

Stonnall Neighbourhood Plan

2014-2029

**A report to Lichfield District Council on the Stonnall
Neighbourhood Plan**

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Executive Summary

- 1 I was appointed by Lichfield District Council in June 2015 to carry out the independent examination of the Stonnall Neighbourhood Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood plan area on 17 August 2015.
- 3 The Plan proposes a wide range of policies and seeks to bring forward positive and sustainable development in the plan area. There is a very clear focus on safeguarding the very distinctive character of the village and its open spaces. It includes a Village Design Statement.
- 4 The Plan has been significantly underpinned by community support and engagement. It seeks to achieve sustainable development in the plan area and which reflects the range of social, environmental and economic issues that it has identified.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Stonnall Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood plan area.

Andrew Ashcroft
Independent Examiner
19 August 2015

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Stonnall Neighbourhood Plan 2014-2029 (SNP).
- 1.2 The plan has been submitted to Lichfield District Council (LDC) by Shenstone Parish Council in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework in 2012 and which continues to be the principal element of national planning policy.
- 1.4 This report assesses whether the SNP is legally compliant and meets the Basic Conditions that apply to neighbourhood plans. It also considers the content of the plan and, where necessary, recommends changes to its policies and supporting text.
- 1.5 This report also provides a recommendation as to whether the SNP should proceed to referendum. If this is the case and that referendum results in a positive outcome the SNP would then be used to determine planning applications within the plan boundary and sit as part of the wider development plan.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the legislative and procedural requirements.
- 2.2 I was appointed by LDC, with the consent of the Shenstone Parish Council, to conduct the examination of the Plan and to prepare this report. I am independent of both the LDC and the Parish Council. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am Assistant Director – Economic, Environment and Cultural Services at Herefordshire Council and I have over 30 years' experience in various local authorities. I am a chartered town planner and have experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute.
- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the SNP is submitted to a referendum; or
 - (b) that the SNP should proceed to referendum as modified (based on my recommendations); or
 - (c) that the SNP does not proceed to referendum on the basis that it does not meet the necessary legal requirements.
- 2.5 As part of this process I must consider whether the submitted SNP meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State; and
 - contribute to the achievement of sustainable development; and
 - be in general conformity with the strategic policies of the development plan in the area; and
 - be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

I have examined the submitted SNP against each of these basic conditions, and my conclusions are set out in Sections 6 and 7 of this report. I have made specific comments on the fourth bullet point above in paragraphs 2.6 to 2.9 of this report.

- 2.6 In order to comply with the Basic Condition relating to European obligations the District Council has prepared a comprehensive screening report and undertaken a screening opinion. This process establishes whether the SNP would require a Strategic Environmental Assessment (SEA) under the provision of the SEA Directive and UK regulations. I am satisfied that LDC followed the required process in consulting with English Heritage, the Environment Agency and Natural England. The screening report helpfully reproduces the responses that were received.

2.7 This process resulted in the following conclusions:

- SEA – the Plan is not likely to have significant environmental effects and therefore SEA will not be required.
- Habitats Regulations Assessment – whilst there are potential significant effects upon the Cannock Chase SAC, the inclusion of Policy LE5 ensures that development will only be permitted where it is demonstrated it will not have an adverse effect on the integrity of the SAC. The report concludes that there will be no potential significant effects upon the identified designated European sites and as such no further work as part of the compliance with the Habitat Regulations will be required.

2.8 Having reviewed the information provided to me as part of the examination I am satisfied that a thorough, comprehensive and proportionate process has been undertaken in accordance with the various regulations. The screening report is exemplary in its proportionate assessment of the relevant information. None of the statutory consultees have raised any concerns with regard to either neighbourhood plan or to European obligations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted SNP is compatible with this aspect of European obligations.

2.9 In a similar fashion I am satisfied that the submitted SNP has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On this basis I conclude that the submitted SNP does not breach, nor is in any way incompatible with the ECHR.

2.10 In examining the SNP I am also required to check whether:

- the policies relate to the development and use of land for a designated neighbourhood plan area; and
- the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
- the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.

2.11 Having addressed the matters identified in paragraph 2.10 of this report I am satisfied that all of the points have been met subject to the contents of this report.

3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted SNP.
- the SNP Basic Conditions Statement.
- the SNP Consultation Statement (and appendices)
- the Village Design Statement
- the SNP SEA & HRA Screening Report November 2014.
- the representations made to the SNP.
- the adopted Lichfield District Local Plan Strategy 2008-2029.
- the National Planning Policy Framework (March 2012).
- Planning Practice Guidance (March 2014 and subsequent updates).
- the Ministerial Statements (March and May 2015).

3.2 I carried out an unaccompanied visit to the Plan area on 17 August 2015. I looked at the position of the plan area to its wider green belt context, to the character of Stonnall village itself and to the identified open spaces. I paid particular attention to the group of local shops in Main Street and to the various community facilities. In doing so I looked at the relationship between these areas and the policies proposed in the SNP. My site inspection is covered in more detail in paragraphs 5.7 to 5.10 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I was satisfied that the SNP could be examined without the need for a public hearing. I advised LDC of this decision early in the examination process.

3.4 As part of this examination I agreed with the District Council and the Parish Council that I would also examine the Village Design Statement. It has not otherwise been approved by the District Council and it clearly underpins certain policies in the submitted SNP. I comment on the Statement in Section 7 of this report.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 the Parish Council has prepared a Consultation Statement. This statement is very thorough and comprehensive. It is supported by a range of appendices and which provide a very significant level of detail.
- 4.3 It is clear that consultation has fundamentally underpinned the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation. Consultation and feedback has been at the heart of the Plan throughout the various stages of its production.
- 4.4 It is also clear that there has been considerable liaison between the Parish Council and the District Council's Planning Policy Team. The County Council has also been involved in supporting the preparation of the Plan. This collaborative approach is good practice.
- 4.5 Appendix K of the Consultation Statement has been particularly useful to my examination of the Plan. It sets out how the Plan evolved between the pre-submission and submission phases. The positive approach that was taken in responding to the earlier comments is reflected in the limited number of representations received to the submitted plan (see 4.7 below) and their generally positive nature.
- 4.6 From all the evidence provided to me as part of the examination, I can see that the SNP has promoted an inclusive and comprehensive approach to seeking the opinions of all concerned throughout the process. On this basis I am fully satisfied that the consultation process has complied with the requirements of the Regulations.

Representations Received

- 4.7 Consultation on the submitted plan was undertaken by the District Council for a six week period and which ended on 20 March 2015. This exercise generated comments from the following persons or organisations:
- The Coal Authority
 - English Heritage
 - Environment Agency
 - Health and Safety Executive

- Lichfield District Council
- Mobile Operators Association
- Natural England
- People's Dispensary for Sick Animals (PDSA)
- Sport England
- Staffordshire County Council

5 The Plan Area and the Development Plan Context

The Plan Area

- 5.1 The Plan area covers the whole of the Stonnall Ward area within the Parish of Shenstone. A separate neighbourhood plan is being prepared for Shenstone and the area immediately surrounding that village. Stonnall is an attractive village located in the south-western corner of Lichfield District and on the eastern edge of the Birmingham and Black Country conurbation. In particular the urban settlements of Brownhills, Walsall Wood and Aldridge are situated adjacent to the west of the Plan area. The built form of the settlement sits entirely within the green belt.
- 5.2 The village itself has a pleasant and attractive character. Main Street runs through the centre of the village and includes a variety of buildings of different ages. It has traditional village facilities including local shops, public houses, the village hall and the school. Elsewhere there are a variety of predominantly residential properties of varying size and character. Different parts of the village have individual characters. In particular Church Road has an open character and which stems from the significant views out to the open countryside and to the size and the position of its various historic buildings. This and the other outer edges of the village have open aspects and display a semi-rural character. Within the built-up area itself the character is more urban. The Playing Fields sit at the heart of the village. They offer a range of well-maintained recreational facilities and afford excellent views out to the surrounding countryside and the various ridgelines. The remainder of the Plan area sits within the green belt and is predominantly in agricultural use.

Development Plan Context

- 5.3 The development plan context is both comprehensive and up-to-date. This has provided a clear framework for the preparation of the neighbourhood plan.
- 5.4 The Lichfield District Local Plan Strategy 2008-2029 was adopted in February 2015. All the policies in this Plan are strategic policies of the development plan (see paragraph 2.5 of this report). Core Policy 1 of the Local Plan Strategy identifies that growth will be concentrated in the most sustainable and accessible settlements within the District and in accordance with the settlement hierarchy. Within this strategic context Stonnall is identified as one of the 'other rural settlements'. Rural Policy 2 provides more specific policy guidance for other rural settlements. Small scale development to meet local needs is encouraged. That policy anticipates that neighbourhood plans will come forward to produce more detailed guidance as required. Rural Policy 1 also indicates that smaller villages will only accommodate housing growth to meet local needs. Any local needs will be met within village boundaries, through the conversion of existing buildings and on rural exception sites.

- 5.5 The Local Plan Strategy identifies a Settlement boundary for Stonnall (Inset 23).
- 5.6 The Local Plan Strategy will eventually be underpinned by the Local Plan Allocations document. It is currently anticipated that consultation will take place on this document in Autumn 2015.

Site Visit

- 5.7 I carried out an unaccompanied visit to the Plan area on 17 August 2015. I walked along the length of Main Street and looked in detail at the community and commercial facilities both generally and in relation to the suite of policies proposed in the Plan. I also looked at the Playing Fields and saw how they sat at the heart of the settlement and afforded significant views out to the surrounding countryside. I walked along Church Road up to St Peter's church itself. In doing so I saw several traditional buildings and The Pinfold. I also looked at the potential housing sites put forward by the PDSA.
- 5.8 It was very clear from the visit that there is a strong sense of community in the Plan area. The quality of the public realm is very high in general, and the Playing Fields and the grounds of St Peter's church are beautifully maintained. There were also clear signs of environmental sustainability and local pride. The historic Pinfold has been sensitively restored, and the Jubilee Walk alongside the Playing Fields helps to give definition to the footpath.
- 5.9 This sense of local pride and maintenance is also reflected in the building stock in the Plan area. Properties and gardens are very well-maintained. There have been a series of sensitive restorations of the more traditional buildings in the Plan area and I saw other similar works being carried out.
- 5.10 I also saw the impact of traffic on Main Street. I was able to understand better how these conditions have informed the transport elements in the Plan.

6 The Neighbourhood Plan as a whole

6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented, informative and concise document.

6.2 The Plan needs to meet all the basic conditions to proceed to referendum. This section provides an overview of the extent to which the Plan meets three of the four basic conditions. Paragraphs 2.6 to 2.9 of this report have already addressed the issue of conformity with the European Union legislation.

National Planning Policies and Guidance

6.3 The key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in March 2012.

6.4 The NPPF sets out a range of core land-use planning principles to underpin both plan-making and decision-taking. The following are of particular relevance to the Stonnall Neighbourhood Plan:

- a plan led system– in this case the relationship between the neighbourhood plan and the adopted Lichfield District Local Plan Strategy
- recognise the intrinsic character and beauty of the countryside and supporting thriving local communities.
- conserve heritage assets.
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling.
- take account of and support local strategies to improve health, social and cultural well-being.

6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development, which is identified as a golden thread running through the planning system. Paragraph 16 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the Local Plan.

6.6 In addition to the NPPF I have also taken account of other elements of national planning guidance including the Planning Practice Guidance and the ministerial statements of March and May 2015.

6.7 Having considered all the evidence and representations submitted as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a positive vision for the

future of the plan area and promotes sustainable growth. At its heart are a suite of policies to safeguard its distinctiveness and character. The constructive and positive conservation of historic assets is positively promoted.

- 6.8 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraphs 17 and 154). This was reinforced with the publication of Planning Practice Guidance in March 2014. Its paragraph 41 (41-041-20140306) indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.9 As submitted the Plan does not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear to me that the submitted Plan has set out to achieve sustainable development in Stonnall. In the economic dimension the Plan sets out a very clear focus on safeguarding and expanding the range of shops and other services in the village. It also seeks improvements to broadband networks to extend business efficiencies and to enable people to work from home. In the social role it includes policies to allow appropriate affordable housing. It also has a range of policies on safeguarding and improving community facilities. In the environmental dimension the Plan positively seeks to protect the natural, built and historic environment of the parish. The preparation of an associated Village Design Statement sets out sound and appropriate guidelines that are to be used by developers in the formulation of individual proposals.

General conformity with the strategic policies in the development plan

- 6.11 I have already commented in detail on the development plan context in Lichfield in paragraphs 5.3 to 5.6 of this report.
- 6.12 It is clear that the submitted SNP seeks to supplement the strategic detail already included in the adopted Local Plan Strategy. Its policies conform with both the overarching fifteen strategic priorities of that Plan and to Core Policy 1 – The Spatial Strategy. In a similar fashion the submitted Plan also conforms to the more specific policies that impact on rural areas (Rural Policies 1 and 2). Insofar as the Plan addresses a variety of more specific subject areas its policies are also in general conformity with the corresponding policies in the adopted Local Plan Strategy.

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the range of policies in the Plan. In particular it makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases I have recommended changes to the text to reflect proposed modifications to policies.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is concise and distinctive to the Plan area. Other than to ensure compliance with national guidance I do not propose that major elements of the Plan are removed or that new sections are included. The community and the Parish Council have spent considerable time and energy in identifying the issues and objectives that they wish to be included in their Plan. This gets to the heart of the localism agenda.
- 7.4 In some cases I have recommended that non-land use policies are repositioned into a separate part of the Plan from the main land use policies. This approach directly reflects Planning Policy Guidance (41-004-20140306) and which indicates that neighbourhood plans must address the development and use of land. The same paragraph identifies that the neighbourhood planning process can inspire local people to consider other ways to improve their neighbourhood than through the development and use of land. Wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non-land uses matters should be clearly identifiable.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan. In some cases there are overlaps between the different policies.
- 7.6 For clarity this section of the report comments on all policies whether or not I have recommended modifications to ensure that the Plan meets the basic conditions.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

Sections 1-4 of the Plan

- 7.8 These introductory elements of the Plan set the scene for the range of policies. They do so in a concise and proportionate way. The Plan is well-presented and arranged and it is supported by well-chosen photographs.
- 7.9 The Introduction to the Plan provides a very clear context to the role and purpose of neighbourhood planning and the designation of the neighbourhood planning area. Paragraph 1.3 properly sets out the Plan's time period. Section 2 sets out the methodology that has underpinned the preparation of the Plan. Section 3 provides an

oversight of the Plan area and usefully provides a link to the more detailed evidence base. Section 4 sets out the development plan context.

Policies in General

- 7.10 The presentation of the Plan makes a clear contrast between the policies themselves and the supporting text. This will ensure that decision-makers will have clarity on the policies in the SNP. There are various references throughout the Plan to the Lichfield District Local Plan strategy. At the time that the SNP was being prepared the Local Plan was emerging. As identified in paragraph 5.4 of this report the Local Plan Strategy is now adopted. As such I recommend that any comments in the text of the SNP reflect this update.

Amend any references to the emerging Local Plan Strategy in the SNP to the adopted Local Plan Strategy

Policy H1

- 7.11 This policy is well-developed and underpinned by evidence and consultation. It also reflects the clearly defined settlement pattern in the Plan area. It will serve a very clear purpose within the context of the adopted Local Plan. For clarity in the development management process it would be helpful if the policy directly associated infill development with the settlement boundary. This is particularly important given the extensive nature of the green belt in the Plan area. It will also more closely reflect the strategic context set out in the Local Plan Strategy. As such I recommend:

Insert ‘within the settlement boundary’ immediately after ‘Infill development’.

Policy H2

- 7.12 This policy sets out to enable affordable housing to be provided to meet local housing needs. This policy approach is supported by evidence and public consultation. It also accords with national and local policies and will contribute towards the promotion of sustainable development. The policy is extensive and, as drafted, complicated to read. It also includes an element of supporting text. On this basis I recommend that the policy is modified as set out below:

Proposals for small scale affordable housing on exception sites in the Plan area will be supported subject to the following criteria:

- **the proposed development meets the requirements of Policy H2 of the Lichfield Local Plan; and**
- **the proposed development has due regard to the character and density of the surrounding area and complies with the principles outlined in the Village Design Statement.**

All resulting affordable housing units will be required to demonstrate that they comply with a local lettings plan and which has been developed in accordance with the Lichfield District Council's Allocation Policy.

Relocate the final section of the policy to supporting text in 5.2.1 and as follows:

Policy H2 sets out to ensure that affordable housing is both well designed and delivers housing to meet local needs. Compliance with a local lettings plan will ensure that new affordable rented homes are allocated to people in need and with a local connection to the neighbourhood plan area

Policy H3

- 7.13 This policy sets out to support well designed affordable homes which suit the needs of older people. It makes reference to the Village Design Statement. It also requires that dwellings should be built to Lifetime Home standards. Further details on the second point are also set out in supporting text at paragraph 5.3.1. The policy as drafted and included in the submitted version of the Plan was previously entirely appropriate and reflected both local circumstances and plan-making practice elsewhere in England.
- 7.14 However the Written Statement to Parliament on 25 March 2015 by the Secretary of State introduced significant changes to national planning policy with regard to building sustainability and design. In particular the statement set out the government's new national policy on the setting of technical standards for new dwellings. The statement indicates that it should be taken into account in applying the NPPF, and in particular the policies on local standards or requirements at paragraph 95, 174 and 177 in both plan-making and decision-taking. The effect of this statement is that local planning authorities and qualifying bodies preparing neighbourhood plans should not set in their emerging local plans or neighbourhood plans any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings.
- 7.15 I recognise that this statement could not have anticipated at the time of the finalisation of the Plan. Nevertheless the SNP needs to take account of this recent guidance. As such I recommend the deletion of the relevant element of this policy from the Plan. In effect these issues will now fall to be considered against current and future Building Regulations. There is also an associated need to remove elements of supporting text from the Plan. In summary I recommend the following modifications:

Remove 'be built to Lifetime Home Standards and' from Policy H3

Remove the fifth and sixth paragraphs of supporting text from 5.3.1.

Policy H4

- 7.16 This policy sets out to ensure that the character and the setting of the village is protected and that new development conforms to the principles set out in the Village Design Statement. I make separate comments on the Design Statement later in this report. This policy is entirely appropriate and meets the basic conditions. The approach taken reflects community consultation. It will also play heavily in achieving the environmental dimension of sustainable development.

Policy H5

- 7.17 This policy sets out to ensure that new residential developments are built to the Code for Sustainable Homes standard. My comments on Policy H3 equally apply to this policy. However in this case the policy's whole approach is on the Code for Sustainable Homes. As such I recommend the deletion of this policy from the Plan.

Delete Policy H5

Delete paragraph 5.5.1 of the supporting text

Policies T1 to T4

- 7.18 Section 6 of the Plan sets out a suite of policies designed to extend the range and choice of sustainable transport opportunities in the Plan area and to improve local and strategic traffic management. In particular Policy T4 supports the implementation of infrastructure improvements. It is clear that there has been significant work undertaken to assess the overlaps between the neighbourhood plan, the Lichfield District Local Plan Strategy and the Staffordshire Local Transport Plan.
- 7.19 Whilst their ambitions are entirely appropriate policies T1, T3 and T4 are not land use policies. In effect they offer support to non-land use measures or proposals that will be promoted by other bodies. On this basis, and in accordance with national guidance as identified in paragraph 7.4 of this report, I recommend that they are repositioned into a separate non land use part of the Plan. This will ensure that the other bodies concerned can be aware of the significance of the issues raised by the community in the neighbourhood plan area.
- 7.20 Policy T2 as drafted is partly a land use policy and partly a non-land use policy. I have proposed a modification to the policy so that it indicates that permission will be granted (insofar as it may be required) to new or extended facilities for walking and cycling within the neighbourhood plan area. In summary I recommend the following modifications:

Reposition policies T1/T3/T4 as drafted to a separate, non-land use part of the Plan.

Modify Policy T2 to read:

Planning permission will be granted for new or improved cycling and walking access facilities and services providing that they take account of the residential amenities of adjacent properties and do not otherwise affect the free and safe flow of traffic on the highway network.

*Insert additional supporting text at the end of the first paragraph of 6.2.1 to read:
Insofar as planning permission may be required for the range of such facilities that may come forward in the Plan period Policy T2 sets out a positive context for their determination. In assessing the suitability of proposals that require planning permission the policy sets out the importance of safeguarding the residential amenities of residential properties that may be affected, and the integrity and safety of the wider highway network.*

Policy LSH1

- 7.21 This policy sets out the Plan's expectations for the future vitality and viability of the group of local shops on Main Street. As I mentioned earlier in this report these shops are very much at the heart of the local community. They are both valued and used by local residents and featured heavily in consultation feedback. In my view a policy addressing this matter is both important and appropriate given the character, nature and location of the Plan area. This policy gets to the heart of the social and economic aspects of sustainable development.
- 7.22 I have recommended some modifications to the policy to reflect two related issues. The first is that planning legislation does not make any distinction between different types of shops. The second is that the vitality of the local retail centre is made up of a variety of related uses, most of which are retail (A1) use and some of which are other related uses. This range of uses is under-pinned by commercial decisions on the part of the various operators. I have also ensured that the policy is entirely land use based. It may be the case that other local non land use local initiatives may have a parallel impact on supporting the retention and use of these important facilities. In summary I recommend the following modifications both to the policy itself and to the supporting text:

Planning permission will be granted for proposals that seek to extend the range of facilities offered from the existing retail units along Main Street and as identified on Map A

Planning permission will be granted for the use of the retail units along Main Street for business, services and other facilities subject to the following criteria:

- **the proposed uses enhance local provision; and**
- **the proposed uses do not detract from the vitality and viability of the Main Street retail centre**

*Insert additional supporting text at the end of the first paragraph of 7.1.1 to read:
Policy LSH1 recognises the importance of the retail units on Main Street to the sustainability of the village. The policy provides support for any planning applications that may be required to extend the range of facilities on offer in the individual units. The policy also offers support for the introduction of other facilities subject to criteria. The introduction of a post office and chemist/pharmacy facilities into the units on Main Street would be positively encouraged and supported.*

LSH2

- 7.23 This policy provides support to longer term proposals for environmental improvements to the parade of shops in Main Road. This policy sits in a complementary way with Policy LSH1. It positively promotes sustainable development. It also meets the basic conditions for neighbourhood plan preparation.

Policy COM1

- 7.24 This policy sets out the Plan's policy for improvements to broadband infrastructure in the Plan area. Its implementation will assist in the wider promotion of sustainable development in the Plan area. It meets the basic conditions for the preparation of neighbourhood plans. The Mobile Operators Association has suggested that the policy is amended to cover the various types of communications networks rather than be restricted to broadband provision. I do not consider that there is a need to modify this policy on the basis of this representation. The policy itself reflects community consultation (as set out in paragraph 8.1.2 of the Plan). In any event applications for other forms of communications networks can be determined on their merits and in accordance with national and local policy.

Policy HC1

- 7.25 This policy provides support for improvements to health care provision and infrastructure in the Plan area. It clearly reflects community consultation. Implementation of the policy will contribute significantly to the social dimension of sustainable development. It meets the basic conditions for the preparation of neighbourhood plans.

Policy HC2

- 7.26 This policy provides support for transport services and infrastructure that will enable access to a range of health services located within and outside the plan area. This policy raises an identical set of issues to those that I have raised in relation to Policies T1/T3/T4 of the Plan. As such I recommend the following modification:

Reposition policy HC2 as drafted to a separate, non-land use part of the Plan.

Policy CF1

- 7.27 This policy offers support to the enhancement of indoor community facilities and an improvement in the provision of services within those facilities. As with other policies in the Plan this policy clearly reflects community consultation. At its heart is the social dimension of sustainable development
- 7.28 As drafted in the submission plan the policy is partly non land use in nature. The enhancement of existing facilities may not need planning permission depending on their scale and extent. Equally improved provision may come forward through different management arrangements. Nevertheless the evidence indicates that existing facilities are reaching the end of their natural life, and that the village hall is currently oversubscribed for evening functions. The recommended modifications below are intended to set the policy within a land use basis. In summary I recommend that the policy should be modified as follows:

The Plan supports proposals for the enhancement or adaptation of indoor flexible community spaces. Particular support will be given to proposals that result in the improvement of the community facilities available in the building concerned.

Insert additional text at the end of the third paragraph of 10.1.1 as follows:

Policy CF1 provides a context to support proposals for the enhancement or extension of existing community facilities insofar as they may need planning permission. The Plan is particularly keen to promote the development of flexible community facilities and which meet the needs of all its residents.

Policy CF2

- 7.29 This policy sets out to prevent the loss of existing community buildings unless the facilities are no longer needed or where acceptable alternative provision exists or is proposed. In effect this policy complements Policy CF1. Given the evidence and community consultation it is entirely appropriate. It meets the basic conditions.

Policy CF3

- 7.30 This policy sets out to protect identified playing fields from built development. It also sets out a positive context against which applications for improved play facilities and other infrastructure will be considered. The policy is welcomed by Sport England. The policy is entirely appropriate and meets the basic conditions.

Policy CF4

- 7.31 The policy sets out to achieve two related outcomes. The first is to safeguard existing open spaces. The second is to require new developments to bring forward accessible green space as part of their proposals. Both of these objectives are entirely appropriate.
- 7.32 A degree of modification is required to this policy to ensure that it complies with the basic conditions. The first involves the repositioning of some words from the policy to the supporting text. The second involves the clarification of open spaces to which the first part of the policy refers. Whilst paragraph 10.4.1 provides some indication of the location of the open spaces the policy in the submitted Plan provides neither the clarity required by the NPPF nor sufficient detail for the application of the development management process by the District Council. It has been helpfully clarified to me that the two areas of open space (in addition to the Playing Fields) identified in the Open Space Assessment 2012 are small roadside verges. They are not sufficiently large to be able to be readily identified on Map A. It would however be useful to identify the open spaces directly in the policy and to identify geographically the two smaller open spaces on separate maps in an appendix to the Plan. In summary I recommend the following modifications

Modify policy to read:

Development proposals should not result in the loss of the following open spaces shown either on Map A or in Appendix C:

Playing Fields

Land at Glenwood Rise

Land at junction of Main Street and Cartersfield Lane

Appropriate development proposals should include the required accessible green space in accordance with the Lichfield District Local Plan Strategy or otherwise demonstrate how they would contribute to the improvement of other local green spaces

Include an additional appendix to the Plan (Appendix C) to identify the two smaller parcels of open space and at an appropriate scale

Amend supporting text at the end of the third paragraph of 10.4.1 to read:

Policy CF4 sets out a related series of approaches to safeguard and extend the provision of open space in the Plan area. The existing open spaces are both well-used and of significant community and environmental value to the community.

Add '(Policy CF3 and CF4)' after Playing Fields in the legend to Map A

Policy CF5

- 7.33 This policy supports initiatives to encourage the longer term uptake of existing allotment plots and the establishment of new community garden areas and allotments. The first component of the policy is not a land use policy. The second part is a land use policy. On the basis of early comments in this report I recommend that the non-land use policy element should be repositioned to a separate part of the plan. I have suggested a modification to the second part of the policy to provide a degree of environmental protection. In summary I recommend the following modifications:

Reposition the first component of the policy as drafted to a separate, non-land use part of the Plan.

Modify the remainder of the policy to read:

New community garden areas and allotments in and around the settlement centre will be supported providing that they take account of the residential amenities of adjacent properties and do not otherwise affect the free and safe flow of traffic on the highway network.

Add new supporting text to the end of the first paragraph of 10.5.1 as follows:

Policy CF5 sets out a positive context for the consideration of proposals for new such facilities. A later section of the Plan sets out support for initiatives to encourage the long term take up of allotment plots.

Policies HB1/HB2/HB3/HB4

- 7.34 The Plan contains four policies that address the historic environment. It is clear that a significant amount of time and energy has been put into this part of the Plan. This work clearly overlaps with the work undertaken on the Village Design Statement. Policy HB1 deals with buildings of character and distinctiveness. Policy HB2 deals with listed buildings and buildings on the Local List. Policy HB3 deals with historic farmsteads and agricultural building. Policy HB4 addresses archaeological issues.
- 7.35 This suite of policies is well developed and clearly addresses the distinctive characteristics of the Plan area. It is clear that the policies have been refined on the basis of earlier comments from English Heritage. This is good practice. I concur with English Heritage that the suite of policies embraces the ethos of constructive conservation and constitutes an extremely positive example of community led planning. The four policies meet the basic conditions.

Policy LE1

- 7.36 This policy sets out to safeguard features of the natural environment from inappropriate development. In doing so it refers extensively to the Staffordshire Biodiversity Action Plan. This overlap is helpful. In all other respects the policy meets the basic conditions. I recommend a modification to the second part of the policy so

that it more closely and logically refers to the earlier part of the policy. I also recommend the removal of the final sentence of the first section of paragraph 12.1.1 as it appears to represent comments of other bodies on the Plan itself. In summary I recommend the following modifications:

Replace ‘If development is permitted’ by ‘In the event that the proposal concerned is otherwise considered to comply with development plan policies’

Delete the final sentence of the first paragraph of supporting text at 12.1.1.

Policy LE2

- 7.37 This policy sets out to support projects and developments which increase wildlife habitats and species. It is entirely appropriate given the character of the Plan area. It meets the basic conditions

Policy LE3

- 7.38 This policy sets out to ensure that existing trees and hedgerows are retained as part of new developments. It also requires their protection whilst development takes place. It is entirely appropriate given the character of the Plan area. The policy has been welcomed by the Environment Agency. It meets the basic conditions.

Policy LE4

- 7.39 This policy requires new development to be accompanied by landscaping and green infrastructure. Again the policy is entirely appropriate given the character of the Plan area. It meets the basic conditions. I note that the Environment Agency makes specific comments on the policy. I suggest that those comments are included as an addition to the supporting text as follows;

Include an additional sentence at the end of 12.4.1 to read:

Applications which incorporate sustainable drainage systems within their proposals will be particularly welcomed.

Policy LE5

- 7.40 This policy seeks to protect the integrity of the Cannock Chase Special Area of Conservation. A policy of this nature is entirely appropriate to this Plan. It has been underpinned by advice from Natural England. The recent adoption of the Local Plan has strengthened the strategic position. In all other respects the policy meets the basic conditions. However the first part of the second paragraph of the policy is supporting text rather than policy. On this basis I recommend that it is repositioned into the supporting text at 12.5.1.

Reposition the first sentence of the second paragraph of the policy to the end of the first paragraph of 12.5.1.

Other matters

- 7.41 The information on pages 33 to 36 of the Plan is helpful and comprehensive. Within the context I recommend the following detailed modifications:

Retitle Plan A to read Map A (to reflect the references to a Map A within the Plan itself).

In the legend to Map A remove '1998 Local Plan'.

See also reference to Map A in proposed modification to Policy CF4

Delete reference to the Code for Sustainable Homes in Appendix A Glossary (to reflect the recommended deletion of Policy H5).

Village Design Statement

- 7.42 A Village Design Statement (VDS) lies at the heart of the Plan. I am happy to examine it as part of the wider Plan. Plainly it takes on a different format to the main body of the Plan. Nevertheless I will assess it against the same principles that I have applied to the Plan itself and to national policy, to the development plan and to the promotion of sustainable development in particular.
- 7.43 The VDS is both an interesting and a comprehensive document. It follows the same layout as the Plan itself. Given its focus it has taken the opportunity to include a wide range of photographs, maps and other illustrations. It also properly reflects the nature of the neighbourhood plan area in addressing both the natural environment and biodiversity (Section 4.3) and the historic and built environment (Sections 4.4 to 4.6).
- 7.44 Having read the VDS and assessed its relationship to the submitted neighbourhood plan I am satisfied that it meets the tests that I have set out above. The VDS reflects key elements of national policy as set out in the NPPF. In particular it represents an excellent example of a community producing the type of detailed guidance as envisaged by NPPF paragraphs 58 and 59. It is clear that the VDS has followed the guidance in paragraph 59 of the NPPF. It avoids unnecessary prescription and concentrates on setting out general principles for new development and how it should relate to neighbouring buildings and the local area more generally. In a similar fashion the VDS conforms to the approach adopted in the Local Plan Strategy. It provides the specific type of guidance anticipated by Rural Policy 2. The VDS has approached sustainability issues in a similar fashion to that set out in policies HB1 to HB4 of the SNP. Its approach is to encourage development to come forward that respects, enhances and celebrates the built and natural environment in the Plan area.

7.45 I propose below a series of recommended modifications to the text of the VDS. In the main they are either to clarify the relationship between it and the Plan or to reflect the outcome of this examination and bring the document up to date. In all cases they should be read within the context of my findings in 7.44 above.

*Change title on front cover to read:
Stonnall Neighbourhood Plan 2014-2029
Appendix D
Village Design Statement*

*Include the following text at the end of the first paragraph of Section 3.0:
This design statement was submitted to the District Council for independent examination as part of the Stonnall Neighbourhood Plan. It now sits as part of the made neighbourhood plan and the wider development plan.*

*Amend the third sentence of the first paragraph of Section 3.1 to read:
The Neighbourhood Plan forms part of the development plan and will be used in determining planning applications.*

*Include the following text at the end of the second paragraph of Section 5.1:
The production of this village design statement gets to the heart of the environmental dimension of sustainable development. It underpins relevant policies in the Neighbourhood Plan itself.*

*Amend the heading at Section 5.2 to read:
Lichfield District's adopted Local Plan Strategy*

*Include the following sentence at the start of Section 5.2:
The Local Plan Strategy was adopted on 17 February 2015.*

*Amend the heading at Section 5.4 to read:
The Stonnall Neighbourhood Plan*

*Include the following sentence at the start of Section 5.4:
The Stonnall Neighbourhood Plan was made on (insert date).*

*Amend third paragraph of Section 5.4 as follows:
Replace 'will set out' with 'sets out'
Replace 'emerging' with 'adopted'*

*Amend first part of the fourth paragraph of Section 5.4 to read as follows:
The Neighbourhood Plan has an overarching vision to:*

8 Summary and Conclusions

Summary

- 8.1 The SNP sets out a wide range of policies to guide and direct development proposals in the period up to 2029. It is concise and distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following my independent examination of the Plan I have concluded that the Stonnall Neighbourhood Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.
- 8.3 This report has recommended a range of modifications to the policies in the Plan. Whilst I have proposed modifications to several policies and the deletion of some policies, the Plan itself remains fundamentally unchanged in its role and purpose.

Conclusion

- 8.4 On the basis of the findings in this report I recommend to Lichfield District Council that subject to the incorporation of modifications set out in this report that the Stonnall Neighbourhood Plan should proceed to referendum.

Referendum Area

- 8.5 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view the neighbourhood area is appropriate and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by the District Council on 19 February 2013.
- 8.6 It is very clear to me that a huge amount of hard work and dedication has been injected into the preparation of this Plan. I would like to record my thanks to all those who have assisted me in a variety of ways in the examination of the Plan. I am particularly grateful to those at both the District Council and the Parish Council who have patiently and kindly responded to my requests for information and clarification throughout this time.

Andrew Ashcroft
Independent Examiner
19 August 2015