



## Decision Statement Regarding Elford Neighbourhood Plan Proceeding to Referendum

### **1. Summary**

- 1.1 Following an Independent Examination, Lichfield District Council has recommended that the Elford Neighbourhood Plan proceeds to referendum subject to the modifications set out in tables 1 and 2 below. The decision statement was reported to Cabinet on 09/10/2018 where it was confirmed that the Elford Neighbourhood Plan, as revised according to the modifications set out below, complies with the legal requirements and basic conditions set out in the Localism Act 2011, and with the provision made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004. The Plan can therefore proceed to referendum.

### **2. Background**

- 2.1 On 11 May 2015 Elford Parish Council requested that the Elford Neighbourhood Area be designated for the purposes of producing a neighbourhood development plan for the area. Following a six week consultation Lichfield District Council designated the Elford Neighbourhood Area on 14 August 2015.
- 2.2 In September 2017 Elford Parish Council published the draft Elford Neighbourhood Plan for a six week consultation, in line with regulation 14 of the Neighbourhood Planning (General) Regulations 2012.
- 2.3 The Elford Neighbourhood Plan was submitted by the Parish Council to Lichfield District Council in May 2018 for assessment by an independent examiner. The Plan (and associated documents) was publicised for consultation by Lichfield District Council for six weeks between 8 May and 19 June 2018 (the Local Authority publicity consultation). Mr Andrew Ashcroft BA (Hons) MA DMS MRTPI was appointed as the Independent Examiner and all comments received at the Local Authority publicity consultation were passed on for his consideration.
- 2.4 He has concluded that, subject to modifications, the Elford Neighbourhood Plan will meet the necessary basic conditions (as set out in Schedule 4b (8) of the Town and Country Planning Act 1990, as amended by the Localism Act 2011) and subject to these modifications being made may proceed to referendum.

- 2.5 Schedule 4B (12) of the Town and Country Planning Act 1990, as amended by the Localism Act 2011, requires that a local authority must consider each of the recommendations made in the Examiner's report and decide what action to take in response to each recommendation. If the authority is satisfied that, subject to the modifications being made, the draft Neighbourhood Plan meets the legal requirements and basic conditions as set out in legislation, then the plan can proceed to referendum.

**3. Elford Neighbourhood Plan Examiner’s recommended modifications and Local Authority’s response**

- 3.1 The District Council considered the Examiner’s report and the recommendations/modification contained within. Table 1 (below) sets out the Examiner’s recommendations (in the order they appear in the Examiner’s report) and Lichfield District Council’s consideration of these recommendations.
- 3.2 Table 2 sets out additional modifications recommended by Lichfield District Council with the reasons for these recommendations.
- 3.3 The reasons set out below have in some cases been paraphrased from the examiner’s report to provide a more concise report. This document should be read in conjunction with the Examiner’s Final report. Which is available via: [www.lichfielddc.gov.uk/Elfordnp](http://www.lichfielddc.gov.uk/Elfordnp).

NB – Where modified text is recommended this will be shown in red with text to be deleted struck through (~~text to be deleted~~), and text to be added in bold type (**text to be added**).

TABLE 1

Section in Examined Document	Examiner’s Recommendation	Examiner’s Reason	Local Authority’s decision and reason
Policy SP1, Paragraphs 5.5, 5.6 and 5.7	<p><i>Modify the text of the Policy as follows:</i></p> <p>New development in the Parish will be supported within the village settlement boundary as identified on the proposals map, subject to other policies within the Neighbourhood Plan. New development should be <del>of small scale</del> <b>of a scale which respects the character and appearance of the village within the settlement boundary</b>, both in terms of quantity and size, and must demonstrate how it meets the local needs of a rural community.</p> <p>Outside the settlement boundary, development <del>will be resisted</del> <b>not be supported</b> unless it meets the following exceptions;</p> <ul style="list-style-type: none"> <li>• Appropriate agricultural development, in conformity with those developments outlined in policy LS4 (Agricultural Activities) of this plan</li> </ul>	<p>Modifications recommended so that the policy has the clarity required by the NPPF.</p> <p>Recommend the policy’s coverage is clarified within the supporting text. It would be appropriate for this policy to refer to a wider range of development which may arise in the plan period.</p> <p>Unspecified ‘small-scale’ development is replaced by a more generic relationship of new development to the character of the village.</p>	<p>Yes – for clarity and to meet the basic conditions.</p>

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	<ul style="list-style-type: none"> <li>Development for rural exception sites which accords with Local Plan Policy H2</li> </ul> <p><i>Modifications to the explanatory text as follows:</i></p> <p>5.5 The community and Parish Council of Elford are in support of limited new development which <del>will avoid stagnation in the village</del> <b>will support its future vitality and viability and bring forward new housing to meet the needs of the village. The policy addresses development in a wider sense. In the context of the neighbourhood area housing, commercial, community facilities and agricultural developments will generate a significant proportion of planning applications. The Plan includes specific policies on these matters.</b></p> <p><i>Paragraph 5.6 delete the following:</i>  <del>The community wish to focus any new housing developments beyond this plan period to the north and adjacent to the village and be easily accessed to and from the A513. This decision came from extensive public consultation.</del></p> <p><i>Modify paragraph 5.7 as follows:</i></p> <p>5.7 <del>Large scale development</del> <b>Development</b> in the countryside...</p>	<p>Delete any reference to the potential for new growth to the north of the village. Its references are insufficiently to be included in a development plan document. The site is not specifically identified within the submitted neighbourhood plan. The approach is consistent with other modifications in respect of Policy HD2 (see below) which also addresses the potential for future residential development to the north of the village.</p>	
Policy LS1	<p><i>Modify the text of the Policy as follows:</i></p> <p><del>Proposals which reflect the character of the neighbourhood area and would result in new economic development and enterprise will be supported. The Neighbourhood Plan supports planning applications which encourage new economic development and enterprise in the Parish where it reflects local character.</del></p>	<p>Modifications recommended so that the policy has the clarity required by the NPPF.</p> <p>The opening section of the policy to refer to support for proposals rather than planning applications.</p>	Yes – for clarity and to meet the basic conditions/

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	<p>Applications for the expansion and diversification of existing businesses and enterprises will be supported, subject to compliance with other Development Plan policies.</p> <p>In all cases, applications for new or expanded employment and economic development must demonstrate;</p> <ul style="list-style-type: none"> <li>• They do not have <del>negative</del> <b>unacceptable</b> impacts on traffic flows through the village and meet the criteria set out in Policy MD5 (Traffic)</li> <li>• <del>An appropriate number of parking</del> <b>Parking</b> spaces are provided <b>to development plan standards for the proposal concerned</b> to avoid on street / off-site parking</li> <li>• They are in keeping with the rural character of established businesses and enterprises in the Parish, both in terms of type, size and scale</li> <li>• They <del>have a positive</del> <b>do not have an unacceptable</b> impact on the natural environment in terms of impact on green infrastructure, green links or loss of biodiversity (in conformity with policies E3, E4 and E5)</li> <li>• They do not <del>negatively</del> <b>unacceptably</b> impact upon community amenities of the Parish through noise, odour, chemical, or visual effects.</li> </ul>	<p>The first two criteria refer to unacceptable traffic impacts rather than negative impacts on traffic flows. In most cases new development will add to traffic flow. The test is the acceptability or otherwise of that increase.</p> <p>Criteria relating to parking standards should relate to the development plan rather than an unspecified 'appropriate' number.</p> <p>The fourth criteria requires a change of emphasis from a positive impact to not have an unacceptable impact.</p> <p>Replace negatively with unacceptably in the final criteria.</p>	
<p>Policy LS2 &amp; paragraph 5.15</p>	<p><i>Modify the text of the Policy as follows:</i></p> <p>The Neighbourhood Plan will support the retention of businesses, enterprise and retail units in the village. Where planning permission is <del>sought</del> <b>required</b>, the Neighbourhood Plan will not support the change of use of these to residential <b>use</b> unless <b>an appropriate alternative community facility is provided as part of the proposed development</b> <del>a suitable alternative can be demonstrated.</del></p>	<p>Modification to ensure that the policy adequately refers to proposals which require planning permission and to provide clarity that the alternative provision sought is for community use as the policy is currently unclear on these issues.</p>	<p>Yes – for clarity and to meet the basic conditions.</p>

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	<p>New Development proposals which result in the loss of named facilities (below) in the village <b>will only be supported where they must</b> demonstrate that they will provide an equal or better facility within an appropriate location within the village in compensation.</p> <p><i>&lt;move list of community facilities from end policy as drafted within submitted plan to below the above paragraph&gt;</i></p> <p><b>Proposals which will make improvements to the community facilities listed in this policy will be supported. Schemes which provide contributions to make improvements to these named facilities will be looked on favourably. These facilities are:</b></p> <p><i>Add the following to the end of the first sentence of paragraph 5.15:</i></p> <p><b>The third paragraph of the policy offers support for the improvement or enhancement of existing community facilities. In some cases, this may come about wholly or partly as a result of developer contributions.</b></p>	<p>Modifications required to ensure the policy is set out in policy format and that the schedule of community facilities is listed earlier within the policy.</p> <p>Recommend the final part of the policy be modified to take on a more general approach which supports proposals that would improve community facilities rather than simply those which would benefit from financial contributions. This is best addressed in the policies supporting text.</p>	
<p>Policy LS3 &amp; paragraph 5.17</p>	<p><i>Modify the text of the Policy as follows:</i></p> <p>Where planning permission is required, development which provides for improvements to existing sports, recreational and leisure facilities in the Parish will be supported.</p> <p><b>Proposals for new sporting and leisure facilities, recreational spaces and footpaths will be supported where they are accessible for all ages by means of walking or cycling. Applications which provide financial onsite contributions for new sporting and leisure facilities, recreational spaces, or</b></p>	<p>Modifications recommended so that the policy has the clarity required by the NPPF.</p> <p>Second part of the policy conflates several matters in a confusing way. It supports new facilities and suggests these are unlikely to come forward without a degree of financial support and mentions the Community</p>	<p>Yes – for clarity and to meet the basic conditions.</p>

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	<p><del>the enhancement of public footpaths within the Parish will be looked on favourably, providing they are easily accessible for all ages by walking or cycling and are in keeping with other Development Plan policies. See also list of projects within the Community Infrastructure Levy (CIL) list within the appendix, which relative contributions could also be delivered towards.</del></p> <p><i>Add the following to the end of the paragraph 5.17:</i></p> <p><b>The Parish Council acknowledges that new leisure facilities may come forward as part of a wider funding mechanism which may involve the Parish's local element of the Lichfield Community Infrastructure Levy (CIL). Appendix D lists a series of facilities which the Parish Council considers may be appropriate for the application of its element of the CIL towards future projects. Plainly the list may change over time.</b></p>	<p>Infrastructure Levy (CIL). The Policy does not make the distinction between expenditure of the strategic element of CIL (determined by LDC) and the local element to be determined by the Parish.</p>	
<p>Policy LS4 &amp; paragraph 5.19</p>	<p><i>Modify the text of the Policy as follows:</i></p> <p><b>Insofar as planning permission is required</b> The the Plan will support traditional agricultural activities (such as cultivation of crops, orchards, raising of livestock, and pasture lands) that do not cause excessive environmental nuisances and which are considered appropriate to the character of Elford.</p> <p><del>The Plan also supports the maintenance of borders, boundaries and hedgerows in accordance with traditional techniques.</del></p> <p>Inappropriate agricultural activities and development <del>will be resisted</del> <b>will not be supported</b>. These include;</p> <ul style="list-style-type: none"> <li>Those which would <b>significantly unacceptably</b> increase the number of vehicles travelling through the village along roads identified as having transport issues in Policy MD5 (Traffic) of this plan</li> </ul>	<p>Modifications recommended so that the policy has the clarity required by the NPPF.</p> <p>Given that an extensive range of agricultural development are permitted development modification is recommended so the policy only refers to development where planning permission is required.</p> <p>Maintenance of boarders and hedgerows is beyond planning control and therefore suggest modifications.</p>	<p>Yes – for clarity and to meet the basic conditions.</p>

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	<ul style="list-style-type: none"> <li>Those which cause <del>significant environmental nuisances such as noise, odour or chemical pollution</del> <b>unacceptable environmental harm</b></li> <li>Those which impact <del>negatively</del> <b>unacceptably</b> on the key views in the Parish (identified on the Proposals Map), or on the visual amenities of Parish residents</li> </ul> <p><i>Add the following to the end of the paragraph 5.19:</i></p> <p><b>Policy LS4 acknowledges that many aspects of agricultural development are permitted development and therefore beyond planning control. On this basis the policy only applies to agricultural development which requires planning permission.</b></p>		
Policy HD1	<p><i>Modify the text of the Policy as follows:</i></p> <p>The Neighbourhood Plan will support development proposals which deliver housing mixes that meet the needs of the community and contribute to the diversification of the Parish's housing stock, subject to other policies in the Plan.</p> <p><b>Subject to viability and deliverability considerations proposals which deliver some or all of the following house types will be particularly supported:</b> <del>On all new residential proposals in excess of three dwellings, schemes will be expected to deliver a mix of the following housing types, subject to viability and deliverability;</del></p> <ul style="list-style-type: none"> <li>Properties specifically designed for older persons that meet enhanced building regulations Part M, including bungalows</li> <li>Properties suitable for first time buyers</li> <li>Smaller family homes</li> </ul>	<p>The Policy proposes two size thresholds. There is no direct evidence within the plan to demonstrate how these thresholds have been generated and there is no analysis about the thresholds and development opportunities within the built-up part of the neighbourhood area.</p> <p>These thresholds are not in conformity with the Local Plan.</p>	<p>Yes – to meet the basic conditions.</p>



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	<p><del>Proposals will not be supported by the ENP if there are more than four dwellings on a site.</del></p>		
<p>Policy HD2 &amp; paragraphs 5.25 to 5.30</p>	<p><i>Delete Policy HD2 – Overall Quantum of Housing Development and associated paragraphs of explanatory text (paragraphs 5.25 to 5.30).</i></p> <p><i>Delete 'Aspiration' below Policy HD2.</i></p> <p><i>(See Table 2 of this Decision Statement for modifications relating to renumbering of subsequent policies and paragraphs)</i></p>	<p>The policy fails to meet the basic conditions for several reasons. It does not directly seek to boost the supply of housing land as required by the NPPF. It does not provide evidence to support the assertion that 20 houses are sufficient to address housing needs in the Plan period. The policy suggests there is reserve site 'in mind' but this is not identified within the plan not is it identified the mechanism by which such a site would be released.</p>	<p>Yes – to meet the basic conditions.</p>
<p>Policy HD3</p>	<p><i>Modify the text of the Policy as follows:</i></p> <p>In locating new residential schemes, development on infill sites located within the settlement boundary will be supported, providing it does not conflict with other policies within the Plan. <del>A site constitutes as infill development when; it is bounded by existing development on two or more sides; is within the existing settlement boundary; and fronts an existing highway.</del></p> <p>All new development on infill sites (including conversions) should;</p> <ul style="list-style-type: none"> <li>• Be an appropriate size and scale to the existing development either side of the infill site</li> <li>• Be of similar density to the existing development either side of the infill site</li> </ul>	<p>The policy does not provide any direct evidence to support its definition of 'infill' development. The approach has the ability to conflict with the approach set out in Core Policy 3 of the Local Plan.</p>	<p>Yes – to meet the basic conditions.</p>

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	<ul style="list-style-type: none"> <li>Where appropriate, demonstrate that vehicular traffic generated by the site will not cause negative impacts on the existing road network in the Parish; <b>and</b></li> <li>Not result in the loss of open space within the Parish</li> </ul>		
<p>Policy HD4 &amp; paragraphs 5.33 &amp; 5.34</p>	<p><i>Modify the text of the Policy as follows:</i></p> <p>Proposals for replacement dwellings within the Parish will be <b>approved supported</b>, <del>providing the following criteria is met</del> <b>subject to the following criteria;</b></p> <ul style="list-style-type: none"> <li><b>The proposals respect and reflect existing properties in their immediate locality in terms of scale, size, materials used and their appearance; and</b> <del>Modern housing designs are supported by the Plan, as long as they also respect and reflect styles of the existing properties in terms of scale, size, material use, and appearance</del></li> <li>The proposals do not result in a loss of amenities for other properties in the Parish</li> <li><del>Historic properties should not be replaced unless there is sound justification</del></li> <li><del>Proposals for the replacement of a single dwelling with multiple dwellings are unlikely to be supported.</del></li> </ul> <p><b>Proposals for the replacement of heritage assets in the neighbourhood area with replacement dwellings will not be supported.</b></p> <p><i>Add the following to the end of the paragraph 5.33:</i></p> <p><b>Proposals for modern housing designs will be supported where they reflect the character and appearance of existing properties in their immediate vicinity.</b></p>	<p>Modifications recommended so that the policy has the clarity required by the NPPF.</p> <p>The approach taken has the ability to restrict unnecessarily the delivery of new housing within the neighbourhood area which would conflict with paragraph 47 of the NPPF.</p>	<p>Yes – for clarity and the meet the basic conditions.</p>

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	<p><i>Modify the text of paragraph 5.34 after the first sentence of the paragraph 5.34:</i></p> <p><b>This is a matter that can be addressed on a case-by-case basis by Lichfield District Council. The majority of the built-up part of the village is contained within the Elford Conservation Area. The District Council has already prepared a Conservation Area Appraisal and Management Plan and this guidance will assist in the decision-making process.</b> The existing housing density should be respected in the parish as it helps define its rural character, <del>and this is reflected in this part of the policy.</del></p>		
<p>Policy DH1 &amp; paragraph 5.36</p>	<p><i>Modify the text of the second bullet point within the Policy as follows:</i></p> <ul style="list-style-type: none"> <li>New developments which are situated within or may impact on the Conservation Area in Elford must seek to preserve or enhance its <del>character and appearance</del> <b>character or appearance</b></li> </ul> <p><i>Delete the following text from paragraph 5.36:</i></p> <p><del>These assets are set out in the Elford Conservation Area Appraisal. The community wants to protect these assets and to ensure that new development which takes place makes a positive contribution to the identity of the Parish.</del></p>	<p>Modification so that the policy correctly applies the legislative test in the Planning (Listed Buildings and Conservation Areas) Act 1990.</p> <p>Recommend the deletion of text from the explanatory text which is incorrect.</p>	<p>Yes – to correctly apply legislation and to meet the basic conditions.</p>
<p>Paragraph 5.39</p>	<p><i>Delete the final two sentences of paragraph 5.39 and replace as follows:</i></p> <p><b>There are current proposals to extend the boundary of the conservation area. In the event that its boundary is amended the relevant policies in this Plan in general, and Policies DH1 and DH2 in particular, will apply to that amended area.</b> <del>The Plan also recognises the proposed extension to the</del></p>	<p>The Plan provides commentary on the potential extension of the Conservation Area. This is a matter to be determined independently from the neighbourhood plan by LDC. It is not within the gift of neighbourhood</p>	<p>Yes – for clarity over the role of the neighbourhood plan.</p>

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	<p><del>conservation area (see map in appendix). Although the neighbourhood plan policy (at the time of writing) cannot address this extended area in its current unadopted state, new development in this area will be subject to policy DH1 (and other relevant policies within the Plan) if and when the extended area is adopted.</del></p> <p><i>(see also recommended modification to Appendix E below)</i></p>	<p>plans to change conservation area boundaries.</p>	
<p>Policy DH2 &amp; paragraph 5.44</p>	<p><i>Modify the text of the policy as follows:</i></p> <p>All new development <del>must</del> <b>should</b> take account of its impact on identified heritage assets, both designated and non-designated, seeking to protect and where appropriate, enhance them (see Appendix for further details of these assets). Development schemes which demonstrate how they have positively addressed these heritage assets will be <del>looked on favourably</del> <b>supported</b>.</p> <p>New development should be sensitive to the character, fabric and setting of these identified heritage assets (including the Conservation Area) and listed buildings within the plan area.</p> <p>New development should also demonstrate where appropriate that it has taken into account the historic landscape pattern and potential below ground archaeology on the proposed site, by provision of a detailed assessment of the site's archaeology</p> <p><b>Proposals for development at any farmstead should demonstrate that it has taken account of its historic context and landscape setting.</b> <del>Applications for developments at any farmstead within the Parish should demonstrate that they have adhered to the SCC Farmsteads Character Statement (Area 7 – South East Staffordshire) and the SCC Farmsteads Guidance.</del></p>	<p>Modifications recommended so that the policy has the clarity required by the NPPF.</p> <p>There is no need for the policy in the submitted Plan directly to repeat the approach already captured elsewhere. The County Council document is produced for technical guidance rather than to act as a development plan policy</p>	<p>Yes – for clarity and to meet the basic conditions.</p>

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	<p><i>Add the following after the first two sentences of paragraph 5.44:</i></p> <p><b>The fourth paragraph of Policy DH2 addresses this important matter in the context of the neighbourhood area. Any such planning applications will be expected to take account of the Staffordshire Farmsteads Assessment Framework (produced by Staffordshire County Council and English Heritage) and the associated Character Statement work'.</b></p>		
<p>Policy DH3 &amp; paragraph 5.45</p>	<p><i>Delete Policy DH3 –Key Views and associated paragraph of explanatory text (paragraph 5.45).</i></p> <p><i>Removal of the 'Key Views' from the Proposals Map at Appendix A.</i></p>	<p>The Policy as drafted does not meet the basic conditions. The plan offers no additional information to that included within the conservation area appraisal and management plan produced by LDC which is not a development plan document. It would be impractical for the decision maker to understand how development would impact upon a particular view.</p>	<p>Yes – to meet the basic conditions.</p>
<p>Policy DH4</p>	<p><i>Modify the text of the policy as follows:</i></p> <p>New development schemes that enhance the quality of the public realm beyond the site will be <del>looked upon favourably</del> <b>supported</b>, subject to other policies of the Development Plan.</p> <p>Where appropriate, new development schemes should ensure that the following criteria are met;</p> <ul style="list-style-type: none"> <li>• Schemes do not negatively impact on public realm, including footpaths</li> <li>• The division between public and private realm is clearly demonstrated; <b>and</b></li> </ul>	<p>Modifications recommended so that the policy has the clarity required by the NPPF.</p>	<p>Yes – for clarity and to meet the basic conditions.</p>

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	<ul style="list-style-type: none"> <li>The scheme promotes safe and secure key routes to the village</li> </ul>		
Policy E1	<p><i>Modify the text of the policy as follows:</i></p> <p><b>Proposals for renewable energy schemes will be supported where they respect the character and appearance of the neighbourhood area and where they do not generate unacceptable harm to the following matters:</b></p> <p><del>Applications which deliver small scale renewable energy schemes will be determined on their own merits. All applications must demonstrate how they have considered the following points;</del></p> <ul style="list-style-type: none"> <li>The amenities of neighbouring or nearby properties</li> <li>The local landscape and setting of the Parish</li> <li>Wildlife considerations</li> <li>Heritage considerations</li> <li><del>Are not visually intrusive on the surrounding landscape or negatively impact on the key views and vistas in the Parish and aligns with policy DH3 (Key Views)</del></li> </ul>	Modifications recommended so that the policy has the clarity required by the NPPF.	Yes – for clarity and to meet the basic conditions.
Policy E2 & Appendix B	<p><i>Modify the text of the policy as follows:</i></p> <p><b>The following areas as shown on the Proposals Map are designated as Local Green Spaces</b> <del>The Neighbourhood Plan designates the following areas as Local Green Space (LGS) due to their special character, significance and community value. The following sites (also shown on the Proposals Map) will be protected from development considered to be inappropriate:</del></p> <ul style="list-style-type: none"> <li>Giants Garden</li> <li>Walled Garden and associated adjacent land</li> <li>St Peter's Church grounds</li> <li>The Avenue</li> </ul>	Not satisfied that one of the Local Green Spaces identified warrants designation as a Local Green Space. Not considered to meet the tests set out within the NPPF for such designation.	Yes – to meet the basic conditions

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	<ul style="list-style-type: none"> <li>• Cricket Ground</li> <li>• Sports Field</li> <li>• Elford Jubilee Memorial Playground</li> <li>• Land between the Shrubbery and the river Tame (locally known as the picnic area)</li> <li>• <del>Land off the Beck</del></li> </ul> <p><b>New development will not be supported on land designated as local green space except in very special circumstances.</b></p> <p><i>Delete 'Land off The Beck' from the table of Local Green Spaces set out at Appendix B and the Proposals Map.</i></p> <p><i>(See Table 2 of this Decision Statement for modification remove The Beck Local Green Space from proposals map at Appendix A of the neighbourhood plan for consistency with examiners modification).</i></p>		
Policy E3	<p><i>Modify the text of the first paragraph of the policy as follows:</i></p> <p>New development adjacent to existing footpaths and rights of way <b>must should</b> take account of its setting by avoiding negative impacts on safety, visual appearance, surveillance and functionality of these routes. New development which seeks to protect and enhance existing footpaths and green links will <del>be looked on favourably</del> <b>supported</b>.</p>	<p>Modifications recommended so that the policy has the clarity required by the NPPF.</p>	<p>Yes – for clarity and to meet the basic conditions.</p>
Policy E4	<p><i>Modify the text of the first paragraph of the policy as follows:</i></p> <p>New development schemes <b>must should</b> consider their impacts on the biodiversity of Elford, seeking to maintain or improve current levels through</p>	<p>Modifications recommended so that the policy has the clarity required by the NPPF.</p>	<p>Yes – for clarity and to meet the basic conditions.</p>

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	retaining and enhancing existing hedgerows, trees and water bodies within the Parish.		
Policy MD1	<p><i>Modify the text of the policy as follows:</i></p> <p><del>Proposals for new residential developments in Elford (including new build, replacement dwellings and conversions to flats or houses with multiple occupancy) will be required to demonstrate that the development will include adequate off-street parking provision.</del></p> <p><del>Where parking is proposed for residential development it should be provided on-plot, or in courts, in accordance with the following minimum requirements</del>  <b>New residential development should provide on-site car parking facilities to meet the following minimum requirements:</b></p> <ul style="list-style-type: none"> <li>• 1 Bed Dwellings: 1 space</li> <li>• 2/3 Bed Dwellings: 2 space</li> <li>• 4+ Bed Dwellings: 3 space</li> </ul> <p><del>Minimum internal measurements for garages to qualify as a parking space must be 6m x 3m to allow room to get in/out of a car within the garage, whilst leaving some room for storage.</del></p> <p><b>All other new development should provide on-site car parking facilities to meet the minimum requirements in the Lichfield District Council Sustainable Design Supplementary Planning Document December 2015. Non-residential developments must provide sufficient on-plot car parking facilities to avoid 'fly parking' on the surrounding streets.</b></p>	Modifications recommended so that the policy has the clarity required by the NPPF.	Yes – for clarity and to meet the basic conditions.



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<p>Policy MD2 &amp; paragraph 5.64 &amp; 5.65</p>	<p><i>Modify the text of the policy as follows:</i></p> <p><del>New developments will be looked on favourably where they seek to encourage accessibility to and from the development, and promote a modal shift towards public transport, cycling and walking.</del></p> <p><del>Walking/cycling links will normally be included in the design of all new developments. The maintenance of existing footpaths within the Parish is essential in the promotion of the health and wellbeing of new and existing residents</del> <b>New developments will be supported where they:</b></p> <ul style="list-style-type: none"> <li>• <b>encourage accessibility to and from the development and the village and promote a modal shift towards public transport, cycling and walking; and</b></li> <li>• <b>include walking and cycling links in their design.</b></li> </ul> <p><i>Add the following text to the end of paragraph 5.65:</i></p> <p><b>Walking/cycling links will normally be included in the design of all new developments.</b></p> <p>Modify the text of paragraph 5.65 as follows:</p> <p>New developments will <del>be expected</del> <b>be supported where they</b> to include means for sustainable transport, such as cycle ways and footpaths in order to encourage these travel modes and thus contribute to the Plan's sustainability objectives. <b>This policy has been designed to consolidate and clarify the spatial strategy of the Plan as set out in Policy SP1. In particular it would also relate to Policy HD1 and HD3 insofar as housing development is concerned'.</b></p>	<p>Modifications recommended so that the policy has the clarity required by the NPPF.</p> <p>In particular recommend the thrust of the policy is modified to be supportive rather than directly requiring links.</p>	<p>Yes – for clarity and to meet the basic conditions.</p>

Section in Examined Document	Examiner’s Recommendation	Examiner’s Reason	Local Authority’s decision and reason
	<p><i>Note – modifications in table 2 to ensure consistent policy numbering mean policy HD3 referenced above becomes policy HD2.</i></p>		
Policy MD4	<p><i>Modify the text of the policy as follows:</i></p> <p>All development, where appropriate, <del>must</del> <b>should</b> demonstrate that they do not increase flood risk within and adjacent to the Parish, through utilising best practice design and construction techniques/materials. Schemes which demonstrate an improvement in the overall levels of surface water runoff in the village <del>will be looked on favourably</del> <b>supported</b>.</p> <p>Proposals for new development should consider future flood risk and, where appropriate, include measures that mitigate and adapt to the anticipated impacts of climate change.</p> <p>New developments <del>must</del> <b>should</b> avoid the removal of hedgerows in the Parish. Where this is unavoidable, a replacement hedgerow of the same length or greater and of native species <del>must</del> <b>should</b> be provided on the site.</p> <p>Where feasible, opportunities to open up culverted watercourses should be sought to reduce the associated flood risk and danger of collapse whilst taking advantage of opportunities to enhance biodiversity and green infrastructure. <del>Existing open watercourses should not be culverted</del> <b>The culverting of open watercourses will not be supported.</b></p> <p>New development will <del>be resisted</del> <b>not be supported</b> within Flood Zone 3 areas in accordance with national policy. New developments within Flood Zone 2 areas <del>must</del> <b>should</b> demonstrate appropriate flood prevention methods in their schemes, such as the incorporation of Sustainable Urban Drainage Systems (SUDS).</p>	<p>Modifications recommended so that the policy has the clarity required by the NPPF.</p>	<p>Yes – for clarity and to meet the basic conditions.</p>

Section in Examined Document	Examiner's Recommendation	Examiner's Reason	Local Authority's decision and reason
Policy MD5	<p><i>Modify the text of the policy as follows:</i></p> <p>All new applications, <del>regardless of scale or size</del> <b>other than householder proposals</b>, should demonstrate that they consider their wider impact on traffic in the Parish, and demonstrate that these impacts will not <del>negatively</del> <b>unacceptably</b> impact on the residents of the Parish. Development proposals which include improvements to road safety and encourage walking, cycling or the use of public transport will be <del>looked on favourably</del> <b>supported</b>.</p> <p>New developments should not cause <del>negative</del> <b>unacceptable</b> impacts on traffic levels within the Parish, specifically at key junctions and identified pinch points (such as along Church Road and Brickhouse Lane corner), as identified on the proposals map.</p> <p>Development proposals should demonstrate safe and convenient access to and from the proposed development.</p> <p>Proposals that may cause a <del>significant</del> <b>unacceptable</b> increase to vehicular traffic through the village will be resisted. These roads (listed below) are identified on the Proposals Map. The issues with these roads should be considered equally when considering the impacts that planning proposals may have on them.</p> <ul style="list-style-type: none"> <li>● The Beck</li> <li>● Church Road</li> <li>● Brickhouse Lane</li> <li>● The Shrubbery</li> <li>● The Square</li> </ul>	<p>Modifications recommended so that the policy has the clarity required by the NPPF.</p> <p>As submitted the policy applies to all new planning applications, as most will be of a minor and/or domestic scale this approach would be unreasonable and onerous.</p> <p>The policy which refers to developments not causing negative impacts on traffic levels. Plainly most developments will have some impact. However, the test is the acceptability or unacceptability of that impact.</p>	<p>Yes – for clarity and to meet the basic conditions.</p>

Section in Examined Document	Examiner's Recommendation	Examiner's Reason	Local Authority's decision and reason
Appendix C	<p><i>Replace title of Appendix C to 'Listed Buildings'.</i>  <i>Replace the first two bullet points within Appendix C with the following text:</i></p> <ul style="list-style-type: none"> <li>• <b>The Parish includes a wealth of heritage assets including those that are designated as listed buildings. These heritage assets and their settings will be required to be preserved or enhanced by new development.</b></li> <li>• <b>The Conservation Area Appraisal and Management Plan was adopted on 14 July 2015. It identifies a series of key spaces and views/vistas that are important to the character or appearance of the conservation area.</b></li> </ul> <p><i>Retitle Table 2 of Appendix C to 'Schedule of Locally-listed properties'.</i></p>	To correct technical matters raised by representations.	Yes – to correct technical matters.
Appendix E	<p>Delete Appendix E.</p> <p><i>(see also recommended modification to paragraph 5.39 above)</i></p>	The Plan provides commentary on the potential extension of the Conservation Area. This is a matter to be determined independently from the neighbourhood plan by LDC. It is not within the gift of neighbourhood plans to change conservation area boundaries.	Yes – for clarity over the role of the neighbourhood plan.

TABLE 2

Section in Examined Document	Lichfield District Council Recommendation	Lichfield District Council decision and reason
Title Page	Add text to the title page as follows to signify that the document is the version of plan being voted upon at referendum. <b>“Referendum Version”</b> . NB – if the Plan is made “Referendum Version should be replaced with the date on which the plan is ‘Made’.	Yes – to clearly illustrate that this version of the Neighbourhood Plan is the document to be considered at the referendum.
Whole Plan	Renumber policy HD3 to HD2, HD4 to HD3 following deletion of policy HD2. Renumber Policy DH4 to DH3 following deletion of policy DH3.	Yes – to ensure numbering of policies is continuous.
Whole Plan	Paragraph numbering following examiners modifications to delete paragraphs within the main body of the neighbourhood plan.	Yes – to ensure paragraph numbering is continuous.
Section 4. ENP Policy Overview – Policy table	Renumber and delete policies from the table to ensure consistency with examiners modifications.	Yes – to ensure consistency with examiner modifications to delete policies HD2 and DH3 and modification to ensure continuous numbering of policies.
Appendix contents page	Rename Appendix C to ‘Listed Buildings’ for consistency with examiners modifications to Appendix C.  Delete Appendix E from contents page of Appendix for consistency with examiners modification to delete Appendix E.	Yes – to be consistent with examiner modifications to rename Appendix C and delete Appendix E.
Appendix C	Rename Appendix C to ‘Listed Buildings’ for consistency with examiners modifications to Appendix C.  Rename Table 1 in Appendix C to ‘Listed Buildings’ or consistency with examiners modifications to Appendix C.	Yes – to be consistent with examiner modifications to rename Appendix C

