Fazeley Neighbourhood Development Plan

2026-2043

A report to Lichfield District Council on the Fazeley Neighbourhood Development Plan

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Executive Summary

1 I was appointed by Lichfield District Council in September 2026 to carry out the independent examination of the Fazeley Neighbourhood Plan.

2 The examination was undertaken by way of written representations. I visited the neighbourhood area on 5 October 2026.

3 The Plan is a very good example of a neighbourhood plan. It includes a variety of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. It includes policies on heritage-led regeneration, public realm in the town centre, and the designation of local green spaces.

4 The Plan has been underpinned by community support and engagement.

5 Subject to a series of recommended modifications set out in this report, I have concluded that the Plan meets all the necessary legal requirements and should proceed to referendum.

6 I recommend that the referendum area should coincide with the neighbourhood area.

Andrew Ashcroft
Independent Examiner
18 November 2026

1 Introduction

1.1 This report sets out the findings of the independent examination of the Fazeley Neighbourhood Development Plan 2026-2043 ('the Plan').

1.2 The Plan was submitted to Lichfield District Council (LDC) by Fazeley Town Council (FTC) 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 (NPPF) in 2012, 2018, 2019, 2021, 2023, 2024 and 2026. The NPPF continues to be the principal element of national planning policy.

1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises indirectly from my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.

1.5 A neighbourhood plan can be narrow or broad in scope and can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan has been designed to be distinctive in general terms, and to be complementary to the existing development plan. It includes a variety of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. It includes policies on heritage-led regeneration, public realm in the town centre and the designation of local green spaces.

1.6 Within the context set out above, this report assesses whether the Plan 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.

1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome, the Plan would then be used to determine planning applications within the neighbourhood area and will 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 relevant legislative and procedural requirements.

2.2 I was appointed by LDC, with the consent of FTC, to conduct the examination of the Plan and to prepare this report. I am independent of both LDC and FTC. 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 a Director of Andrew Ashcroft Planning Limited. In previous roles, I have 43 years' experience in various local authorities at either Head of Planning or Service Director level and more recently as an independent examiner. I have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral System.

Examination Outcomes

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 Plan as submitted should proceed to a referendum; or
(b) that the Plan should proceed to referendum as modified (based on my recommendations); or
(c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.

2.5 The outcome of the examination is set out in Section 8 of this report.

Other examination matters

2.6 In examining the Plan, I am 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.

2.7 I have addressed the matters identified in paragraph 2.6 of this report and am satisfied that they have been met.

2.8 Section 98 of the Levelling-up and Regeneration Act 2023 came into force in March 2026. It requires that a neighbourhood plan:

- so far as the qualifying body considers appropriate, and having regard to the subject matter of the plan, must be designed to ensure that the development and use of land in the neighbourhood area contribute to the mitigation of, and adaptation to, climate change; and
- so far as the qualifying body considers appropriate and having regard to the subject matter of the plan, must be designed to take account of any local nature recovery strategy under section 104 of the Environment Act 2021 that relates to all or part of the neighbourhood plan area.

2.9 I have addressed these two matters and have taken account of the comprehensive information in the Basic Conditions Statement. I am satisfied that the submitted Plan complies with these two requirements. Section 6 of this report comments more widely on the basic conditions.

3 Procedural Matters

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

- the submitted Plan.
- the Basic Conditions Statement.
- the Consultation Statement.
- the LDC SEA/HRA screening reports.
- the representations made to the Plan.
- FTC's responses to the clarification note.
- the adopted Lichfield Local Plan Strategy (2015)
- the adopted Lichfield District Local Plan Allocations (2019)
- the National Planning Policy Framework (December 2024 and August 2026).
- Planning Practice Guidance.
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 5 October 2026. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular.

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 concluded that the Plan could be examined by way of written representations. I was assisted in this process by the comprehensive nature of many of the representations and the way in which the Plan has been developed.

3.4 A revised version of the NPPF was published in August 2026. The implementation arrangement in its Annex A advise that plans submitted before its publication date (17 August 2026) will have been prepared on the basis of the 2024 version of the NPPF. This applies to the submitted Plan. The examination has continued on this basis. Any references to the NPPF in this report are to the December 2024 version of the document.

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 (as amended), FTC prepared a Consultation Statement. It is proportionate to the neighbourhood area and its policies. It sets out key findings in a concise report which is supported by more detailed appendices. The appendices helpfully reproduce some of the material used by FTC to engage people in the plan preparation process. Appendix 1 provides a timeline of the various consultation exercises that took place.

4.3 Section 2 of the Statement comments the initial exercises that were undertaken to engage key organisations and local residents.

4.4 Section 3 of the Statement provides specific details on the consultation processes that took place on the pre-submission version of the Plan (March to April 2026).

4.5 Appendix 6 of the Statement also provides the details of the ways in which the Plan was refined because of this process and the detailed comments received. This helps to describe the way in which the Plan evolved.

4.6 I am satisfied that consultation has been an important element of 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. From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process. LDC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

Consultation Responses

4.7 Consultation on the submitted plan was undertaken by LDC. It ended on 14 September 2026. This exercise generated representations from the following organisations:

- Historic England
- Staffordshire County Council
- National Grid
- National Gas
- David Barton
- Canal and River Trust
- Redrow Homes
- Bloor Homes
- Natural England

- Lichfield District Council

4.8 I have taken account of all the representations in preparing this report. Where it is appropriate to do so, I refer to specific representations on a policy-by-policy basis.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

5.1 The neighbourhood area is the parish of Fazeley. It is located approximately 7 miles south-east of Lichfield, and 1.3 miles south of the centre of Tamworth, which Fazeley adjoins to the north. It is located on the traditional route of the A5. It had a population of around 4,600 in 2021. It was designated as a neighbourhood area on 11 July 2018. Fazeley has good access to the national motorway network, a regular bus service to Tamworth and Birmingham and a rail station at Tamworth which has a Crossrail service to London and services to Derby and Birmingham. There is also a station at Wilnecote.

5.2 The town of Fazeley is largely residential in character. Local shops and services are concentrated around the road junction, including a small convenience store, public houses, takeaways and a petrol station and the Town Hall and public square. There is another small group of shops at Mile Oak. There are several small industrial estates and workshops in converted former mill buildings, largely clustered around the canal. The built-up area is concentrated from the area around the road junction of Lichfield Street, Atherstone Street, Coleshill Street and Fazeley Road, with linear development extending westwards along Lichfield Street/Watling Street towards Mile Oak. It is surrounded by Green Belt the north, south and west.

5.3 The neighbourhood area has an interesting industrial history. The Birmingham and Fazeley Canal runs through Fazeley towards the River Tame. The Fazeley and Bonehill Conservation Area includes mills, watercourses, pools and other buildings and structures relating to the Peel family dating from around 1790 - 1850. In the round, it is a very interesting area within which to produce a neighbourhood plan.

Development Plan Context

5.4 The development plan for the neighbourhood area is the Local Plan Strategy (2015) and the Lichfield District Local Plans Allocations (2019). Local Plan Strategy Core Policy 1 identifies Fazeley as one of six Key Rural Settlements which will provide approximately 16% of housing in the district and act as a focus for rural employment creation and where there will be retention of local services and facilities to meet the needs of the local population and smaller outlying villages.

5.5 The Local Plan Strategy contains a Vision and several policies for the Fazeley, Mile Oak & Bonehill area. Policy Faz1: Fazeley, Mile Oak & Bonehill Environment supports initiatives to improve the local environment including bringing derelict buildings back into use, improving the town centre and improvements to green infrastructure and green spaces. The policy also advises that the separate identities of the different settlements will be respected, and the Conservation Area will be protected. Policy Faz2: Fazeley, Mile Oak & Bonehill Services & Facilities resists the loss of local community facilities and supports initiatives to enhance existing provision of amenities and services. Policy Faz3: Fazeley, Mile Oak and Bonehill Economy supports initiatives which improve accessibility to jobs and training and new businesses particularly where they support tourism. Policy Faz4: Fazeley, Mile Oak & Bonehill Housing supports the delivery of 280 to 350 homes. Infill development and the re-use

of existing buildings and brownfield land is prioritised and homes will meet the needs of the local community by providing a suitable range of house types and tenures.

5.6 Outside the built-up area the neighbourhood area is protected by Green Belt policies.

5.7 The Local Plan Strategy (2015) is helpfully underpinned by the Lichfield District Local Plans Allocations (2019). It allocates two sites in the neighbourhood area - site FZ2 (Fazeley, Mile Oak & Bonehill 2): Tolsons Mill, Lichfield Street, Fazeley (100 homes) and site FZ3 (Fazeley, Mile Oak & Bonehill 3): Land at 15 The Green, Bonehill (7 homes). These allocations provide for approximately 107 dwellings (including a number of already committed sites) to ensure that the overall requirements as set out within the Local Plan Strategy are met.

5.8 The Basic Conditions Statement usefully highlights the key policies in the development plan and how they relate to policies in the submitted Plan. The submitted Plan has been prepared within its wider development plan context. In doing so it has relied on up-to-date information and research that has underpinned existing planning policy documents. This is good practice and reflects key elements in Planning Practice Guidance on this matter.

5.9 LDC is updating its development plan. The proposed submission version of a local plan was withdrawn in October 2023. LDC is now working on a new-style local plan. It will set out a strategy for development for the district over the period 2026-2046, and will include local planning policies and site allocations. The LDC website indicates that a Gateway 1 Self-Assessment at the end of October 2026 has started the process. The published timetable indicated that the Plan will be adopted in April 2029.

Visit to the neighbourhood area

5.10 I visited the neighbourhood area on 5 October 2026. I approached it along the A5 and Mile Oak. This helped me to understand its position in the wider landscape in general, and its accessibility to the strategic road network. I looked initially at the town centre. I saw the way that it was based around the junction of Atherstone Road, Tamworth Road and Coleshill Street.

5.11 I then looked at the canal network to the immediate north of Lichfield Street and walked along the towpath to the south past Tolsons Mill. It was a fascinating part of the visit alongside a very pleasant walk.

5.12 Throughout the visit I looked carefully at the proposed local green spaces. In doing so I saw the significance of the Mile Oak Rovers Football Club and the ‘Mile of Oaks’.

5.13 I left the neighbourhood area on Atherstone Street/Watling Street and drove to Wilnecote. This part of the visit helped me to understand the relationship between the neighbourhood area and this important settlement based around the historic route of Watling Street.

6 The Neighbourhood Plan and the Basic Conditions

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 in the preparation of this section of the report. It is an informative and well-presented document.

6.2 As part of this process, I must consider whether the submitted Plan 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;
- contribute to the achievement of sustainable development;
- not have the effect of preventing development from taking place which is proposed in the development plan for the area of the authority (or any part of that area), and if it took place, would provide housing;
- not breach, and otherwise be compatible with, the assimilated obligations of EU legislation (as consolidated in the Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendment) Regulations 2023; and
- not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

I assess the Plan against the basic conditions under the following headings:

National Planning Policies and Guidance

6.3 For the purposes of this examination, the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework December 2024 (NPPF).

6.4 The NPPF sets out a range of land-use planning principles to underpin both plan-making and decision-taking. The following are particularly relevant to the Fazeley Neighbourhood Development Plan:

- a plan-led system - in this case the relationship between the neighbourhood plan and the development plan context as described in Section 5 of this report;
- building a strong, competitive economy;
- recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
- taking account of the different roles and characters of different areas;
- highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
- conserving heritage assets in a manner appropriate to their significance.

6.5 Neighbourhood plans sit within this wider context both generally and within the more specific presumption in favour of sustainable development. Paragraph 13 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 development plan.

6.6 In addition to the NPPF I have also taken account of other elements of national planning policy, including Planning Practice Guidance and the recent ministerial statements.

6.7 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance subject to the recommended modifications in this report. It includes a variety of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. It includes policies on heritage-led regeneration, public realm in the town centre and the designation of local green spaces.

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 (paragraph 16d). This was reinforced with the publication of Planning Practice Guidance. Paragraph ID: 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. Most 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. I am satisfied that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan includes a policy for heritage-led regeneration (Policy F6). In the social dimension, it includes policies on open spaces (Policy F9), and on local green spaces (Policy F10). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It has policies on local character and design (Policies F2 and F3), on public realm (Policy F4), and on the natural environment (Policy F7). This assessment overlaps with the details on this matter in the submitted Basic Conditions Statement.

Not have the effect of preventing development from taking place which is proposed in the development plan for the area of the authority (or any part of that area), and if it took place, would provide housing

6.11 I have already commented in detail on the development plan context in the district in Section 5 of this report.

6.12 The Basic Conditions Statement comments that Plan does not contain site allocations for new housing as the FTC has decided that this should be determined in the new Local Plan. It acknowledges that it is possible that some sites will be proposed in the Green Belt. It also comments that the Plan contains Local Green Spaces but these are small in scale and within the built-up area and so are unlikely to have the effect of preventing housing development from taking place. The plan's policies are positively worded to provide detail and to add local context to strategic policies, recognising that local residents and stakeholders have concerns about major development proposals and the potential impact on the town's heritage and identity. Policies refer to heritage assets and the Fazeley Civil Parish Design Guidelines and Design Codes which all support a positive local planning framework to inform future decisions on housing and other development in the neighbourhood area. This should help to make sure new development responds positively to the many natural and built heritage assets in the area and supports their protection and enhancement.

6.13 The Basic Conditions Statement concludes on this matter by advising that the Plan's policies should not have the effect of preventing housing development which is proposed in the Local Plan, or which may come forward in the Plan period. It also advises that the Plan contains policies and proposals to help ensure proposals for new residential development are well designed. I agree with these conclusions and am satisfied that the Plan meets this basic condition.

Strategic Environmental Assessment

6.14 The Neighbourhood Plan (General) (Amendment) Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.

6.15 In order to comply with this requirement, LDC undertook a screening exercise in January 2026 on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. It concludes that the Plan does not propose more development than is set out within the adopted local plan and that it seeks to maintain the designation of several Local Green Spaces. The suite of policies included within the plan are not considered to restrict development or seek to propose greater development than is set out within the adopted local plan. On this basis it concludes that Strategic Environmental Assessment will not be required.

Habitats Regulations Assessment

6.16 LDC also prepared a Habitats Regulations Assessment (HRA) of the Plan at the same time. This part of the report is similarly thorough and well-constructed. It assesses the

potential impact of the Plan's policies a series of protected sites (as set out in its Annex 2).

6.17 The assessment concludes that none of the policies within the Plan are likely to have significant impacts upon the European sites identified within the assessment. On this basis, the assessment concluded that further stages of HRA assessment for the Plan is not required.

6.18 I have reviewed the information provided to me as part of the examination. In this context, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. None of the statutory consultees have raised any concerns regarding either neighbourhood plan obligations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of the regulations.

Human Rights

6.19 In a similar fashion I am satisfied that the submitted Plan 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 Plan does not breach, nor is in any way incompatible with the ECHR.

Summary

6.20 On the basis of my assessment of the Plan in this section of my report I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.

7 The Neighbourhood Plan policies

7.1 This section of the report comments on the policies in the Plan. It makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.

7.2 The recommendations focus on the policies in the Plan given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.

7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the Plan area. The wider community and FTC have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.

7.4 The Plan has been designed to reflect Planning Practice Guidance (ID:41-004-20190509) which indicates that neighbourhood plans should address the development and use of land.

7.5 I have addressed the policies in the order that they appear in the submitted Plan.

7.6 For clarity, this section of the report comments on each of the policies in the Plan.

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.

The initial parts of the Plan (Sections 1-3)

7.8 The Plan is very well-organised and presented. It makes an appropriate distinction between the policies and their supporting text. The initial elements of the Plan set the scene for the policies. They are proportionate to the neighbourhood area and the subsequent policies.

7.9 The Introduction sets the scene for the Plan. It defines the neighbourhood area (on Map 1), and advises about the Plan period (in paragraph 1,2.3). This part of the Plan also comments about how it was prepared. It overlaps with the Consultation Statement. Figure 1 sets out the key stages of Plan preparation.

7.10 Section 2 comments about the neighbourhood area to good effect. This part of the Plan provides a solid context for several of the policies.

7.11 Section 3 sets out the vision, aim and objectives for the Plan. It makes a strong functional relationship between the various issues and, in several cases, they set a useful context for the resulting policies. The Vision neatly summarises the approach taken as follows:

‘*By 2043 the unique heritage of Fazeley will be celebrated as an asset and integrated into Fazeley’s regeneration and physical enhancement. Local communities throughout the area will be more prosperous and healthier, benefitting from safe, attractive and accessible green spaces and recreation facilities, and enhanced transport connectivity*

which encourages active and sustainable travel choices and reduced reliance on cars. Local wildlife and biodiversity will be protected and enhanced.'

7.12 The Vision is supported by six objectives. A key success of the Plan is the way in which each objective provides details about the way in which it underpins certain policies in the Plan. This is best practice.

7.13 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

Policy F1: Design Guidance for Heritage Assets

7.14 This is an important policy which celebrates the rich heritage of the neighbourhood area. At its heart is that development proposals should preserve and enhance the character of the Fazeley and Bonehill Conservation Area, listed heritage assets, and non-designated heritage assets. The policy has detailed sections on:

- Fazeley and Bonehill Conservation Area;
- Listed Buildings; and
- Non designated Heritage Assets.

7.15 In general terms, the policy takes a positive and locally distinctive approach to these matters and has regard to Section 16 of the NPPF. In this context, I recommend two detailed modifications to the wording used in the policy so that they acknowledge the role of a neighbourhood plan within the wider development plan. Otherwise, I am satisfied that the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

In B1 replace 'permitted' with 'supported'

In B2 replace 'must' with 'should'

Policy F2: Responding to Local Character

7.16 This is another important policy. In this case, it seeks to ensure that development proposals respond positively to local character. It advises that development should demonstrate a high standard of design which responds to the specific site and context to create a locally distinctive sense of place. In order to achieve this, designs will be expected to incorporate five design principles:

- Block Structure and Building Line;
- Building Heights and Roofline;
- Building Typologies, Materiality and Design;
- Density and Housing Layout; and
- Materials and Design.

7.17 This is a very good policy which responds to the national agenda to secure high quality local design. It is helpfully underpinned by the details in the Design Guidelines & Design Codes (Appendix C). In the round it is an excellent local response to Section 12 of the NPPF.

7.18 The various design principles carefully set out important factors which development proposals should address. However, I recommend that this element of the policy should be applied as appropriate to the scale, nature and location of the proposal concerned. This will acknowledge that minor and domestic proposals will not trigger the consideration of many of the design principles. FTC agreed to this approach in its response to the clarification note.

7.19 Otherwise, I am satisfied that the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace 'In order to achieve this, designs will be expected to incorporate the following design principles:' with 'In order to achieve this approach, as appropriate to their scale, nature and location, development proposals should incorporate the following design principles:'

Policy F3: Sustainable Design

7.20 This is an important policy on sustainable design. The supporting text advises that the Fazeley Civil Parish Design Guidelines & Design Codes includes Design Codes for Town Structure and Forms (Part 4.4) and Materials and Design (Part 4.6). A series of Design Codes will apply to residential developments according to the local context. As part of this work, character appraisals were undertaken to consider the key characteristics of character areas within Fazeley. These include Settlement Focus Areas (SFAs) and Countryside Focus Areas (CFAs). Proposed developments should consider the characteristics and descriptions of the relevant character areas in order to avoid negative impacts.

7.21 The policy comments that development proposals should demonstrate how they have incorporated principles which promote sustainable design. Five principles are highlighted.

7.23 The policy takes a positive and non-prescriptive approach which has regard to Section 12 of the NPPF. In this context I am satisfied that the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Policy F4: Enhancing the Public Realm in Fazeley Town Centre

7.24 The Plan advises that the responses to the consultation on Vision and Objectives and Key Planning Themes showed general support for the Plan to address the public realm and to improve accessibility for pedestrians and cyclists. The Plan therefore includes policies to support public realm improvements in the town centre and around the Town Hall.

7.25 This policy advises that proposals which enhance and improve the public realm within Fazeley Town Centre will be supported. It also comments that any such proposals will be expected to incorporate seven measures.

7.26 In general terms, the policy takes a positive approach to the town centre and its public realm and has regard to Sections 7, 8 and 12 of the NPPF. I note the specific measures listed in the policy (A-G). Nevertheless, it is unlikely that a development proposal would address each of the seven measures. In this context, I recommend that 'Such proposals will be expected to incorporate the following measures:' is replaced by 'Proposals which incorporate any or all of the following measures will be particularly supported:' FTC agreed with this approach in its response to the clarification note.

7.27 Otherwise, I am satisfied that the policy meets the basic conditions. It will contribute to the local delivery of each of the three dimensions of sustainable development

In the second part of the policy replace 'Such proposals will be expected to incorporate the following measures:' is replaced by 'Proposals which incorporate any or all of the following measures will be particularly supported:'

Policy F5: Improving Accessibility for All

7.28 This policy has the same context as that for Policy F4. In this case, the policy comments that new development should include linkages to existing footpaths and cycle routes and the canal network where opportunities exist in order to improve connectivity between existing networks and to enhance the attractiveness of walking and cycling in Fazeley.

7.29 The policy takes a positive approach to these matters and has regard to Sections 7, 8 and 12 of the NPPF. In this broader context, I recommend that the first part of the policy is modified so that it can be applied in a proportionate way by LDC, and where it is practicable to do so.

7.30 Otherwise, I am satisfied that the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the first part of the policy with:

'Wherever practicable, and as appropriate to their scale, nature and location, development proposals should include linkages to existing footpaths and cycle routes and the canal network in order to improve connectivity between existing networks and to enhance the attractiveness of walking and cycling in Fazeley.'

Policy F6: Supporting Heritage-Led Regeneration and the Visitor

7.31 This is another important policy in the Plan. It reflects the rich historic and archaeological heritage in the neighbourhood area and offers support to proposals which lead to regeneration of local heritage and encourage growth in the local visitor economy. It has a focus on the sensitive restoration and re-use of vacant buildings and brownfield sites associated with the area's industrial heritage

7.32 The policy takes a very positive approach to these matters and has regard to Sections 6, 12 and 16 of the NPPF. In this context, I recommend that the first two parts of the policy are combined so that they naturally flow one from the other. I also recommend a modification to the wording of the fourth part of the policy so that it relates to the

practicality of development proposals achieving safe and accessible linkages to walking and cycling networks. Otherwise, I am satisfied that the policy meets the basic conditions. It will contribute to the local delivery of each of the three dimensions of sustainable development.

Replace the first and second parts of the policy with:

'Proposals for heritage-led economic regeneration projects which would contribute to the growing visitor economy in Fazeley will be supported, including those for the sensitive restoration and re-use of vacant buildings and brownfield sites associated with the area's industrial heritage. Such projects should demonstrate how they enhance the public realm and their designs should provide a lively and visually appealing streetscape which encourages social interaction and provides visual appeal to visitors.'

In the fourth part of the policy replace 'possible' with 'practicable'

Policy F7: Conserving and Enhancing Fazeley's Natural Environment

7.33 This policy reflects local feedback as the Plan was being prepared and national policy on the natural environment. The policy advises that development should ensure that Fazeley's wildlife and landscape character are maintained, restored and enhanced. It advises that this should be achieved by incorporating six measures into landscaping schemes.

7.34 The policy takes a positive approach to these matters and has regard to Section 15 of the NPPF. In this broader context, I recommend that the first part of the policy is modified so that it can be applied in a proportionate way by LDC, and where it is practicable to do so. Otherwise, I am satisfied that the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the opening element of the policy with:

'Wherever practicable, development should ensure that Fazeley's wildlife and landscape character are maintained, restored and enhanced.

As appropriate to the scale, nature and location of development proposals this should be achieved by incorporating the following measures into landscaping schemes:'

Policy F8: Flooding

7.35 The Plan advises that Local Plan Strategy Core Policy 3: Delivering Sustainable Development supports sustainable drainage techniques and guides development away from known areas of flood risk. It also comments that the Section on Fazeley, Mile Oak & Bonehill notes that the settlement is at risk of flooding, particularly around the Fazeley/Brook End area.

7.36 The policy comments that proposals for new development should consider flood risk, where appropriate, and include measures that mitigate and adapt to the anticipated

impacts of climate change. All development, where appropriate, should demonstrate that it would not increase flood risk within the neighbourhood area. Development proposals (excluding minor development) will be required to implement forms of Sustainable Drainage Systems (SuDS) to reduce risks of surface water flooding.

7.37 In general terms, the policy takes a positive approach to flooding and has regard to Section 14 of the NPPF. Nevertheless, as submitted, the policy has a very matter of fact approach. In this context, I recommend that it is modified so that it takes a proportionate approach, and is applied where practicable and where necessary. Otherwise, I am satisfied that the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the first part of the policy with: 'As appropriate to their scale, nature and location, development proposals for new development should consider flood risk and include measures that mitigate and adapt to the anticipated impacts of climate change. Additionally, they should demonstrate that it would not increase flood risk within the neighbourhood area.'

Replace the second part of the policy with: 'Wherever practicable, development proposals (excluding minor development) should incorporate forms of Sustainable Drainage Systems (SuDS) to reduce risks of surface water flooding.'

At the beginning of the fourth part of the policy add: 'Where necessary,'

Policy F9: Open Spaces

7.38 The supporting text advises that the Plan provides an opportunity to identify and support improvements to public open spaces so that local residents benefit in terms of health and wellbeing and can access opportunities for physical exercise and activity. The Plan also comments that the Fazeley Civil Parish Design Guidelines & Design Codes considers the importance of Open Spaces in Part 4.8 Environment and Biodiversity Design Code: Open Spaces (OS). Finally, the supporting text comments that the various types of green spaces often play an essential role in the character of the settlement and local amenity and it is important that these areas are identified, and development is resisted, in order to conserve settlement character.

7.39 The policy comments that open spaces in Fazeley will be protected and, where possible, enhanced. It also advises that where new open spaces are provided as part of housing developments schemes should incorporate three measures.

7.40 The policy takes a positive approach to these issues and has regard to Section 8 of the NPPF. Within this context, I recommend a modification to the policy so that its wording is simplified and will bring the clarity required by the NPPF. Otherwise, I am satisfied that the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the opening element of the second part of the policy with: 'New open spaces provided as part of housing developments schemes should incorporate the following measures:'

Policy F10: Local Green Spaces

7.41 The policy proposes the designation of three local green spaces (LGSs). I looked at the proposed Local Green Spaces (LGSs) carefully during the visit. I saw their significance within the town.

7.42 The descriptions of the three proposed LGSs in paragraph 4.3.30 provide a very useful context to the proposed designations. On the one hand, the first policy element takes the matter-of-fact approach as set out in paragraph 108 of the NPPF. However, on the other hand, the second policy element comments about the type of enhancements that development proposals should make to LGSs. On this basis I sought advice from FTC about the way it had pursued the second policy element. In its response to the clarification note, it commented that:

'The proposed improvements were added to the Policy following consideration of the response by Lichfield District Council to the Reg 14 consultation. *Fazeley Town Council has recently installed new play equipment to the rear of Victory Terrace at a cost of £100,000 and will continue to seek developer contributions and other funding to continue much needed improvements to the open space. The proposed improvements in the Policy provide an appropriate framework for negotiations with developers and decision making.'*

7.43 I have considered this matter carefully. On the balance of the evidence, I have concluded that the Plan's approach towards LGSs goes well beyond the national matter of fact approach in paragraph 108 of the NPPF. Furthermore, the additional details in the second element of the policy are already addressed in paragraph 4.3.29 of the Plan as potential outcomes for the use of developer contribution payments. On this basis I recommend that the final part of the policy is deleted.

7.44 Otherwise, I am satisfied that the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Delete the final part of the policy

The Next Steps (Section 4)

7.45 The Plan sets out how the Plan will progress after the examination. Whilst it is factually correct, it will serve no purpose in the remaining stages of plan-making. On this basis I recommend that it is deleted.

Delete Section 4

Other Matters – General

7.46 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly because of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan because of the recommended modifications to the policies. Similarly, changes may be necessary to paragraph numbers in the Plan or to

accommodate other administrative matters. It will be appropriate for LDC and FTC to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

Modification of general text to achieve consistency with the modified policies and to accommodate any administrative and technical changes.

Other Matters – Specific

7.47 LDC has made a series of helpful comments on the Plan. I have included them in the recommended modifications on a policy-by-policy basis where they are required to ensure that the Plan meets the basic conditions.

7.48 I also recommend a detailed modification to the text of the Plan based on LDC's comments. It provides a more detailed update on progress on the emerging Lichfield District Local Plan 2046.

Replace paragraph 1.2.2 with:

'Lichfield District Council has formally commenced production of a new Local Plan (Lichfield District Local Plan 2046) for the district, following the introduction of a new national plan making system in March 2026. The Council published its Notice of Commencement and its local plan timetable in June 2026. The timetable sets out key dates and milestones that the new Plan will have to meet. It is expected that the Plan will be adopted in April 2029, at which point it will replace the current Local Plan Strategy and the Local Plan Allocations document.'

7.49 I have considered the other representations received. Whilst they raise interesting comments and suggestions, I am not persuaded that the suggested changes to the Plan are necessary to ensure that it meets the basic conditions.

8 Summary and Conclusions

Summary

8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2043. It is a very effective Plan. In addition, it is distinctive in addressing a specific set of issues that have been identified and refined by the wider community. It incorporates a variety of policies and seeks to bring forward positive and sustainable development in the neighbourhood area and includes policies on heritage-led regeneration, public realm in the town centre and the designation of local green spaces.

8.2 Following the independent examination of the Plan, I have concluded that the Fazeley Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

Conclusion

8.3 On the basis of the findings in this report, I recommend to Lichfield District Council that, subject to the incorporation of the modifications set out in this report, the Fazeley Neighbourhood Development Plan should proceed to referendum.

Other Matters

8.4 I am required to consider whether the referendum area should be extended beyond the defined neighbourhood area. In my view, the neighbourhood area is entirely appropriate for this purpose 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 11 July 2018.

8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth manner. The Town Council's responses to the clarification note were detailed and informative and the District Council managed the process in a very effective way.

Andrew Ashcroft
Independent Examiner
18 November 2026