ul> <p><b>Where appropriate, new development should include new woodland and tree planting of native species of local provenance.</b></p>	<p>None.</p>	<p>Core Policy 13: Our Natural Resources</p> <p>Policy Arm1: Armitage with Handsacre Environment</p> <p>Policy NR1: Countryside Management</p> <p>Policy NR2: Development in the Green Belt</p> <p>Policy NR3: Biodiversity, Protected Species and their Habitats</p> <p>Policy NR4: Trees, Woodlands and Hedgerows</p> <p>Policy NR5: Natural and Historic Landscapes</p> <p>Policy NR6: Linked Habitat Corridors and Multi-Functional Greenspaces</p>	<p>Policy AH2 is in general conformity with Core Strategy Core Policy 13 that seeks to protect biodiversity, habitats and ecological networks.</p> <p>By linking to Core Strategy policies NR1 to NR6 Policy AH2 provided local specific information whilst at the same time deferring and being in general conformity with these policies.</p>



<b><i>Armitage with Handsacre Submission Neighbourhood Development Plan</i></b>	<b><i>Lichfield District Local Plan Review 2006 ‘saved’ policies</i></b>	<b><i>Lichfield Core Strategy</i></b>	<b>Statement on “general conformity”</b>
<p>Development proposals will be assessed against Local Plan Strategy Core Policy 13 and development management policies NR1 to NR6.</p>			
<p><b>Policy AH3 – Protecting and Enhancing Local Recreational Facilities</b></p> <p><b>The following will be protected:</b></p> <ul style="list-style-type: none"> <li>• <b>Peak Close recreation area</b></li> <li>• <b>Canon Lane/Lower Fufin proposed site for a community building</b></li> <li>• <b>Hawksyard play area</b></li> <li>• <b>Bowling Green, Millmoor Avenue</b></li> <li>• <b>Hard court play area including tennis, football and basketball at Shropshire Brook Road</b></li> <li>• <b>St Barbara Road Play Area</b></li> <li>• <b>Cricket Ground (Ideal Standard)</b></li> </ul> <p><b>Schemes to enhance and improve these local recreational facilities and open spaces will be supported and encouraged.</b></p>	<p>None</p>	<p>Core Policy 10: Healthy &amp; Safe Lifestyles</p> <p>Core Policy 11: Participation in Sport &amp; Physical Activity</p> <p>Policy HSC2: Playing Pitch and Sport Facility Standards.</p> <p>Policy Arm2: Armitage with Handsacre Services and Facilities</p>	<p>Policy AH3 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>Core Policy 10 also supports, where appropriate, the improvement of such facilities.</p> <p>Policy AH3 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 AH3 helps to support Core Strategy Policy HSC2 that seeks</p>

<b><i>Armitage with Handsacre Submission Neighbourhood Development Plan</i></b>	<b><i>Lichfield District Local Plan Review 2006 ‘saved’ policies</i></b>	<b><i>Lichfield Core Strategy</i></b>	<b>Statement on “general conformity”</b>
<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><b>The development is for alternative sport and recreation facilities the need for which clearly outweighs the loss of the existing facility.</b></p> <p><b>Schemes to enhance and improve local recreational facilities will be supported and encouraged in the following locations</b></p> <ul style="list-style-type: none"> <li>• <b>Improved or new equipped play at Upper Lodge Road and Millmoor Avenue;</b></li> <li>• <b>New amenity green space to the east around Tuppenhurst Lane; and</b></li> <li>• <b>Provision of an additional football pitch in an appropriate location.</b></li> </ul>			<p>to resist the loss of playing spaces and sport facilities.</p> <p>Policy AH3 identifies local recreational facilities and is in general conformity with Core Strategy Policy Arm2 that states: “the loss of existing services and facilities will be resisted unless an equivalent facility can be provided which offers an equal or improved service to the community.”</p>

<b><i>Armitage with Handsacre Submission Neighbourhood Development Plan</i></b>	<b><i>Lichfield District Local Plan Review 2006 ‘saved’ policies</i></b>	<b><i>Lichfield Core Strategy</i></b>	<b>Statement on “general conformity”</b>
<p><b>Policy AH4 – Protected Open Spaces</b></p> <p><b>The open spaces identified on the Policies Map (Map 6a and Map 6b) will be protected. Development of these areas for built development will only be supported when:</b></p> <ul style="list-style-type: none"> <li><b>a) Such spaces are no longer used; or</b></li> <li><b>b) Alternative provision of equal or better quality is provided within the local area.</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 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 NR6: Linked Habitat Corridors &amp; Multi-functional Greenspaces</p>	<p>By protecting open spaces Policy AH4 is in general conformity with and helps to supports Core Strategy policies 1, 2 and 3.</p> <p>Policy AH4 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 AH4 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 AH4 helps to support Core Strategy Policy HSC1 that seeks to protect facilities identified in the Open Space Assessment.</p> <p>Policy AH4 helps to support Core Strategy Policy HSC2 that seeks</p>

<b><i>Armitage with Handsacre Submission Neighbourhood Development Plan</i></b>	<b><i>Lichfield District Local Plan Review 2006 'saved' policies</i></b>	<b><i>Lichfield Core Strategy</i></b>	<b>Statement on “general conformity”</b>
			<p>to resist the loss of playing spaces and sport facilities.</p> <p>Policy AH4 supports the aim of Core Strategy Policy NR6.</p>
<p><b>Policy AH5 – Better Design</b></p> <p><b>New residential development should be of a good quality design. To assess development proposals, the following factors should be considered when assessing the design of a planning proposal:</b></p> <ol style="list-style-type: none"> <li><b>1. Setting</b></li> <li><b>2. Public Realm</b></li> <li><b>3. Accessibility</b></li> <li><b>4. Site characteristics</b></li> <li><b>5. Frontages</b></li> <li><b>6. Innovation and responding to local context</b></li> </ol>	<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</p>	<p>By promoting better design Policy AH5 is in general conformity with and helps to supports Core Strategy policies 1, 2 and 3 and Policy 14 that seeks to protect the built and historic environment.</p>

<b><i>Armitage with Handsacre Submission Neighbourhood Development Plan</i></b>	<b><i>Lichfield District Local Plan Review 2006 ‘saved’ policies</i></b>	<b><i>Lichfield Core Strategy</i></b>	<b>Statement on “general conformity”</b>
<p>7.     <b>Roofscape and Chimneys</b></p> <p>8.     <b>Elevations</b></p> <p>9.     <b>Parking Standards</b></p>			
<p><b>Policy AH6 – Maintaining the Rural Nature of the Villages</b></p> <p><b>Development proposals should seek to maintain the rural nature of the village. In assessing how proposals maintain Armitage and Handsacre as separate free-standing communities within a rural setting proposals will be assessed against the following:</b></p> <p>    <b>a) Impact on the open land and landscape setting of the settlements;</b></p> <p>    <b>b) Impact on the free-standing nature and separation of the settlements of Armitage and Handsacre from other settlements and larger areas of built development;</b></p> <p>    <b>c) Impact on the Conservation Area and its setting;</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 Core Policy 10: Healthy &amp; Safe Lifestyles Core Policy 11: Participation in Sport &amp; Physical Activity Core Policy 13: Our Natural Resources Policy NR1: Countryside Management Policy NR2: Development in the Green Belt</p>	<p>By seeking to maintain the rural nature of the village Policy AH6 is in general conformity with and helps to supports Core Strategy policies 1, 2 and 3.</p> <p>By protecting this setting Policy AH6 will support the objectives of Core Strategy Policy 11 by helping to promote healthy lifestyles e.g. through access to green infrastructure and open countryside; by providing opportunities for outdoor sport and recreation (Core Policy 11); by protecting Natural Resources (Core Policy 13) ; and by protecting the countryside (Policy NR1) and supporting the openness of the Green Belt (Policy NR2).</p>

<b><i>Armitage with Handsacre Submission Neighbourhood Development Plan</i></b>	<b><i>Lichfield District Local Plan Review 2006 'saved' policies</i></b>	<b><i>Lichfield Core Strategy</i></b>	<b>Statement on “general conformity”</b>
<p>d) Impact on significant public views in to and out of settlement(s); and</p> <p>e) Ability to limit impact on existing and to create new opportunities for outdoor sport and recreation.</p>			
<p><b>Policy AH7 – Retaining and Enhancing Existing Community Facilities</b></p> <p><b>The following community facilities should be protected. Proposals for their enhancement will be supported.</b></p> <ul style="list-style-type: none"> <li>▪ Village Hall</li> <li>▪ Pavilion</li> <li>▪ Public houses</li> <li>▪ Shops</li> </ul> <p><b>Development that would result in the loss of these facilities will only be supported when an equivalent or better facility is provided within the neighbourhood plan area, or where it</b></p>	<p>None</p>	<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 Arm2: Armitage with Handsacre Services and Facilities</p>	<p>Policy AH7 identifies local community facilities for protection and is in general conformity with Core Strategy Policy Arm2 that states: “the loss of existing services and facilities will be resisted unless an equivalent facility can be provided which offers an equal or improved service to the community.”</p> <p>This approach supports the sustainable development policies 2 and 4 of the Core Strategy.</p>

<b><i>Armitage with Handsacre Submission Neighbourhood Development Plan</i></b>	<b><i>Lichfield District Local Plan Review 2006 'saved' policies</i></b>	<b><i>Lichfield Core Strategy</i></b>	<b>Statement on “general conformity”</b>
<p>can be demonstrated by the applicant there is no longer a need for a particular community facility.</p> <p>Proposals for new community facilities will be supported when they do not have a significant adverse impact on any of the following: the natural or built environment; residential amenity; road safety; and traffic congestion.</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 AH7 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>
<p><b>Policy AH8 – New Housing Development within the Village of Armitage with Handsacre</b></p> <p><b>In order to retain the rural character of the village proposals for new housing within the settlement boundary as</b></p>	None	Core Policy 6: Housing Delivery Policy Arm4 – Armitage with Handsacre Housing	Policy AH8 is in general conformity with Core Policy 6 that seeks to focus housing development in key urban and rural settlements, including Armitage with Handsacre.

<b><i>Armitage with Handsacre Submission Neighbourhood Development Plan</i></b>	<b><i>Lichfield District Local Plan Review 2006 ‘saved’ policies</i></b>	<b><i>Lichfield Core Strategy</i></b>	<b>Statement on “general conformity”</b>
<p>defined on the Policies Map (Map 6a) will be supported when it meets the following criteria:</p> <ul style="list-style-type: none"> <li>(a) It is normally no more than two-storeys in height;</li> <li>(b) It ensures appropriate and safe access can be achieved;</li> <li>(c) It provides appropriate residential amenity for future occupiers (not located adjacent to noise generating agricultural, industrial or commercial activities);</li> <li>(d) It would not lead to the loss of protected areas and facilities identified elsewhere in this plan; and</li> </ul> <p>It includes adequate car parking, garaging and private and public amenity space for future residents.</p>			<p>Policy AH8 is also in general conformity with Policy Arm4 of the Core Strategy. Policy Arm4 seeks to provide 120-220 homes via the Local Plan Allocations document. These have subsequently been identified through planning approvals.</p>



## **Be Compatible with EU Obligations**

The Submission Neighbourhood Plan is fully compatible with EU Obligations.

The Neighbourhood Plan has been subjected to an SEA Screening Assessment undertaken by Lichfield 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. Furthermore, as there are no internationally designated wildlife sites within the Neighbourhood Plan Area or within 20km of it, the Plan will not have an adverse effect on the integrity of internationally designated sites either on its own or in combination with other plans and does not need to be subject to a Habitats Regulations Assessment.

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.



**For more information on the contents of this document contact:**

**Michael Wellock**

**Director**

**Kirkwells**

**Lancashire Digital Technology Centre**

**Bancroft Road**

**Burnley**

**Lancashire**

**BB10 2TP**

**01282 872570**

**[michaelwellock@kirkwells.co.uk](mailto:michaelwellock@kirkwells.co.uk)**