

## Appendix

### **Examination of Hampton in Arden NDP – Examiner’s Recommended Modifications (as included in examiner’s report) & Local Planning Authority (LPA) Response to Each (in Italics)**

#### **Recommendation 1:**

Add to the Basic Conditions Statement a brief paragraph setting out the ways in which the Plan contributes to the achievement of sustainable development.

*LPA response – Agree subject to satisfactory wording*

#### **Recommendation 2:**

Update the start date for the Plan and remove ‘Submission Draft February 2016’; amend the document footer accordingly.

*LPA response - Agree*

#### **Recommendation 3:**

Delete the Foreword and amend the Contents page accordingly. The Contents page should also be completely reviewed in the light of the other Recommendations as to content set out below.

*LPA response - Agree*

#### **Recommendation 4:**

Delete the Executive Summary and amend the Contents page accordingly. Add back into the Contents page the (final) listing of Policies, by reference and title, under the relevant topic headings.

*LPA response – Agree*

**Recommendation 5:** In Figure 1.1 remove all boundaries other than the Neighbourhood Area and retitle the Figure and section 1.1 as ‘The Neighbourhood Area’.

*LPA response - Agree*

#### **Recommendation 6:**

Correct para 1.1.8 to read: ‘In the 2011 Census the Parish was shown to have 803 dwellings and a population of 1,834’.

*LPA response - Agree*

#### **Recommendation 7:**

Amend para 1.2.1 to say: ‘In June 2013 Solihull Metropolitan Borough Council (hereafter referred to as Solihull MBC) designated the Parish of Hampton-in-Arden as a Neighbourhood Area. This enabled the Parish Council to proceed to prepare a Neighbourhood Development Plan. The Parish has chosen to extend the Plan document to include Key Actions which, since they do not relate to land use matters, cannot be used for formal Development Plan purposes but rather they outline important issues that the Parish Council will seek to progress over the period of the Plan in line with the Plan vision and objectives. The two types of content are distinguished by the use of two colours: Development Plan policies are clearly identified by blue text boxes whereas the Key Actions solely for the Parish Council are identified by green text boxes.’

***LPA response - Agree***

**Recommendation 8:**

Amend para 1.2.3 in line with the revised para 1.2.1 i.e. omit the last two sentences that duplicate the reference to Key Actions.

***LPA response - Agree***

**Recommendation 9:**

Amend para 1.2.4 (and its related footnote) to refer to the submitted Plan document and to reference all the accompanying documents.

***LPA response - Agree***

**Recommendation 10:**

Amend para 1.3.2 to include the actual wording from the NPPF and note that further detail is included in the Basic Conditions Statement accompanying the Plan:

“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.”

***LPA response - Agree***

**Recommendation 11:**

Replace the general reference in para 1.3.1 that seeks to explain the ‘presumption in favour of sustainable development’ with the more neighbourhood plan specific explanation from the NPPF (para 16): “neighbourhoods should:

- develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development;
- plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan.”

***LPA response - Agree***

**Recommendation 12:**

Amend para 1.3.6 to open with: ‘The Neighbourhood Plan is written to be in general conformity with the strategic policies of the Solihull Development Plan....’

***LPA response - Agree***

**Recommendation 13:**

Devise a more explanatory approach for the content of para 1.3.8 better setting out the relationship for the Plan Area between the Local Plan and the priorities for the neighbourhood plan.

***LPA response – Agree subject to satisfactory wording***

**Recommendation 14:**

In para 1.4 remove ‘the accountable body’ and replace with ‘the Qualifying Body’.

***LPA response - Agree***

**Recommendation 15:**

In para 1.4.5 remove 'Following confirmation of 'relevant body' status in 2013' and so the paragraph will start with 'Extensive consultation has been.....'

***LPA response - Agree***

**Recommendation 16:**

Amend the reference in para 1.4.8 to omit reference to 'Submission Draft'.

***LPA response - Agree***

**Recommendation 17:**

Delete paras 1.4.13 to 1.4.15.

***LPA response - Agree***

**Recommendation 18:**

In para 2.1.1 correct the span of years covered by the Plan.

***LPA response - Agree***

**Recommendation 19:**

Delete the final sentence of para 2.2.1.

***LPA response - Agree***

**Recommendation 20:**

Reduce para 2.2.2 to a simple sentence noting the nature of concerns as actually expressed during the consultations, with updated timescale details, rather than assertions which are not factually based.

***LPA response – Agree subject to satisfactory wording***

**Recommendation 21:**

Reduce para 2.2.3 to a simple sentence noting the nature of concerns as actually expressed during the consultations, with any updated timescale details, rather than assertions which are not factually based.

***LPA response – Agree subject to satisfactory wording***

**Recommendation 22:** Reduce para 2.2.4 to a simple sentence noting the nature of concerns as actually expressed during the consultations rather than assertions which are not factually based.

***LPA response – Agree subject to satisfactory wording***

**Recommendation 23:**

Reduce paras 2.2.5 & 2.2.6 to a simple sentence noting the concerns as actually expressed during the consultations rather than assertions which are not factually based.

***LPA response – Agree subject to satisfactory wording***

**Recommendation 24:**

Add after the first sentence of para 2.2.8 a bracketed reference or footnote indicating that the detail for the housing site identified is: (Solihull Local Plan 2013 p87 Site 24).

***LPA response - Agree***

**Recommendation 25:**

Delete para 2.2.9 and replace with the first two sentences from para 3.1.1 (but with a single source referencing).

***LPA response - Agree***

**Recommendation 26:**

Remove from para 2.2.12 extraneous, duplicate or unsubstantiated references and matters which are not about the 'Historic and Natural Environment'.

***LPA response – Agree subject to satisfactory wording***

**Recommendation 27:**

Omit the words 'the provision of' from Objective one at para 2.3.1.

***LPA response - Agree***

**Recommendation 28:**

Add the words 'within the Parish' in place of the undefined detail "(including the Meriden Gap)" in para 2.3.1.

***LPA response - Agree***

**Recommendation 29:**

Add at the commencement of Section 3: 'The Key Actions included here (clearly identified in Green text boxes) cannot be used for formal Development Plan purposes since they do not relate to land use matters; rather they outline important issues that the Parish Council will seek to progress over the period of the Plan in line with the Plan vision and objectives'.

***LPA response - Agree***

**Recommendation 30:**

Redraft paras 3.1.1 & 3.1.2 along these lines: '3.1.1 The housing situation in Hampton-in-Arden and Catherine-de-Barnes broadly reflects that in the Borough and the Solihull Development Plan sets out proposals for meeting housing needs (Policy P4 Meeting Housing Needs & Policy P5 Provision of Land for Housing). In particular (and as noted earlier) the Development Plan allocates a site within the Parish for 110 houses (Solihull Local Plan 2013 p87 Site 24). In the Meeting Housing Needs Supplementary Planning Document (SPD) the Parish is identified as one of the Rural Housing Market Areas where "there is a strong mismatch between the local housing demand of newly forming households...and the housing supply. The Council will [generally] seek 40% of all new market dwellings to be 1 or 2 bedrooms in size" (para 9.7). The SPD also includes a Rural Exceptions Policy in order to "increase the supply of affordable housing in rural areas and to enable these Parishes and Neighbourhoods to meet their own local housing needs".

3.1.2 In view of the existing Local Plan commitment of land for 110 houses, this Plan does not include for any additional land allocation for housing. Instead the Plan provides policy guidance supportive of particular types of proposals for housing that address identified local needs.'

***LPA response - Agree***

**Recommendation 31:**

In para 3.1.3 provide the source and the basis (local or national) for the averaging of the proportion of family homes.

***LPA response - Agree***

**Recommendation 32:**

Correct the title for Figure 3.1 to 'The Green Belt Area within the Parish'.

***LPA response - Agree***

**Recommendations 33:**

In Policy HOU1: amend the first sentence to replace 'encouraged' with 'supported'; delete the last bullet point beginning 'development proposals within the Conservation Area...'

***LPA response - Agree***

**Recommendation 34:**

Edit Policy HOU2 to read: 'All new developments must have regard to the Hampton-in-Arden Village Design Statement and, where appropriate, the Conservation Area Appraisal.'

***LPA response - Agree***

**Recommendation 35:**

Amend the Key Action HOU1 box along these lines: 'A site of 2.79ha off Meriden Road for an estimated 110 dwellings is identified in the Solihull Development Plan for release in 2023. However, changes in circumstances or policy could result in an earlier release. It is intended that the site will only be released conditionally on the reclaiming of the Arden Wood Shavings site for open space. In the event that this site is unavailable an alternative solution for delivering the additional open space will be needed. The Parish Council will publicise proposals and work with residents to identify favoured options.'

***LPA response – Agree if as recommended or otherwise satisfactory wording***

**Recommendation 36:**

Delete the second paragraph of the Policy ECN1 and recast this as Key Action ECN3.

***LPA response - Agree***

**Recommendation 37:**

Rephrase Policy ECN2 as: 'The creation of small scale business accommodation on brownfield sites or other suitable sites within the built-up area will be supported provided:

- there is a sufficient and acceptable loading, delivery and despatch arrangement including staff and visitor parking,
- it can be demonstrated that the impact on any neighbouring residences has been considered and is acceptably small, and
- it can be demonstrated that the impact on the environment and visual amenity has been considered and is acceptably small.

Proposals that require a planning consent and would result in the loss of existing business premises will not be supported unless they are an appropriate part of a

wider scheme that will deliver business benefits or it is evidenced that the business is no longer viable.’

***LPA response - Agree***

**Recommendation 38:**

Recast Policies TRA1 to TRA4 as Key Actions and renumber the subsequent TRA Key Actions accordingly. Update and edit the narrative content where appropriate.

***LPA response - Agree***

**Recommendation 39:**

Reduce para 3.3.13 to a simple sentence noting the general nature of concerns rather than assertions which are not evidenced as factually based.

***LPA response – Agree subject to satisfactory wording***

**Recommendation 40:**

In para 3.4.3 change the noted landscape description from that for ‘Arden Pastures’ to that for ‘Arden Parklands’ and amend footnote 31 to reference page 17 [not page 13].

***LPA response - Agree***

**Recommendation 41:**

Reorder the content of paras 3.4.10 to 3.4.12 to ensure that they fully address each and every one of the NPPF criteria in turn.

***LPA response - Agree***

**Recommendation 42:**

Amend the last sentence of para 3.4.13 to read: ‘The Blythe Valley also provides a wildlife migration corridor within the Parish.’

***LPA response - Agree***

**Recommendation 43:**

Add a photo illustration of View 2 adjacent to para 3.4.17, cross reference both photos to the map that is Figure 3.4 and include a note: ‘These illustrative photographs can only provide a limited representation of the views being protected.’

***LPA response - Agree***

**Recommendation 44:**

Delete Policy ENV1 and adjust the numbering of subsequent policies accordingly.

***LPA response - Agree***

**Recommendation 45:**

Re-edit Policy ENV2 as:

‘All development proposals should include a landscaping scheme that:

- wherever possible retains existing mature and established trees;
- provides for additional tree planting to enhance, soften and screen the development;
- utilises tree species that reflect the existing pattern of tree cover in the Parish; and
- wherever possible includes for some semi-mature trees to aid the early maturity of the landscaping.’

***LPA response - Agree***

**Recommendation 46:** Reword Policy ENV4 as:

‘The areas scheduled below (and identified in the related Figure 3.3) are designated and protected as Local Green Spaces (as defined in the National Planning Policy Framework).’

[add in a schedule of the sites, the land around the Spinney could be a single entry]

***LPA response - Agree***

**Recommendation 47:**

Delete Policy ENV4 and adjust the numbering of subsequent policies accordingly.

***LPA response - Agree***

**Recommendation 48:**

Delete Policy ENV5 and adjust the numbering of subsequent policies accordingly.

***LPA response - Agree***

**Recommendation 49:**

Re-edit Policy ENV6 as: ‘Two views of importance to the setting of Hampton-in-Arden and its Conservation Area will be protected; the views are scheduled below (and identified in the related Figure 3.4). Development proposals affecting these open vistas must consider, address and minimise their impact.’

[add in a schedule of the two views but describe each as ‘view’ rather than ‘those’]

***LPA response - Agree***

**Recommendation 50:**

Under the Historic Environment heading, replace each reference to ‘Scheduled Ancient Monument’ or variants with the current term ‘Scheduled Monument’.

***LPA response - Agree***

**Recommendation 51:**

Amend Policy ENV7 as: ‘All the Parish heritage assets, whether designated or not, and their settings are valued and all development proposals that may affect an asset must sensitively consider and address their potential impact. Appropriate regard should always be demonstrated for the Hampton-in-Arden Village Design Statement.’

***LPA response - Agree***

**Recommendation 52:**

Delete from para 3.5.1 the sentences: “However, the viability of the school is threatened by the construction of HS2” and “The churchyard has a cemetery which requires extension or a site elsewhere”.

***LPA response - Agree***

**Recommendations 53:**

Rewrite the Policy COMM1 as: ‘Proposals that ensure the retention and improvement of key local facilities will be supported. Any redevelopment for an alternative purpose will only be supported if the facility affected is replaced by an equivalent or better provision in an equally suitable and accessible location or where it is evidenced that the facility is no longer viable. These facilities (as at 2017) are

scheduled here (and identified on the related Figure 3.5):' [add in a schedule and cross reference this to a map added as Figure 3.5]

***LPA response – Agree subject to satisfactory schedule***

**Recommendation 54:**

Rewrite the pre-amble within Policy COMM2 as: 'Funds made available to the Parish through the Community Infrastructure Levy<sup>42</sup> will make contributions toward appropriate community infrastructure, which may include:...'

[add in the schedule as shown]

***LPA response – Agree subject to satisfactory schedule***

**Recommendation 55:**

Delete Section 4.1 and renumber section 4.2 accordingly.

***LPA response - Agree***

**Recommendation 56:**

Delete Section 5 and recheck that all the footnotes are complete and the references are current and accurate.

***LPA response - Agree***