

ALREWAS NEIGHBOURHOOD PLAN

Alrewas Neighbourhood Plan Examination,
A Report to Lichfield District Council

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1. Introduction

The Neighbourhood Plan

This Report provides the findings of the examination into the Alrewas Neighbourhood Plan (referred to as the Neighbourhood Plan).

Neighbourhood planning provides communities with the power to establish their own policies to shape future development in and around where they live and work.

“Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need.”
(Paragraph 183, National Planning Policy Framework)

Alrewas Parish Council is the *qualifying body*¹ responsible for the production of this Neighbourhood Plan. This is in line with the aims and purposes of neighbourhood planning, as set out in the Localism Act (2011), the National Planning Policy Framework (2012) and Planning Practice Guidance (2014).

This Examiner’s Report provides a recommendation as to whether or not the Neighbourhood Plan should go forward to a Referendum. Were it to go to Referendum and achieve more than 50% of votes in favour, then the Plan would be *made* by Lichfield District Council. The Neighbourhood Plan would then be used to determine planning applications and guide planning decisions in the Alrewas Neighbourhood Area.

Role of the Independent Examiner

I was appointed by Lichfield District Council, with the consent of Alrewas Parish Council, to conduct an examination and provide this Report as an Independent Examiner. I am independent of the qualifying body and the local authority. I do not have any interest in any land that may be affected by the Neighbourhood Plan and I possess appropriate qualifications and experience. I am a chartered town planner and an experienced Independent Examiner of Neighbourhood Plans. I have extensive land, planning and development experience, gained across the public, private, partnership and community sectors.

As the Independent Examiner, I must make one of the following recommendations:

- a) that the Neighbourhood Plan should proceed to Referendum, on the basis that it meets all legal requirements;
- b) that the Neighbourhood Plan, as modified, should proceed to Referendum;

¹The qualifying body is responsible for the production of the Plan.

- c) that the Neighbourhood Plan does not proceed to Referendum, on the basis that it does not meet the relevant legal requirements.

If recommending that the Neighbourhood Plan should go forward to Referendum, I must then consider whether or not the Referendum Area should extend beyond the Alrewas Neighbourhood Area to which the Plan relates.

In examining the Plan, I am also required, under Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, to check whether:

- the policies relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act (PCPA) 2004;
- the Neighbourhood Plan meets the requirements of Section 38B of the 2004 PCPA (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);
- the Neighbourhood 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.

Subject to the contents of this Report, I am satisfied that all of the above points have been met.

Neighbourhood Plan Period

A neighbourhood plan must specify the period during which it is to have effect. The fourth paragraph of page 3 of the Neighbourhood Plan states that the Plan will cover a 16 year period, from 2014 to 2030. This period is also referred to on page 1 of the Basic Conditions Statement. I consider that it would also be helpful to state the plan period on the title page of the Neighbourhood Plan. I recommend:

- **Neighbourhood Plan title page, replace “February 2015” with “2014-2030” I also note the reference to “February 2015” at the top of each page and for clarity, recommend deleting this**

Taking the above into account, I confirm that the Neighbourhood Plan satisfies the relevant requirement in this regard.

Public Hearing

According to the legislation, *when the Examiner considers it necessary* to ensure adequate examination of an issue, or to ensure that a person has a fair chance to put a case, then a public hearing must be held.

However, the legislation establishes that it is a general rule that neighbourhood plan examinations should be held without a public hearing – by written representations only.

Further to consideration of the written representations submitted, I confirmed to Lichfield District Council that I was satisfied that the Alrewas Neighbourhood Plan could be examined without the need for a Public Hearing.

2. Basic Conditions and Development Plan Status

Basic Conditions

It is the role of the Independent Examiner to consider whether a neighbourhood plan meets the “basic conditions.” These were *set out in law*² following the Localism Act 2011. In order to meet the basic conditions, the Plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan for the area;
- be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

I have examined the Neighbourhood Plan against all of the basic conditions above.

I note that whilst page 5 of the Neighbourhood Plan sets out the basic conditions, it also includes, in large bold print, the statement “*The Plan must comply with Local and National policies.*” This is not the case and the statement does not reflect the basic conditions. I recommend:

- **Page 5, delete the statement “The Plan must comply with Local and National policies.”**

I note that the wording of the basic conditions is the result of careful consideration. Paraphrasing the basic conditions, can often result in their misapplication, as has occurred in this case.

² Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990.

European Convention on Human Rights (ECHR) Obligations

I am satisfied that the Neighbourhood Plan has regard to fundamental rights and freedoms guaranteed under the ECHR and complies with the Human Rights Act 1998 and there is no substantive evidence to the contrary.

European Union (EU) Obligations

There is no legal requirement for a neighbourhood plan to have a sustainability appraisal³. However, it is good practice to assess neighbourhood plan proposals to determine whether or not the plan is likely to have significant environmental effects. This process is referred to as a “screening assessment.” If the screening assessment identifies likely significant effects, then an environmental report must be prepared.

Page 13 of the Neighbourhood Plan states that *“The Steering Group were advised by LDC that a further SEA was not required as the Neighbourhood Plan does not allocate sites.”* This is also referred to on Page 5 of the Basic Conditions Statement.

However, I find that the above statement does not quite reflect the conclusions of the screening report carried out by Lichfield District Council.

Lichfield District Council carried out screening assessments to establish whether or not the contents of the Neighbourhood Plan required a Strategic Environmental Assessment and/or a Habitats Regulations Assessment (HRA). A HRA is required if the implementation of the Neighbourhood Plan may lead to likely negative significant effects on protected European sites.

With regards SEA, the screening report concluded that *“the plan in its current form is likely to have significant environmental effects and therefore SEA will be required.”* The HRA screening report concluded that *“there are potential significant effects on the Cannock Chase Special Area of Conservation (SAC) and as such, the next stage of Appropriate Assessment will be required.”*

Given the evidence above, it is a significant concern that the Neighbourhood Plan suggests that Lichfield District Council was satisfied that *“an SEA was not required”* as this was not in fact the case. This is a major concern for the following reason.

If it is clear that an SEA and/or HRA was required, but has not been undertaken, it would be appropriate to recommend that the Neighbourhood Plan does not proceed to Referendum. It would effectively fail examination.

Taking the above into account, I have considered the screening assessments, the responses of the statutory bodies and all of the other information before me in some

³ Paragraph 026, Planning Practice Guidance 2014.

considerable detail, to establish whether or not the Neighbourhood Plan is compatible with European Union obligations.

With regards the need for a Habitats Regulations Assessment (HRA), the Neighbourhood Area falls within the Cannock Chase SAC and is also in close proximity to the River Mease SAC. Taking this into account, Natural England advised Lichfield District Council that, subject to the Lichfield Local Plan being adopted and *“provided the Neighbourhood Plan does not propose any additional development over and above that contained within the Local Plan,”* then the Neighbourhood Plan can rely on the HRA of the Lichfield Local Plan.

The Lichfield Local Plan was adopted in February 2015. I consider the development Policies of the Neighbourhood Plan later in this Report and recommend a significant number of changes. Taking these recommendations as well as the above into account, I am satisfied that it is appropriate for the Neighbourhood Plan to rely on the HRA of the Lichfield Local Plan, as per Natural England’s advice.

With regards Strategic Environmental Assessment (SEA), Lichfield District Council is concerned that, by seeking to restrict the growth of the Neighbourhood Area to 90 dwellings, the Neighbourhood Plan *“will pre-determine a more strategic issue.”* It will *“have environmental effects and as such SEA is required.”* Effectively, Lichfield District Council is concerned that any undue limiting of development within the Neighbourhood Area would have knock-on impacts, leading to significant environmental effects in other areas.

I note that the Lichfield Local Plan does not seek to restrict housing growth in the Neighbourhood Area to 90 dwellings, but provides for between 90-180 dwellings. Importantly, this is the basis upon which the Lichfield Local Plan HRA was carried out. I consider housing growth in more detail under “Housing Development” below, and again, I recommend a significant number of changes. I consider that these changes appropriately address Lichfield District Council’s concerns with regards the Neighbourhood Plan’s restrictive approach to housing growth.

Also, with regards to SEA, English Heritage (now, in relation to planning matters, Historic England) suggests that *“on the basis of probability”* SEA is likely to be required. However, I am concerned that this *“basis of probability”* is simply founded on nothing more than the statement *“the historic environment evidence base for the Plan is very weak.”* No substantive evidence or detail has been provided to demonstrate why, in Historic England’s view, the Neighbourhood Plan is “very weak.”

Whilst I note that there is no legislative requirement for neighbourhood plans to include historic environment policies and that, together, national and local policies already provide for the protection of the nation’s heritage assets, it is relevant to point out that Historic England has subsequently stated that the body *“has no adverse comments to make upon the draft plan which we feel has now taken a*

suitably proportionate approach to the main historic environment issues pertaining to Alrewas.”

Taking all of the above, and my recommended modifications later in this Report, into account, I consider it reasonable to conclude that the Neighbourhood Plan does not require a Strategic Environmental Assessment.

In considering European obligations, I am also mindful that national guidance establishes that the ultimate responsibility of determining whether a draft neighbourhood plan meets EU obligations is placed on the local authority,

“the local planning authority must decide whether the draft neighbourhood plan is compatible with EU regulations.” (Planning Practice Guidance 11-031)

Consequently, whilst I can make recommendations, it is ultimately up to Lichfield District Council to determine compatibility with EU regulations. In this regard, I note that in paragraph 5.5 of the SEA and HRA Screening Report (July 2014), Lichfield District Council state *“It may be possible to modify the (Neighbourhood Plan) to avoid the significant effects identified through this screening report for both SEA and HRA.”*

Taking all of the above, and my recommendations below, into account, I am satisfied that the Neighbourhood Plan is compatible with EU obligations.

3. Background Documents and Alrewas Neighbourhood Area

Background Documents

In undertaking this examination, I have considered various information in addition to the Alrewas Neighbourhood Plan. This has included:

- National Planning Policy Framework (The Framework) (2012)
- Planning Practice Guidance (2014)
- Town and Country Planning Act 1990 (as amended)
- The Localism Act (2011)
- The Neighbourhood Planning Regulations (2012)
- Lichfield Local Plan (2015)
- Basic Conditions Statement
- Consultation Statement
- Neighbourhood Plan Appendices
- Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment Screening Report (July 2014)

Also:

- Representations received during the publicity period

In addition, I spent an unaccompanied day visiting the Alrewas Neighbourhood Area.

Alrewas Neighbourhood Area

Further to an application made by Alrewas Parish Council, Lichfield District Council states that Alrewas was designated as a Neighbourhood Area on 19 February 2013.

This satisfied a requirement in line with the purposes of preparing a Neighbourhood Development Plan under section 61G (1) of the Town and Country Planning Act 1990 (as amended).

There is a plan showing the Parish boundary on the last page of the Basic Conditions Statement. Whilst there are also plans in the Neighbourhood Plan itself that show the Parish boundary, it would be helpful if it was made clear that the Neighbourhood Area coincides with that of Alrewas Parish. I recommend:

- **Neighbourhood Plan page 14, second paragraph, replace first sentence with *“Alrewas was designated as a Neighbourhood Area in February 2013. The boundary of the Neighbourhood Area coincides with that of Alrewas Parish.***

4. Public Consultation

Introduction

As land use plans, the policies of neighbourhood plans form part of the basis for planning and development control decisions. Legislation requires the production of neighbourhood plans to be supported by public consultation.

Successful public consultation enables a neighbourhood plan to reflect the needs, views and priorities of the local community. It can create a sense of public ownership, help achieve consensus and provide the foundations for a successful 'Yes' vote at Referendum.

Alrewas Neighbourhood Plan Consultation

Alrewas Parish Council submitted a Consultation Statement to Lichfield District Council. Further to consideration, I can confirm that this sets out who was consulted and how, together with the outcome of the consultation and that as such, the Consultation Statement meets the requirements of the neighbourhood planning *regulations*⁴.

Taking into account all of the evidence provided, I am satisfied that the production of the Neighbourhood Plan was supported by robust public consultation. It is clear that the views of the wider community were actively sought and taken into account. It is also clear that Alrewas Parish Council undertook public consultation above and beyond that required by legislation.

Following the decision to produce a Neighbourhood Plan, a Neighbourhood Plan Steering Group of volunteers was formed. Early in 2013, two separate public meetings, attended by a total of more than 130 people, were held to introduce neighbourhood planning and launch the Alrewas Neighbourhood Plan. Five focus groups were established to cover each of the key areas considered by the Neighbourhood Plan.

The Steering Group and focus groups met frequently and regular updates were presented at public meetings. A questionnaire was hand-delivered to households in late 2013, followed by a business questionnaire, sent out to 51 businesses in the Neighbourhood Area in early 2014. The household survey had a relatively high, 38%, response rate and the results of the questionnaires helped influence the emerging policies.

A wide ranging approach to information gathering during 2013 and 2014 included the establishment of a Youth Forum, meetings with landowners and developers and

⁴Neighbourhood Planning (General) Regulations 2012.

meetings with other Qualifying Bodies progressing neighbourhood plans in the wider area.

Consultation was widely communicated and well-publicised via a dedicated Neighbourhood Plan website, the Parish Council website, advertisements in the local press, the parish magazine, Facebook and by the dissemination of draft documents around the Neighbourhood Area.

Taking all of the above into account, the Consultation Statement presents an audit trail to demonstrate that consultation was wide-ranging, comprehensive and transparent. Comments were pro-actively sought and those received were duly considered. There is evidence to demonstrate that the Neighbourhood Plan reflects the views of local people. People and organisations were not just provided with a fair chance to have their say, but were actively encouraged to engage in shaping the Neighbourhood Plan.

I am satisfied that the consultation process was robust. It is reflective of the significant efforts made by volunteers from within the local community to deliver a Neighbourhood Plan for Alrewas.

5. The Neighbourhood Plan – Introductory Section

Where modifications are recommended, they are presented as bullet points and highlighted in bold print, with any proposed new wording in italics.

The policies of the Neighbourhood Plan are considered against the basic conditions in Chapter 6 of this Examiner’s Report, below. I have also considered the Introductory Section of the Neighbourhood Plan and make recommendations below which are aimed at making it a clear and user-friendly document.

The Contents page is succinct and is clearly set out alongside attractive photographs.

The third paragraph on page 3 states that the Neighbourhood Plan reviews sites and suggests that background appendices should comprise material planning considerations. This is not the case. I recommend:

- **Page 3, para 3, delete from “Additionally...” until the end of the para**

The Lichfield Local Plan was adopted in February 2015. The Neighbourhood Plan should not refer to it as an emerging document and there is no need for the inclusion of references to the saved policies of the 1998 Local Plan. Also, the Lichfield Local Plan runs from 2008 to 2029. The plan period is different to that of the Neighbourhood Plan. I recommend

- **Page 3, para 4, end first sentence at “...as fully as possible.”**
- **Delete the rest of the paragraph and replace with “*The Neighbourhood Plan is in general conformity with the strategic policies of the Lichfield Local Plan (2015). The Neighbourhood Plan covers a sixteen year period, from 2014 to 2030.*”**

The Neighbourhood Plan must have regard to national policy. In this respect, it is inappropriate to state that it only embraces three paragraphs of the Framework. I recommend:

- **Page 3, last para, delete “...2012 (paragraph 10, 16 and 184),”**

Given the status of the Lichfield Local Plan, I recommend:

- **Page 4, last para, replace penultimate sentence “Lichfield...adopted” with “*As above, the Lichfield Local Plan was adopted in 2015.*”**

The Appendices do not form part of the Neighbourhood Plan, they comprise background information. There is no substantive evidence to support the contention

that the evidence base is “a material consideration in any development planning decisions.” I recommend:

- **Page 5, first para, delete from “A full...” to the end of the para**
- **Page 6, first line, delete “emerging”**

The fourth paragraph on page 6 is repetitive and confusing, and the subsequent paragraphs have been overtaken by events. The “*What is in the Plan*” section fails to reflect the recommended modifications in this Report and is unnecessary, given that there is a Contents page. I recommend:

- **Page 6, delete paras 4, 5 and 6**
- **Delete “What is in the Plan ?” heading and bullet points**

The Local Context and History section is interesting and distinctive to Alrewas. It is greatly enhanced by the presence of relevant, interesting photographs.

Figure 1 includes various boundaries. These lack detail and/or Policy support. As there is no specific Neighbourhood Area figure or plan in the Neighbourhood Plan, I recommend:

- **Figure 1, delete titles and replace with “*Alrewas Neighbourhood Area*”**
- **Delete all boundaries and titles on the plan, other than the Neighbourhood Area boundary**

The Planning Framework section starts to repeat information already provided on page 5, but in so doing, paraphrases the basic conditions such that the information provided is wrong. I recommend:

- **Page 13 second para, delete from “Whilst this Plan...” to end of para**
- **Page 13, delete paras 3, 4 and 5**
- **Page 13, delete text in italics/bold to the right hand side of the page**

A Consultation Statement was submitted alongside the Neighbourhood Plan. It is unnecessary for the Neighbourhood Plan to repeat large chunks of the Consultation Statement in the Neighbourhood Plan. This approach leads to an imbalance, affording insufficient emphasis to the most important part of the Neighbourhood Plan – its Policies, in favour of repeating background information. I recommend:

- **Delete pages 14, 15 and 16, with the exception of the modification proposed above (page 10 of this Report) and the text in italics/bold, to the right hand side of each page.**

- **Add new paragraph *“Consultation has been fundamental to the preparation of this Neighbourhood Plan. A Consultation Statement was prepared and submitted alongside the Neighbourhood Plan, in line with legislation. This sets out, in detail, the consultation undertaken.”***
- **Change title of this section from *“Consultation Statement”* to *“Consultation”***

6. The Neighbourhood Plan – Neighbourhood Plan Policies

As noted above, the Policies form the most important part of the Neighbourhood Plan. It would be helpful to make it clear when the background information ends and the Policy section begins. I recommend:

- **Top of Page 17, new title, “*Alrewas Neighbourhood Plan – Policies*” I recommend that this title be set within a blue box or similar illustrative device, making it clear that this is the beginning of the Policy Section.**

Within each Policy section there is reference to “*supporting*” documents. Whilst this might have provided some helpful information during the preparation of the Neighbourhood Plan, its inclusion appears confusing and unnecessary. For example, there is no need to refer to some parts of national policy and not others; the status of the Lichfield Local Plan has changed; and other documents may have little planning status. I recommend:

- **In each Policy section, delete the heading “The following plans, documents and strategies support the...” along with all of the bullet points that follow.**

The references to some paragraphs of the Framework stated after every Policy are neither comprehensive nor necessary, and detract attention from the Policies themselves. I recommend:

- **Delete references to paragraphs of the Framework after every Policy**

Community Facilities

- **Page 17, para 2, change first sentence to “...Settlement” in the *Lichfield Local Plan, supporting...*”**

Policy Section 1: Community Facilities

Whilst, essentially, Policy 1.1 seeks to protect community facilities, it is vague as to what these comprise. No definition is provided and the first paragraph of the supporting text refers to a wide range of services, businesses and facilities. There is no indication of how “*any development*” might make a “*positive contribution*” to community facilities. Consequently, the Policy fails to provide decision makers with a clear indication of how to react to a development proposal, as required by paragraph 154 of the Framework.

However, national policy promotes healthy communities (Chapter 8) and by seeking to protect facilities recognised as being important to the local community, Policy 1.1 has regard to this. I consider that, subject to the recommendations below, the Policy can be modified to contribute to the achievement of sustainable development and meet the basic conditions:

- **Policy 1.1, change opening sentence to “*Development that results in the loss of, or has a significant adverse effect on, the following village facilities and services will not be supported, unless it can be demonstrated, further to a period of marketing, that the existing use is no longer viable: local shops, meeting places, sports venues, cultural buildings, public houses and places of worship. New development should not prevent...open spaces.*”**

Policy 1.2 concerns matters not within the control of the Neighbourhood Plan and seeks to place a requirement on another public body. I recommend:

- **Delete Policy 1.2**

Policy 1.3 requires all development to provide “*street furniture*” to keep the streets clear of animal faeces and litter. This is an onerous requirement that may not be relevant for most development. In addition, public highways are the responsibility of another body and are not under the control of the Neighbourhood Plan. I recommend:

- **Delete Policy 1.3**

Policy 1.4 lacks clarity. There is no definition of what an “*unnecessary loss*” might comprise, who would be responsible for determining this, or on what basis. As such, the Policy does not provide appropriate clarity. Furthermore, in seeking to protect community facilities and services, the Policy is simply repeating the aims of Policy 1.1. I recommend:

- **Delete Policy 1.4**

Policy Section 2: Traffic and Transport

Policy 2.1 requires all development to “*identify the realistic level of traffic they will generate.*” This is an onerous requirement that is unlikely to be appropriate for the majority of development proposals – for example, household extensions. The Policy goes on to require traffic impact statements or assessments to be subject to Parish Council approval. However, the Parish Council does not possess a statutory responsibility in this regard, unlike the highways authority and the local planning authority. I note that there is no substantive evidence to demonstrate that the Parish Council possesses the relevant expertise to assess a traffic assessment. I also note that, where appropriate, it is already a requirement for traffic impact assessments to be submitted with planning applications. I recommend:

- **Delete Policy 2.1**

As worded, Policy 2.2 would support any “*project*” that would enable a safe pedestrian and cycle crossing over the A38 to the east of the village. This is a very open Policy and would, for example, support a new nuclear power station or 10,000 homes, if the “*project*” included a safe new crossing.

However, notwithstanding the above, the intention of the Policy has regard to the Framework, which supports the enhancement of public rights of way (Para 75), requires development to provide safe and accessible environments (Para 58) and promotes sustainable modes of transport (Chapter 4). Subject to the proposed recommendations below, Policy 2.2 contributes to the achievement of sustainable development and meets the basic conditions:

- **Policy 2.2, change to “*The provision of a safe pedestrian and cycle access from the village centre across the A38 to the National Memorial Arboretum, the National Forest and the Central Rivers Initiative Area will be supported.*”**

Policy 2.3 sets out a community aspiration. This is more appropriately addressed as a “Community Action” and I recommend:

- **Delete Policy 2.3**
- **Retain all of the text, with the exception of “other” in line 4, and place below a new heading “*Community Action: Alrewas Railway Station and Railway Line*”**

- **Add new sentence after “...Local Plans. *The Parish Council will actively seek to work with other bodies to achieve the community aim of re-opening the Alrewas Railway Station and railway line.*”**

Policy 2.4 supports proposals that would “*lead to an improvement to public parking.*” There is no clarity as to what an “*improvement*” would comprise – for example, whether this relates to quality, quantity or to other factors. In addition, there is no substantive evidence to demonstrate that there are any deliverable opportunities for the provision of off-street public parking. I am also mindful that Lichfield Local Plan Policy ST2 refers to parking standards and there is nothing within Policy 2.4, or the supporting text, to demonstrate that the Policy is in general conformity with the Lichfield Local Plan in this regard.

Taking the above into consideration, I recommend:

- **Delete Policy 2.4**

Policy 2.5 is based around matters that require the approval of another body and as such, it is not appropriate for inclusion in the Neighbourhood Plan. I recommend:

- **Delete Policy 2.5**

Policy 2.6 is concerned with “*initiatives*” rather than land use planning matters. From consideration of the information before me, I understand that noise and pollution arising from local highways is a local concern. Given this, I recommend:

- **Delete Policy 2.6**
- **Create a new “*Community Action: Road Noise and Pollution*” with a new paragraph of text stating “*The Parish Council will seek to encourage opportunities to reduce noise and pollution arising from the A38 and A513. Where possible, the parish Council will work with other bodies to achieve this.*”**

Public Realm

Policy Section 3: Public Realm

The intent of Policy 3.1 is to protect and enhance the public realm and to improve footpaths and access points. Generally, this has regard to the Framework, which recognises the importance of high quality open spaces (Para 73) and supports the enhancement of public rights of way (Para 75).

However, the wording of Policy 3.1 is unclear. It states that the rural environment will be enhanced. There is no indication as to how this will, or can, be achieved and I am mindful that there is nothing in local or national planning policy that requires the rural environment to be enhanced. Consequently, this would introduce an onerous requirement without any certainty that it can even be achieved. Similarly, neither the Policy nor the supporting text sets out any mechanism to deliver the enhancement of publicly accessible open space and the canal side environment.

The Policy goes on to require “*any development*” to ensure that footpaths and access points are maintained or improved. This introduces an onerous requirement that may not relate to the majority of development proposals. Furthermore, the majority of development proposals may not have the ability to ensure the maintenance or improvement of footpaths.

Taking the above into account, I recommend:

- **Policy 3.1, change wording to “*The protection and enhancement of publicly accessible open space and the canal side environment, and the maintenance or improvement of public rights of way, will be supported.*”**

Policy 3.2 requires “*any development*” proposals to recognise the importance of the canal. This is a requirement that is unlikely to be relevant to the majority of development proposals and as such, it is an inappropriate requirement.

The Policy goes on to require that development that impacts on the canal “*physically or visually*” should fund tourist facilities, such as additional moorings, tourist information and boat facilities. There is no indication of what a physical or visual impact on the canal might comprise and there is no detailed information to demonstrate what the level of developer contributions might be. As such, the Policy provides insufficient clarity or detail to provide decision makers with a clear indication of how to react to a development proposal.

The Policy goes on to require consultation with a body external to the Parish Council. This introduces a factor beyond the control of the Neighbourhood Plan.

Taking all of the above into account, I recommend:

- **Delete Policy 3.2**

Policy 3.3 introduces a requirement to “*improve*” existing footpaths and access points where these are affected by development proposals. It is unclear as to why development proposals must “*improve*” rather than simply maintain rights of way and no clarity is provided as to what such improvements would comprise. It is not clear, for example, that every footpath in the area actually needs to be improved.

The Policy goes on to seek to promote disabled access, although the requirement for this to be “*ensured where reasonably possible*” is confusing.

Ultimately, I recognise that the Policy seeks to protect and enhance public rights of way and access, having regard to paragraph 75 of the Framework. Subject to the recommended changes below, I am satisfied that the Policy contributes to the achievement of sustainable development and meets the basic conditions:

- **Policy 3.3, change to “*Development must protect any public right of way and/or access point that it affects. Where possible, such development should seek to provide disabled access to the public right of way.*”**

Policy 3.4 is a confusing Policy that refers to the Parish Council providing guidance to a statutory body. It is unclear on what basis the Parish Council is in a position to do this. The Policy suggests that every development will have a consistent approach to public realm design, but provides no guidance as to what such an approach might comprise. It does not distinguish between types of development. It goes on to require all developments to limit the impact of light pollution on local amenity, dark landscapes and nature conservation. No information is provided as to how, or whether, all development can achieve this, or why this is necessary and desirable.

Taking all of the above into account, there is nothing to lead me to the conclusion that Policy 3.4 supports sustainable development. Rather, I consider that there is a risk that sustainable development may be prevented by the Policy. Furthermore, the Policy relates to matters outside the control of the Neighbourhood Plan. I recommend:

- **Delete Policy 3.4**

Policy 3.5 supports tree planting to enhance the character of the village. This has regard to the Framework and to the Lichfield Local Plan, which together amongst other things, seek to protect and where possible, enhance local character.

The final part of the Policy looks to impose a requirement for development to “*incorporate an appropriate level of planting.*” There is no indication as to what such

an appropriate level might comprise and consequently, this part of the Policy lacks the clarity required to provide decision makers with an indication of how to react to a development proposal.

Subject to the recommendation below, Policy 3.5 contributes to the achievement of sustainable development and meets the basic conditions:

- **Policy 3.5, delete second sentence**

Environment and Conservation Area

- **Page 30, delete fourth paragraph (Draft Local Plan)**

Policy Section 4: Environment and Consideration

Good design is recognised by the Framework as being integral to sustainable development and in general terms, Policy 4.1's requirement for high quality design has regard to this. However, there is no evidence to demonstrate that every development proposal can, or should, be consistent with the village character – it is not clear, for example, why this would be appropriate for development elsewhere in the Neighbourhood Area, outside the village. The Policy goes on to require that development ensures “*a positive contribution to the quality*” of the Conservation Area. Whilst it is not clear what a positive contribution to the quality of the Conservation Area would comprise, the greater concern is that Policy 4.1's approach to protecting heritage assets is different to that set out in Chapter 12 of the Framework.

National policy recognises that the country's heritage assets are irreplaceable and requires that they be conserved in a manner appropriate to their significance. Where a proposed development will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use (Para 134, The Framework). The simplistic approach proposed by Policy 4.1 fails to have regard to the Framework.

Taking the above into account, I recommend:

- **Policy 4.1, change to read “*Within the village, development proposals should demonstrate that a high quality of design, form and layout, consistent with the village character, will be achieved.*”**

Policy 4.2 states that the significance of the Conservation Area and the Trent and Mersey Canal, among other things, “*will be recognised in all development proposals.*” The Conservation Area and the Canal will simply not be relevant to some development proposals and as such, this is an unreasonable requirement. Furthermore, it is unclear how development proposals can, or should, “*recognise*” these features – and why this would be relevant in land use planning terms.

The second part of Policy 4.2 again introduces an approach to heritage assets that fails to have regard to national policy, as set out in Chapter 12 of the Framework.

I recommend:

- **Delete Policy 4.2**

Policy 4.3 states that development must comply with the requirements of the Town and Country Planning Act. This is simply a fact and there is no need to repeat a legislative requirement in the form of a neighbourhood planning Policy.

- **Delete Policy 4.3**

Policy 4.4 requires any development in the Conservation Area, or adjacent to it, to avoid impacting on “*important rural views.*” There is no substantive information determining what the “*important rural views*” are that require protection and as such, this part of the Policy fails to provide decision makers with a clear indication of how to react to a development proposal.

The Policy then goes on to require that “*any development*” avoids “*impacting on the setting of buildings of historic interest.*” Again, this approach fails to have regard to national policy as it applies to heritage assets. I recommend:

- **Delete Policy 4.4**

Policy 4.5 requires all development proposals to demonstrate that they will not have a direct or indirect adverse effect on the Cannock Chase Special Area of Conservation (SAC). Were the Neighbourhood Plan to be made, it would form part of the Development Plan along with the Lichfield Local Plan. Policy NR7 of the Lichfield Local Plan already sets out the requirements contained in Policy 4.5. It is not the role of the Neighbourhood Plan to repeat existing policy. I recommend:

- **Delete Policy 4.5**

The Framework enables local communities to identify, for special protection, green areas of particular importance to them. It goes on to state that

“By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances.” (Para 76)

The Neighbourhood Plan identifies two areas of Local Green Space – one to the northern edge of the village and another to the west. During my site visit, I observed that both sites covered relatively large areas of land.

The Local Green Space designation is an extremely important one. Having regard to the Framework, the development of Local Green Space, other than in very special circumstances, is ruled out. The Local Green Space designation affords protection consistent with policy for Green Belts. Effectively, Local Green Space, once designated, provide protection comparable to that for Green Belt land.

The Framework is explicit in stating that

“The Local Green Space designation will not be appropriate for most green areas or open space.” (Para 77)

Taking this into account, it is essential that, when allocating Local Green Space, plan-makers can clearly demonstrate that the requirements for its allocation are met in full. These requirements are set out in paragraph 77 of the Framework and require that: the green space is in reasonably close proximity to the community it serves; it is demonstrably special to a local community and holds a particular local significance; and it is local in character and is not an extensive tract of land.

With regards the latter point, I note above that both sites covered relatively large areas of land, especially in relation to the overall size of Alrewas village. In the absence of any substantive evidence to the contrary, I consider that this introduces conflict with the requirement for Local Green Space not to comprise an extensive tract of land.

In addition to the above, no compelling evidence has been presented to demonstrate that each of the specific green areas are demonstrably special to the local community and that each specific green area holds a particular local significance. For land to be designated as Local Green Space, this *must* be demonstrated. The Neighbourhood Plan fails to do this. It does not have regard to national policy.

Consequently, I recommend:

- **Delete Policy 4.6 and associated plan**

Housing Development

I note that the Policy Section title does not correspond to the chapter title. I recommend:

- **change the title of the Policy Section to tie in with the chapter title, “*Policy Section 5: Housing Development*”**

Much of the supporting text to the Housing Development Policies refers to historic information that has, effectively, been overtaken by the adoption of the Lichfield Local Plan. Lichfield Local Plan Policy Alr4 states that 90-180 homes will be provided in Alrewas during the plan period. To reach its adopted form, the Lichfield Local Plan has undergone robust public consultation and rigorous examination.

I note that whilst the supporting text refers to the allocation of housing land, it does not allocate any housing sites. This should be made clear.

The supporting text suggests that The Rural Planning Project, which forms part of the evidence base, identifies housing growth of 73-88 homes, but that any higher allocation would require development on a site strongly opposed by the local community. However, I am mindful of Lichfield District Council’s comment that this does not represent the full findings of the report, which refers more generally to housing growth being delivered outside the village boundary subject to need.

The Lichfield Local Plan establishes that there is significant housing need within the District, with a minimum of 10,030 homes needing to be delivered between 2008 and 2029. Alrewas is a Key Rural Settlement and Lichfield Local Plan Policy Rural 1 states that expansion of village boundaries is required to accommodate growth.

Further to the above, the Framework requires development that is sustainable to go ahead without delay (Ministerial Foreword). It sets out an assumption in favour of sustainable development and to support this, the housing section of the Framework (Chapter 6: Delivering a wide choice of high quality homes) refers explicitly to the need to “*boost significantly the supply of housing...*” (Para 47). With specific regard to neighbourhood planning, national guidance is clear that “*Neighbourhood plans should not promote less development than set out in the Local Plan or undermine its strategic policies*” (Para 184).

As a Key Rural Settlement, Alrewas is one of the most sustainable rural settlements in the District. Its wide range of strategic services and facilities mean that it has strategic role. Alrewas’ housing requirement of 90-180 houses, as set out in the Lichfield Local Plan, is precisely that and it has been established to take account of the village’s strategic role.

The supporting text in the Neighbourhood Plan is, I find, worded in a negative manner, and appears to have the aim of limiting development in Alrewas to 90

homes. It is based around the findings of an Appendix, *“the Alrewas Neighbourhood Plan Housing Allocation.”* I have considered this 6 page document and I agree with Lichfield District Council’s comment that the information contained within it *“does not comprise compelling evidence to determine a fixed allocation of housing.”* For example, whilst focusing on the population of Alrewas and other villages, it fails to provide a detailed analysis of facilities, services, public transport and so on.

Together, the supporting text and Policy 5.2.1 *“establish”* an *“allocation”* of 90 dwellings for Alrewas. This is potentially just half of the village’s housing requirement, as established in the Lichfield Local Plan and as a consequence, I consider that the Neighbourhood Plan is not in general conformity with the strategic policies of the development plan. Furthermore, by effectively limiting development to, potentially, significantly less than that required, the Neighbourhood Plan seeks to prevent sustainable growth. It does not have regard to the Framework and does not contribute to the achievement of sustainable development.

I acknowledge that, during consultation, a large majority of residents *“felt”* that Alrewas could not accommodate more than 100 new homes. However, in my opinion, this is more reflective of the extremely common, and to some considerable degree, natural, response, to new development. There are times when we all appreciate the status quo and can be apprehensive about change. However, taking the above into account, I am not satisfied that *feeling* the Neighbourhood Area cannot accommodate more than 100 new homes is quite the same thing as it not being able to do so. In this regard, I am mindful that, the housing requirement of 90-180 new homes, as established in the Lichfield Local Plan, is the result of extensive consultation and importantly, rigorous examination. Furthermore, I note above that the approach set out in the Neighbourhood Plan is not, itself, supported by substantive evidence.

Given the above, I am concerned that, whilst the Neighbourhood Plan does not actually allocate any sites, the supporting text and subsequently, Policy 5.2.5, effectively seek to prioritise areas for the expansion of the village. In so doing, Lichfield District Council points out that the Neighbourhood Plan’s approach conflicts with specific evidence that supports the Lichfield Local Plan.

Planning Practice Guidance recognises that it is possible for there to be some conflict between the policies of a neighbourhood plan and those of the relevant district-wide local plan, whilst still passing the general conformity test. In such circumstances, the degree of conflict and crucially, the weight of evidence are the key factors. In this regard, I am concerned that, as pointed out by Lichfield District Council, the Neighbourhood Plan *“directly contradicts technical evidence that supports the Local Plan”* but in so doing, fails to provide detailed, substantive counter-evidence that leads me to find that the conflict is justified.

Taking all of the above into account, with regards the supporting text to the Housing Development Section of the Neighbourhood Plan, I recommend:

- Page 38, delete paras 3 and 4
- Page 39, para 1, change to “*Whilst the Neighbourhood Plan could be used to allocate sites for development, it does not do so. Instead, it considers spatial and other relevant matters related to the provision of housing in the Neighbourhood Area.*”
- Page 39, delete para 3, 4, 5 and 6, and text in bold/italics in right hand margin
- Page 40, delete all text
- Page 41, delete all text, including the paragraph that extends to the top of page 42

Policy Section 5: Housing Development

Policy 5.1 states that “*new housing allocations will be provided.*” The Neighbourhood Plan does not allocate any land for residential development. As such, this Policy is very confusing. I note that subsequent policies support small-scale infill development and other types of development. I recommend:

- **Delete Policy 5.1**

I note that the numbering of the Policies in the Housing Development Section follows on from the above Policy. I recommend:

- **Change the numbering system to become consistent with the rest of the Policies in the Neighbourhood Plan, for example, 5.1, 5.2, 5.3 etc.**

Policy 5.1.1 states that infill developments will be prioritised. No indication is provided as to how this will, or can, be controlled and as such, the Policy is unclear. This lack of clarity is exacerbated by the Policy going on to state that brownfield sites will be prioritised. It is unclear how both infill development and brownfield sites will be prioritised at the same time – for example, which would take precedent and how would this be controlled ?

Further prioritisation is also afforded by the Policy to developments that include one and two bed homes. Whilst this adds to the overall confusion, I recognise that the local community supports the provision of smaller dwellings. However, I am mindful that the provision of smaller properties is addressed by Policy 5.4.2, which is not so restrictive as Policy 5.1.1 in that it does not only concern small infill sites. I take this into account in considering other Policies in this section. I recommend:

- **Policy 5.1.1, change to “*Small scale infill development and the development of brownfield land will be supported.*”**

Taking the above into account, the Policy contributes to the achievement of sustainable development and meets the basic conditions.

Policy 5.1.2 generally supports small-scale development in the hamlets of Overley and Orgreave. This has regard to the Framework, which recognises the need to locate new housing where it will enhance or maintain the vitality of rural communities (Para 55). The Policy goes on to support the redevelopment of any farm building. This could result in modern sheds being replaced by new housing and there is no substantive evidence to demonstrate that such an approach would not result in an inappropriate scale of development in rural areas. This approach would fail to have regard to national policy, which is explicit in stating the need to avoid new isolated homes in the countryside, unless special circumstances exist.

In the above regard, I note that national and local planning policy, along with permitted development rights, already provide significant scope and flexibility for the appropriate conversion of farm buildings. I recommend:

- **Policy 5.1.2 change to “*Small scale development will be supported within the hamlets of Overley and Orgreave.*” (delete rest of Policy)**

Policy 5.2 refers to the requirements of a Policy in the Lichfield Local Plan, that will apply to development proposals. The Neighbourhood Plan does not control the implementation of the Policies of the Lichfield Local Plan. There is no need for a neighbourhood plan policy to paraphrase existing planning policies and I note that this can lead to unnecessary confusion. I recommend:

- **Delete Policy 5.2**

Policy 5.2.1 seeks to limit new developments outside the existing settlement to no more than 30 dwellings. Lichfield District Council has raised the concern that sites identified in the Strategic Housing Land Availability Assessment do not have capacity to meet Alrewas’ housing requirement if only sites of no more than 30 houses are permitted to be delivered. There is no substantive evidence to demonstrate that the Alrewas’ housing requirement of 90-180 homes can be met if development is limited to sites of no more than 30 dwellings. Consequently, Policy 5.2.1 could prevent sustainable development from going ahead.

The Policy goes on to refer to “*the established allocation of 90 dwellings.*” I note above that the Neighbourhood Plan does not allocate any land for development. I also note that the approach to housing land set out in the Neighbourhood Plan does not meet the basic conditions.

Taking the above into account, I recommend:

- **Delete Policy 5.2.1**

For clarity, the recommendation above does not provide scope unlimited, or uncontrolled housing development in the Neighbourhood Area. As above, the Lichfield Local Plan sets out the housing land requirement for Alrewas.

Policy 5.2.2 requires housing development to be “*accessible to traffic*” without “*impacting on*” the village centre. This is a particularly onerous requirement. It is likely that people living in and around Alrewas would seek to use local services and facilities located in the village centre. Indeed, the sustainability of services and facilities is dependant on people using them. Consequently, it would seem to be inevitable that new housing development would result in some kind of impact on the village centre. This could be a positive impact.

Policy 5.2.2 provides no definition of what “*impacting on*” actually means. In the absence of detailed information, I am concerned that positive impacts, resulting in sustainable development, may be prevented. In this way, the Policy fails to have regard to national policy.

Further to the above, I am mindful that the Framework is explicit in stating that “*Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe*” (Para 32). The Policy fails to have regard to this. I recommend:

- **Delete Policy 5.2.2**

Policy 5.2.3 seeks to ensure that development outside Alrewas provides sufficient amenity space and respects local character. This has regard to the Framework and is in general conformity with the strategic policies of the Lichfield Local Plan. Both documents protect local character.

Part of the Policy states that “*any expansion*” outside Alrewas must protect and enhance the Conservation Area and the natural environment. No evidence has been provided to demonstrate that any housing growth outside Alrewas, no matter where it is located, will be able to enhance the Conservation Area, or the natural environment. In the absence of any such evidence, this appears to be an unduly onerous requirement that fails to have regard to national policy, or be in general conformity with the strategic policies of the development plan. I note that heritage assets are already protected by strategic and national policy.

I am concerned that the requirement to provide visual and physical barriers between new and existing development will pose problems relating to the integration of new

developments into the existing community. Indeed, the approach set out in Policy 5.2.3 is in direct conflict with Policy 5.6 of the Neighbourhood Plan, which refers to the need for development to integrate into its surroundings. It also fails to have regard to Para 61 of the Framework, which requires the integration of new development into the existing environment.

Taking all of the above into account, I recommend the following changes to enable the Policy to meet the basic conditions:

- **Policy 5.2.3, change to “*New residential development outside the existing built area of Alrewas must provide an appropriate level of additional village amenity space and respect its local context.*”**

Policy 5.2.4 states that developments on the village boundary will retain existing views in and out of the Conservation Area as far as possible. There is no evidence to demonstrate to what, if any, degree such views can be retained. Neither national nor local strategic policy requires views into and out of Conservation Areas to be retained. There is nothing in the Neighbourhood Plan, or in its supporting documents, to demonstrate what the views worthy of protection, from within and into the Conservation Area, comprise. The Policy does not have regard to national policy and does not contribute to the achievement of sustainable development. It does not meet the basic conditions. I recommend:

- **Delete Policy 5.2.4**

Policy 5.2.5 refers to expansion locations. As set out above, this Policy sets out an approach that is not supported by an appropriate evidence base. As a direct consequence, the Policy is not in general conformity with the strategic policies of the Lichfield Local Plan. It promotes a pattern of development that may prevent, and which does not contribute to, the achievement of sustainable development. I recommend:

- **Delete Policy 5.2.5**

Policy 5.3 simply repeats existing policy. I recommend:

- **Delete Policy 5.3**

Policy 5.4.1 repeats existing policy and in so doing, seeks to provide the Parish Council with a role in allocating affordable housing. No substantive evidence has been provided to justify the introduction of this responsibility and to set out on what basis the Parish Council would allocate affordable housing. It comprises a matter beyond the control of the Neighbourhood Plan. I recommend:

- **Delete Policy 5.4.1**

Policy 5.4.2 is a positive policy that promotes the delivery of smaller properties. The policy has regard to the Framework, which supports the delivery of a wide choice of homes (Chapter 6).

No indication is provided as to how the Neighbourhood Plan will “*encourage*” the provision of smaller homes. I address matter this below. Also, it is not clear why smaller scale properties or properties with “*low massing*” would reduce the impact of development on neighbouring properties. Protecting residential amenity can be achieved by all manner of different design techniques and no substantive evidence has been presented to demonstrate that simply building smaller properties, or properties with “*low massing*” will protect the living conditions of neighbours. I note that, together, national policy and local strategic policy protect residential amenity. I recommend:

- **Policy 5.4.2, change to “*New developments of smaller properties (eg 3 bed or fewer), and those suitable for older people, that together, provide for a recognised need in the village, will be supported.*”**

I note that Policy 5.1.2 already addresses development in the smaller hamlets of Overlay and Orgreave. Policy 5.5 makes the statement that small-scale development close to the hamlets will be “*deemed sustainable.*” This is a sweeping statement that has no regard to what a development proposal might comprise. It fails to have regard to national policy, which does not suggest, in any way, that development in rural areas will be sustainable if it is near to existing hamlets.

The Policy goes on to set out that further development at remote properties will be supported. This is in direct conflict with Para 54 of the Framework, which states that isolated new homes in the countryside should be avoided. The Policy does not contribute to the achievement of sustainable development and I recommend:

- **Delete Policy 5.5**

Good design is recognised by the Framework as being integral to sustainable development and the reference in Policy 5.6 to Building for Life principles is reflective of this. However, to demand that all developments must be assessed by a non-mandatory checklist introduces an unduly onerous requirement. Furthermore, the nature of many development proposals means that they could not possibly “*achieve 12 out of 12 Greens*” as many of the Building for Life criteria will simply not be relevant or applicable.

Consequently, whilst the intent of Policy 5.6 has regard to national policy, it is neither implementable nor appropriate in practice. I recommend:

- **Policy 5.6, change to “*New residential development must respect its surroundings and result in the provision of high quality homes. To achieve this, proposals should, where appropriate, demonstrate how the following factors have been taken into account: (include the 12 Building for Life Criteria here)*”**

Policy 5.7 refers to an Appendix of the Neighbourhood Plan. The Appendix does not form part of the Neighbourhood Plan. Furthermore, I am mindful that Policy 5.7 seeks to introduce a subjective scoring mechanism to assess planning applications. There is no evidence to demonstrate that such an approach is in general conformity with the strategic policies of the Lichfield Local Plan, that it has regard to national policy or advice, or that it would contribute to the achievement of sustainable development. I recommend:

- **Delete Policy 5.7**

Economic Development

Policy 6.1 supports the conversion of any building to commercial use. Whilst I note that this support is qualified by reference to other Policies in the Neighbourhood Plan, it may, for example support the conversion of houses within a residential street to commercial use. No evidence has been presented to demonstrate that such a change of use would not harm the living conditions of neighbours, with regards to say, outlook or privacy. This would fail to have regard to national policy and would not be in general conformity with local strategic policy – both of which protect residential amenity. I note that recent changes to permitted development mean that some changes of use to commercial use do not require planning permission.

However, the general intent of the Policy has regard to national policy, which supports a prosperous rural economy (Chapter 3). I recommend:

- **Policy 6.1, change to “*The small scale expansion of existing employment premises will be supported, subject to proposals demonstrating that they respect local character and protect residential amenity.*”**

Policy 6.2 aims to prevent shops and commercial properties being converted to residential use. In seeking to promote healthy communities, national policy requires planning policies to protect against the unnecessary loss of valued services and facilities. However, Policy 6.2 does not clearly define “*village centre retail and other commercial properties*” and as such, adopts a broad-brush approach. Consequently, it is not clear, for example, whether Policy 6.2 conflicts with permitted development rights, that allow for the conversion of commercial uses to residential uses without the need for planning permission.

Furthermore, it may be that a change of use may incorporate some residential and some commercial use and that this would support the viability and sustainability of a development. The supporting text simply states that “*the further loss of shops...must be resisted.*” This does not allow for flexibility. I recommend:

- **Policy 6.2, change to “*Development that results in the loss of shops as a result of proposals for change of use will be resisted.*”**

Policy 6.3 requires commercial development to take into account impacts on noise, traffic and car parking. This has regard to the Framework and is in general conformity with the strategic policies of the Lichfield Local Plan, which together amongst other things, protect residential amenity. No changes are proposed.

Policy 6.4 supports small scale commercial development subject to its impacts on local character. Again, this has regard to the Framework and is in general conformity

with the strategic policies of the Lichfield Local Plan, which together amongst other things, protect local character. No changes are proposed.

Policy 6.5 is a positive policy that supports commercial development beyond the A38, as long as it contributes to providing a footbridge. This has regard to national policy support for supporting a prosperous rural economy (Chapter 3). However, as worded, the Policy would allow for any scale of development and this may result in development of such a scale that it would not be appropriate to the Neighbourhood Area. In this regard, there is an opportunity to relate Policy 6.5 to the preceding Economic Development Policy. I recommend:

- **Policy 6.5, change to “*Commercial development to the...across the A38 and where the proposed development is in keeping with the character, size, scale and nature of the Parish.*”**

Policy 6.6 generally supports tourism development. This has regard to Para 28 of the Framework which states that neighbourhood plans should “*support sustainable rural tourism.*” No changes are proposed.

Neighbourhood Plan – Other Matters

- **Page 58, delete second paragraph (refers to “allocation” of 90 units)**
- **Delete third and fourth paragraphs (contain historic, unnecessary and potentially confusing information)**
- **Page 59, delete all text (comprises unnecessary, incorrect and confusing information)**
- **Page 60, delete all text (contains unnecessary, historic information)**
- **Page 61, underneath title add *“The Appendices listed below comprise reports and information that supported the plan-making process. The reports and information are available from the Parish Council.”***

8. Summary

I have recommended modifications further to consideration of the Alrewas Neighbourhood Plan against the basic conditions. I am especially mindful that I have recommended the deletion of a considerable number of Policies.

Given the above, it is appropriate to comment that I am concerned that the Alrewas Neighbourhood Plan was submitted in the form that it was. There is no doubt whatsoever that the Neighbourhood Plan is the result of many, many hours of intensive, voluntary work. It is with particular regard to this that it is disappointing that fundamental conflicts with the basic conditions were not addressed at an earlier stage – this would have avoided abortive work and resulted in a Neighbourhood Plan better suited to the examination stage.

Neighbourhood Planning is no longer new. I completed examination of the first comprehensive Neighbourhood Plan to be made early in 2013. Since this time, many examples of good practice in neighbourhood planning have emerged and there is plentiful advice and guidance to help steer the production of neighbourhood plans. It is, in my view, essential that neighbourhood plan-makers and in particular, professional advisers, are aware of – and adopt - good practice and up-to-date advice.

Whilst I am sorry that some of the work that has gone into the Neighbourhood Plan has effectively been aborted, I note that my recommendations simply reflect the legislative requirement of meeting the basic conditions. I imply no criticism of the volunteers who have dedicated time and effort to bring forward a Neighbourhood Plan with the purpose of making Alrewas an even better place.

Subject to the recommended changes, the Alrewas Neighbourhood Plan

- has regard to national policies and advice contained in guidance issued by the Secretary of State;
- contributes to the achievement of sustainable development;
- is in general conformity with the strategic policies of the development plan for the area;
- does not breach, and is compatible with European Union obligations and the European Convention of Human Rights.

Taking the above into account, I find that the Alrewas Neighbourhood Plan meets the basic conditions. I have already noted above that the Plan meets paragraph 8(1) requirements.

9. Referendum

I recommend to Lichfield District Council that, subject to the modifications proposed, the **Alrewas Neighbourhood Plan should proceed to a Referendum.**

Referendum Area

Neighbourhood Plan Area - I am required to consider whether the Referendum Area should be extended beyond the Alrewas Neighbourhood Area. I consider the Neighbourhood Area to be appropriate and there is no substantive evidence to demonstrate that this is not the case.

I recommend that the Plan should proceed to a Referendum based on the Alrewas Neighbourhood Area as approved by Lichfield District Council on 19 February 2013.

Nigel McGurk, August 2015
Erimax – Land, Planning and Communities

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