

# **TANWORTH NEIGHBOURHOOD DEVELOPMENT PLAN 2011 - 2031**

**The Report of the Independent Examiner to Stratford-on-Avon District Council  
on the Tanworth Neighbourhood Development Plan**

**Andrew Matheson MSc MPA DipTP MRTPI FCIH  
Independent Examiner  
28<sup>th</sup> February 2022**

## Summary

I was appointed by Stratford-on-Avon District Council, in agreement with the Tanworth in Arden Parish Council, in August 2021 to undertake the Independent Examination of the Tanworth Neighbourhood Development Plan.

The Examination has been undertaken by written representations. I visited the Neighbourhood Area on 26<sup>th</sup> January 2022 after resolving my initial enquiries of the Qualifying Body.

The Neighbourhood Development Plan proposes a local range of policies and seeks to bring forward positive and sustainable development in the Tanworth in Arden Neighbourhood Area. There is an evident focus on safeguarding the very distinctive, local character of the area whilst accommodating future change and growth.

The Plan has been underpinned by extensive community support and engagement. The social, environmental and economic aspects of the issues identified have been brought together into a coherent plan which adds appropriate local detail to sit alongside the Stratford-on-Avon District Core Strategy.

Subject to a series of recommended modifications set out in this Report I have concluded that the Tanworth Neighbourhood Development Plan meets all the necessary legal requirements and should proceed to referendum.

I recommend that the referendum should be held within the Neighbourhood Area.

## Report Index

	<i>Page</i>
Introduction	3
The Role of the Independent Examiner	3
Tanworth in Arden Neighbourhood Area	4
Consultation	5
Representations Received	6
The Neighbourhood Development Plan	6
Basic Conditions	7
The Plan in Detail:	8
Front Cover	8
Table of Contents	8
1. Introduction	8
2. Housing	9
3. Economy	16
4. Infrastructure	18
5. The Built Environment	19
6. The Natural Environment	20
Appendices	22
Other Matter Raised in Representations	22
EU and ECHR Obligations	22
Conclusions	24
Listing of Recommendations	25

## **Introduction**

This report sets out the findings of the Independent Examination of the Tanworth Neighbourhood Development Plan (NDP) 2011 - 2031. The Plan was submitted to Stratford-on-Avon District Council by Tanworth in Arden Parish Council in their capacity as the 'qualifying body' responsible for preparing the Neighbourhood Plan.

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 incorporated within the National Planning Policy Framework (NPPF) in 2012 and this continues to be the principal element of national planning policy. A new NPPF was published in July 2021 and it is against the content of this NPPF that the Plan is examined. The changes between the 2019 and 2021 revisions of the NPPF have not been significant in the examination of Policies in this Plan.

This report assesses whether the Tanworth Neighbourhood Development Plan is legally compliant and meets the 'basic conditions' that such plans are required to meet. It also considers the content of the Plan and, where necessary, recommends modifications to its policies and supporting text. This report also provides a recommendation as to whether the Tanworth Neighbourhood Development Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome, the Tanworth Neighbourhood Development Plan would then be used in the process of determining planning applications within the Plan boundary as an integral part of the wider Development Plan.

## **The Role of the Independent Examiner**

The Examiner's role is to ensure that any submitted Neighbourhood Plan meets the legislative and procedural requirements. I was appointed by Stratford-on-Avon District Council, in agreement with Tanworth in Arden Parish Council, to conduct the Examination of the Tanworth Neighbourhood Development Plan and to report my findings. I am independent of both Stratford-on-Avon District Council and Tanworth in Arden Parish Council. I do not have any interest in any land that may be affected by the Plan.

I possess the appropriate qualifications and experience to undertake this role. I have over 40 years' experience in various local authorities and third sector bodies as well as with the professional body for planners in the United Kingdom. I am a Chartered Town Planner and a panel member for the Neighbourhood Planning Independent Examiner Referral Service (NPIERS). I am a Member of the Royal Town Planning Institute.

In my role as Independent Examiner I am required to recommend one of the following outcomes of the Examination:

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

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. 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 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 2004;
- the Neighbourhood Plan meets the requirements of Section 38B of the 2004 Act (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.

These are helpfully covered in the submitted Basic Conditions Statement and, subject to the contents of this Report, I can confirm that I am satisfied that each of the above points has been properly addressed and met.

In undertaking this Examination I have considered the following documents:

- Tanworth Neighbourhood Development Plan 2011 - 2031 as submitted
- Tanworth Neighbourhood Development Plan Basic Conditions Statement (June 2021)
- Tanworth Neighbourhood Development Plan Consultation Statement (June 2021)
- Tanworth in Arden "Report on Identifying Possible Housing Sites" (2017)
- Strategic Environmental Assessment and Habitats Regulations Assessment of the Tanworth in Arden Neighbourhood Development Plan (December 2019)
- Content at: [www.stratford.gov.uk/planning-building/tanworth-in-arden-neighbourhood-plan.cfm](http://www.stratford.gov.uk/planning-building/tanworth-in-arden-neighbourhood-plan.cfm)
- Content at: [www.tanworth-pc.org.uk/Neighbourhood\\_Development\\_Plan\\_17180.aspx](http://www.tanworth-pc.org.uk/Neighbourhood_Development_Plan_17180.aspx)
- Representations made to the Regulation 16 public consultation on the Tanworth Neighbourhood Development Plan
- The Stratford-on-Avon District Core Strategy adopted in 2016
- The Stratford-on-Avon District Development Requirements Supplementary Planning Document (SPD)
- The Stratford-on-Avon District Site Allocations Plan Preferred Options Consultation Version (October 2020)
- National Planning Policy Framework (NPPF) (2021)
- Neighbourhood Planning Regulations (2012)
- Planning Practice Guidance (PPG) (March 2014 and subsequent updates)

I carried out an unaccompanied visit to the Neighbourhood Area on 26<sup>th</sup> January 2022. I looked at all the various sites and locations identified in the Plan document in their rural setting.

The legislation establishes that, as a general rule, Neighbourhood Plan examinations should be held without a public hearing, by written representations only. Having considered all the information before me, including the representations made to the submitted plan which I felt made their points with clarity, I was satisfied that the Tanworth Neighbourhood Development Plan could be examined without the need for a public hearing and I advised Stratford-on-Avon District Council accordingly. The Qualifying Body and the Local Planning Authority have helpfully responded to my enquiries so that I may have a thorough understanding of the facts and thinking behind the Plan, and the correspondence is being shown on Stratford-on-Avon District Council's Neighbourhood Planning website for the Tanworth Neighbourhood Development Plan.

### **Tanworth in Arden Neighbourhood Area**

A map showing the boundary of the Tanworth in Arden Neighbourhood Area has been provided within the Neighbourhood Plan. Further to an application made by Tanworth in

Arden Parish Council, Stratford-on-Avon District Council approved the designation of the Neighbourhood Area on 6<sup>th</sup> October 2014. This satisfied the requirement in line with the purposes of preparing a Neighbourhood Plan under section 61G(1) of the Town and Country Planning Act 1990 (as amended).

## **Consultation**

In accordance with the Neighbourhood Planning (General) Regulations 2012, the Qualifying Body has prepared a Consultation Statement to accompany the Plan.

The Planning Practice Guidance says:

“A qualifying body should be inclusive and open in the preparation of its Neighbourhood Plan [or Order] and ensure that the wider community:

- is kept fully informed of what is being proposed
- is able to make their views known throughout the process
- has opportunities to be actively involved in shaping the emerging Neighbourhood Plan [or Order]
- is made aware of how their views have informed the draft Neighbourhood Plan [or Order].” (Reference ID: 41-047-20140306)

The submitted Consultation Statement confirms as long ago as February 2014 the Parish Council sought interest from residents and over 40 joined the initial Neighbourhood Development (NDP) Plan Steering Group. I note that the views of residents and local businesses have been sought at three key stages:

- a) At the outset, in 2015, through questionnaires sent to all households and to businesses in the Parish.
- b) In 2018, a major consultation exercise on possible policies and proposals for inclusion in the NDP. This involved questionnaires delivered to every household and most businesses, open days and public meetings.
- c) Pre-submission consultation in 2020 on a full draft of the NDP in accordance with provisions of Regulation 14 Neighbourhood planning (General) Regulations.

In relation to these I note that the initial questionnaire survey was volunteer delivered to every household so that each member of the household on the electoral roll could complete their own questionnaire. An excellent total of 870 questionnaires were completed and returned representing 34% of the electoral roll. A total of 88 businesses plus farmers were identified in the Parish and a questionnaire was sent to each together with a prepaid envelope to return the questionnaires. The response rate was approximately 25%.

The 2018 Consultation Paper was 20 pages including a two page executive summary. The latter was sent to every household and to 100 businesses in the Parish together with a covering letter explaining the purpose of the consultation, a questionnaire and a prepaid envelope for returning the completed questionnaire. The letter explained that the full Consultation paper (and supporting documents) were on the Council’s website and where paper copies were available. Two open days were also publicised, one in Tanworth and one in Earlswood, to provide an opportunity for discussion of the proposals with Councillors and the members of the small working group. At the open days, visitors were given the opportunity to write their views on each possible policy on large wall charts; these were used to help in interpreting the numerical results from the questionnaire. Two public meetings were also organised by the two Residents’ Associations in the Parish, attended by 60 residents at each. Of the 1300 households in the Parish 260 returned completed questionnaire - a response rate of 20%. The response rate from businesses was only 3% but possibly reflected the finding from the initial survey that businesses did not have any significant concerns about the future planning of the Parish.

The official Regulation 14 six-week consultation period on the Pre-Submission Tanworth Neighbourhood Development Plan ran from 10<sup>th</sup> February 2020 to 27<sup>th</sup> March 2020. I note that it had been intended that the consultation period should run from 27<sup>th</sup> January 2020 but errors on the NDP document required amendments and it was decided to re-run the notices. The practical effect was that for residents and other parties the consultation period ran for more than 8 weeks. Notice that the draft Neighbourhood Plan was available for consultation; the period of consultation, where the Plan could be inspected and how to respond was publicised as follows:

- a) On the Parish Council website
- b) In two local newspapers: the Stratford Herald and the Solihull Observer.
- c) On each of the four Parish Council Notice Boards
- d) In the Tanworth Parish magazine
- e) To local and statutory bodies.
- f) To owners of individual properties affected by proposed policies on non-designated heritage assets and Local Green Spaces.

The many responses to the consultation are shown in Appendices to the Consultation Statement with details of how these comments influenced the redrafting of the Plan prior to submission.

Accordingly, overall, I am satisfied that the consultation process accords with the requirements of the Regulations and the Practice Guidance and that, in having regard to national policy and guidance, the Basic Conditions have been met. In reaching my own conclusions about the specifics of the content of the Plan I will later note points of agreement or disagreement with Regulation 16 representations, just as the Qualifying Body has already done for earlier consultations. That does not imply or suggest that the consultation has been inadequate, merely that a test against the Basic Conditions is being applied.

### **Representations Received**

Consultation on the submitted Plan, in accordance with Neighbourhood Planning Regulation 16, was undertaken by Stratford-on-Avon District Council from Thursday 22<sup>nd</sup> July to Friday 10<sup>th</sup> September 2021. I have been passed the representations – 19 in total – which were generated by the consultation and which are included alongside the submitted Plan on Stratford-on-Avon District Council's Neighbourhood Planning website. I have not mentioned every representation individually within this Report but this is not because they have not been thoroughly read and considered in relation to my Examiner role, rather their detail may not add to the pressing of my related recommendations which must ensure that the Basic Conditions are met.

### **The Neighbourhood Development Plan**

Tanworth in Arden Parish Council is to be congratulated on its extensive efforts to produce a Neighbourhood Plan for their area that will guide development activity over the period to 2031. I can see that a sustained effort has been put into developing a Plan around a vision for the Plan to protect, and where possible enhance, the features and attributes of the Parish that residents value and, as far as it is able, to tackle the issues identified by residents and businesses within the context of the Green Belt (para 1.17 of the Submission Plan). The Plan document is well presented with a combination of text, maps and Policies that are, subject to the specific points that I make below, well laid out and helpful for the reader; an absence of images within the main text will perhaps make the Plan less inviting for some and the Qualifying Body may wish to review this when finalising the document to go to referendum. The Plan has been kept to a manageable length by not overextending the potential subject matter and the coverage of that.

It is an expectation of Neighbourhood Plans that they should address the issues that are identified through community consultation, set within the context of higher-level planning



policies. There is no prescribed content and no requirement that the robustness of proposals should be tested to the extent prescribed for Local Plans. Where there has been a failure by the Qualifying Body to address an issue in the round, leading to an inadequate statement of policy, it is part of my role wherever possible to see that the community's intent is sustained in an appropriately modified wording for the policy. It is evident that the community has made positive use of "direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area" (Planning Practice Guidance Reference ID: 41-001-20140306).

Individually I can see that the Policies address legitimate matters for a Neighbourhood Plan as identified with the community. I will later look at the Policies in turn so as to ensure that the Basic Conditions are met, which include an obligation to be in general conformity with Core Strategy strategic policies. Having considered all the evidence and representations submitted as part of the Examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It works from a positive vision for the future of the Neighbourhood Area and promotes policies that are, subject to amendment to variable degrees, proportionate and sustainable. The Plan sets out the community's priorities whilst seeking to identify and safeguard Tanworth in Arden's distinctive features and character. The plan-making had to find ways to reconcile the external challenges that are perceived as likely to affect the area with the positive vision agreed with the community. All such difficult tasks were approached with transparency, with input as required and support from the Stratford-on-Avon District Council.

However, in the writing up of the work into the Plan document, it is sometimes the case that the phraseology is imprecise, not helpful, or it falls short in justifying aspects of the selected policy. This is not uncommon in a community-prepared planning document and something that can readily be addressed in most instances. Accordingly, I have been obliged to recommend modifications so as to ensure both clarity and meeting of the 'Basic Conditions'. In particular, Plan policies as submitted may not meet the obligation to "contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals" (NPPF para 16). I bring this particular reference to the fore because it will be evident as I examine the policies individually and consider whether they meet or can meet the 'Basic Conditions'.

### **Basic Conditions**

The Independent Examiner is required to consider whether a Neighbourhood Plan meets the "Basic Conditions", as set out in law following the Localism Act 2011; in December 2018 a fifth Basic Condition was added relating to the Conservation of Habitats and Species Regulations 2017. 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 Plan for the area;
- be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations;
- not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017(d).

The submitted Basic Conditions Statement has very helpfully set out to address the issues in relation to these requirements in the same order as above and has tabulated the relationship between the policy content of the Plan and its higher tier equivalents. I note that the Core Strategy is the Stratford-on-Avon District Core Strategy adopted in 2016. From the accompanying Strategic Environmental Assessment and Habitats Regulations Assessment,



I am satisfied that the making of the Plan will not breach the Basic Condition relating to the Habitats and Species Regulations 2017.

I have examined and will below consider the Neighbourhood Plan against all of the Basic Conditions above, utilising the supporting material provided in the Basic Conditions Statement and other available evidence as appropriate.

### **The Plan in Detail**

I will address the aspects of the Neighbourhood Plan content that are relevant to the Examination in the same sequence as the Plan. Recommendations are identified with a bold heading and italics, and I have brought them together as a list at the end of the Report. For completeness, I have incorporated alterations suggested by SDC and agreed by the Qualifying Body prior to the Examination commencing.

#### **Front cover**

A Neighbourhood Plan must specify the period during which it is to have effect. I note that there is a prominent reference to the Plan period 2011 – 2031 on the front cover. However, the Plan was not submitted until 2021; since the Plan cannot be backdated and the Policies are not dependent on data anchored in 2011, the Plan period ought to commence in 2021. The references to “Submission Draft” can now be removed. The Qualifying Body agreed with these observations.

#### **Table of Contents**

The content listing will need to be reviewed in the light of my Recommendations below.

### **1. INTRODUCTION**

The Neighbourhood Plan is required to include a map of the designated “Neighbourhood Area”; I note that Figure 1 provides the required detail. Paragraph 1.18 says: “The Inset Proposals Maps below show the application of the key NDP policies to Earlswood, Tanworth and Wood End...”. It is implied but not stated that there are no applications of Policy outside of the inset map areas. “Designated” and “Potential” Wildlife Sites are identified but no evidence/reference is provided as to where/how the boundaries of each of these has been defined. In contrast, the Local Green Spaces selected for designation at Policy NE3 are not shown. In response to these factors the Qualifying Body has commented: “We suggest that the Inset Proposals Maps show Policies H1, H2, H3 (BUABs), NE1 (Valued Views) and NE3 (Local Green Spaces)” [Policy NE2 relating to Wildlife Sites being deleted]. I agree that this is appropriate, but as noted later I recommend the addition of content from Policy BE3, and the Recommendations below follow that approach.

The local authority has also requested that the detail about local planning documentation should be updated to include reference to documents in preparation. My Recommendations below therefore allow for this.

#### **Recommendation 1:**

*1.1 On the front cover and any later references amend the Plan period from “2011 – 2031” to ‘2021 – 2031’ and remove references to “Submission Draft”.*

*1.2 Under the heading “Introduction”:*

*1.2.1 In paragraph 1.2 replace “adopted” with ‘made’ (in inverted commas) and add after the last sentence: ‘A Site Allocations Plan (SAP) will also form part of the Development Plan once adopted. Stratford-on-Avon District Council, together with Warwick District Council, has also commenced work on the South Warwickshire Local Plan which will in due course replace the strategic policies of the Core Strategy.’*

1.2.2 In paragraph 1.5 replace “2019” with ‘2021’.

1.2.3 In paragraph 1.6, to the third bullet point add “‘The survey was repeated in July 2021 which found similar levels of housing need.’”; in the last bullet point replace “Each” with ‘In the “Report on Identifying Possible Housing Sites” (2017), each’.

1.2.4 Correct the heading before paragraph 1.9 to: ‘The Parish of Tanworth in Arden’ and within paragraph 1.9 replace “landscape” with ‘Landscape’.

1.2.5 In paragraph 1.10 replace the second sentence with ‘The heart of the village is located within a Conservation Area which includes many listed buildings, including the Grade I listed Parish Church of St. Mary Magdalene’. Insert here or hereabouts a map of the village showing the heritage assets, titled as such.

1.2.6 Amend the opening bullet point of paragraph 1.16 by replacing the words before the first comma with ‘Three villages (Tanworth, Earlswood and Wood End)’.

1.2.7 Amend Paragraph 1.18 to read:

‘The Inset Proposals Maps below show the application of the key NDP policies to Earlswood, Tanworth and Wood End. The maps should be read in conjunction with the related Policies and also, in the case of the Valued Views, Appendix C.’

1.2.8 Amend Figures 2, 3 & 4 to:

1.2.8.1 Ensure that the notations on the map are the same colours as the key.

1.2.8.2 Amend the keys (as appropriate) to show:

‘Local Housing Site (Policies H1 & H2)

Built-up Area Boundary (Policy H3)

Non-designated Heritage Assets (Policy BE3)

Valued Views (Policy NE1)

Local Green Spaces (Policy NE2)’

1.2.8.3 Amend the map content to accord exactly with the Recommendations below relating to the individual Policies being illustrated.

1.2.8.4 Provide a source reference for the base map and add north points.

1.2.9 Amend paragraph 1.19 to replace “National Regulations” with ‘national policy’.

## **2. HOUSING**

### **Policies H1 & H2 - Meeting Local Housing Needs**

I expressed to the Qualifying Body a concern about the detail of the supporting evidence for these two Policies – the NPPF paragraph 35 says that Plan Policies should be “based on proportionate evidence”. The supporting document “Report on Identifying Possible Housing Sites” (2017) looks at a wide range of possible sites but doesn’t explicitly assess them against the listed criteria, the Report merely notes the factors that have been vital to the recorded conclusion. A local resident is unconvinced that a fair assessment of traffic impacts has been made – “Why choose an area that is already very busy with people attending the amenities?” In their responses to representations, the Qualifying Body commented “The two sites identified for housing are outside the flood risk zones”. In both these specific instances I am not presented with evidence to support conclusions incorporated within the Plan. It is also unstated how the capacity of each site proposed for development has been assessed and there is no evidence to suggest that the sites selected are available and viable for

development, particularly since the dwellings are to be limited to smaller houses only; as noted above, the NPPF requires that policies be “deliverable”.

The Qualifying Body has responded:

“It was thought that we should show we had looked at everything before including any sites in the NDP. Many sites fell by the wayside because it was clear that development of them would damage one or more of the core purposes of the Green Belt as set out in para 138 of the NPPF. It was not thought necessary to score every site against every criterion but it was always open to interested parties to challenge what we had done. No one did so.” Whilst I note the point, transparency with the selection process demands that the process is explained before rather than after challenge, so as not to give rise to suspicions that data are being manipulated. An addition to the Plan document should suffice in this instance.

“As regards the one objection to the H2 site we can say no more than we have already that the additional traffic is de minimis. The owner commissioned a traffic survey which shows that traffic onto Broad Lane generated by the development would be less than 1% of current movements along Broad Lane. Wood End is identified in the Local Plan as a Local Service Village because of the service amenities mentioned. A reason for selecting this site is because of the proximity of those service amenities. The Highways Department have had the opportunity of commenting and have not raised concerns.” Again, this should helpfully be explained in the Plan.

In relation to my queries on actual flood risk the Qualifying Body commented: “You ask for the evidence. Work commissioned by the District Council from Peter Brett Consultants in connection with SHLAA for the Core Strategy produced maps detailing possible constraints to development. These maps included the designated flood zones. As it happens both sites are on high ground.” A reference to the flood zone maps should suffice.

“As regards deliverability the Warwickshire Housing Association have produced a draft scheme for H1 (layout and housing mix) which the owner, the Enclosure Award 1857 Trust, and the Parish Council have agreed in principle. In respect of H2 discussions were held with the owner during the preparation of the NDP and the text of Policy H2 was agreed with him.” I accept that appropriate steps have been taken to assure deliverability.

I expressed a further concern that a 2016 Housing Survey is too out of date to be useful. In response the Qualifying Body has provided a copy of a 2021 Survey that will need referencing in the Policy.

In relation to the wording of Policies H1 & H2:

- Both Policies allocate land for development, and therefore the wording should be explicit about that.
- The references to the Housing Needs Survey needs to be updated to 2021.
- The Policies should refer to the obligations that will be required for a Local Needs Scheme but not quote all or part of these since SDC may vary these at their discretion.
- The complete removal of permitted development rights to extend properties is not justified. The NPPF (paragraph 54) says: “planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so.” SDC has expressed a related concern: “as a matter of course, we do not at the current time remove PD rights unless there are particular reasons for doing so. When on occasion we do, the scope of such conditions needs to be precisely defined and related to some clearly identified harm that may arise if PD rights were not restricted.” Since we are not dealing here with a specialist form of housing, and by their nature smaller houses will have more restricted plots, I cannot conclude

that the available evidence suggests that the removal of significant permitted development rights is proportionate.

- Expecting the design of a development to be compatible with the “area as defined within this NDP” is unnecessarily cryptic. More clarity would be provided by explicit reference to the Character Assessments.

**Recommendation 2:**

Under the heading “2. Housing”:

2.1 Under the sub-heading “Background and Objectives”: in paragraph 2.6 replace “2016” with ‘2021’, replace “(28)” with ‘(25)’ and replace “17” with ‘29’.

2.2 Under the sub-heading “What is the scope for meeting the identified housing needs?”:

2.2.1 In paragraph 2.10 replace “145” with ‘149’ and amend the quotation from the NPPF to accord exactly with the 2021 NPPF.

2.2.2 In paragraph 2.12 replace “outstanding” with ‘extant’.

2.2.3 In paragraph 2.14:

2.2.3.1 After the first three sentences add:

‘Site suitability was also assessed on the basis of traffic impact, flood risk (by use of the Flood Maps at <https://api.warwickshire.gov.uk/documents/WCCC-680-7>) and, in consultation with the owners and prospective developers, capacity and deliverability.’

2.2.3.2 Replace the last three sentences with the following and move this to form a new paragraph 2.15 (replacing the existing):

‘The review eliminated the majority of sites because they could not be considered to be consistent with Green Belt Policy. However, two sites were identified which could contribute to a more diverse housing stock whilst respecting the community wish for smaller sites. The 2018 Consultation found support for the development of these, one, adjoining 141, The Common, Earlswood, and one on land behind the Warwickshire Lad on Broad Lane, Wood End. These two sites are included in the Plan (Policies H1 and H2).’

2.2.4 In paragraph 2.16 replace “(H6)” with ‘(H3)’.

2.3 Under the sub-heading “Policy H1 - Meeting Local Housing Needs (1)”:

2.3.1 Replace the opening sentence of Policy H1 with:

‘Land adjoining 141 The Common, Earlswood (as identified on the Earlswood Inset Proposals Map) is allocated for development of a small-scale community-led Local Needs Housing Scheme, subject to the following criteria being met.’

2.3.2 In criterion 1 replace “2016” with ‘2021’ and delete “commissioned by the Parish Council”.

2.3.3 Replace criterion 2 with:

‘A Section 106 Agreement is concluded that accords with Part S of Stratford-on-Avon District Council’s Development Requirements Supplementary Planning Document’ (or any update of this).’

2.3.4 Delete criterion 3 and renumber criterion 4 accordingly.

2.3.5 Amend criterion 4 by replacing “character of the area as defined within this NDP” with ‘the relevant Character Assessment that accompanies this Plan’.

2.3.6 To avoid splitting the Policies. move paragraph 2.17 to the “Explanation” section after Policy H2 and in paragraph 2.17 delete the content “Currently the conditions are” and the bullet points that follow.

2.4 Under the sub-heading “Policy H2 - Meeting Local Housing Needs (2)”:

2.4.1 Replace the opening sentence of Policy H2 with:

‘Land to the north of The Warwickshire Lad Public House, Wood End (as identified on the Wood End Inset Proposals Map) is allocated for development of a small-scale Local Needs Housing Scheme of 10 or fewer 2 and 3-bedroom dwellings, subject to the following criteria being met.’

2.4.2 Replace criterion 1 with:

‘The scheme will contribute towards meeting the local housing needs identified in the Tanworth 2021 Housing Needs Survey (or any subsequent update) and the need for smaller homes to help rebalance the housing stock in the Neighbourhood Area.’

2.4.3 Replace criterion 2 with:

‘A Section 106 Agreement is concluded that accords with Part S of Stratford-on-Avon District Council’s Development Requirements Supplementary Planning Document’ (or any update of this).’

2.4.4 Delete criterion 3 and renumber criterion 4 accordingly.

2.4.5 Amend criterion 4 by replacing “character of the area as defined within this NDP” with “the relevant Character Assessment that accompanies this Plan”.

2.4.6 Delete paragraph 2.20 and renumber subsequent paragraphs accordingly.

As amended Policies H1 & H2 meet the Basic Conditions.

### **Policy H3 - Village Boundaries**

NDP paragraph 2.22 says: “In accordance with Core Strategy Policy CS.15 (d), the District Council requires a defined BUAB for each of the LSVs [Local Service Villages], either identified in an NDP or by the Council in its proposed Site Allocations Plan.” I presume the reference is to Policy CS.15 D, but there is no equivalent wording there. Having said that, I can see that the draft Site Allocations Plan 2019, now withdrawn, provided for BUABs for LSVs, including those washed over by Green Belt. The local authority noted in the draft Site Allocations Plan Section 4) that “Policy CS.16 [sic] in the adopted Core Strategy has established the principle of using Built-Up Area Boundaries (BUABs) as a mechanism for managing the location of development” and “it is appropriate to define BUABs for Local Service Villages to coincide with the physical confines of these settlements as the two are clearly meant to be interchangeable in accordance with Part D in Policy CS.16.” It is therefore unclear why differences of boundary have arisen between the Site Allocations Plan and the Neighbourhood Development Plan. I was concerned that the Qualifying Body might be using non-BUAB criteria to redefine a BUAB.

The Qualifying Body has explained: “At each stage we have sought to use the SDC BUABs, rather than attempt to do the job ourselves. In other words the NDP methodology is the latest SDC methodology and the BUABs should be the same - with one exception. The exception concerns three properties in Vicarage Hill Tanworth which we consider are outside “the physical confines of the settlement”. The SDC methodology does not really cover the question of where a settlement starts and finishes. In many cases it is obvious, but in others the settlement can tail off gradually and people can reasonably make different choices. This is not an issue of interpretation of garden land: the NDP excludes the entirety of the three properties including all of their gardens .... We regret that two of the changes made by the



SDC (from the previous versions) have not been copied into the NDP BUABs. This will need to be done.’ However, the Qualifying Body has also added: “We note, which we should have done before, that the BUAB includes the tennis courts [within proposed Local Green Space 2]. The SDC methodology does not deal explicitly with such facilities but it clearly excludes play areas and recreation areas. It seems to us that tennis courts are play areas/recreation areas and the Tanworth BUAB excludes some of the school tarmacked playgrounds. We suggest therefore that the BUAB be amended as shown on Appendix B [accompanying the comments]. This will resolve the conflict in boundaries raised by Councillor Dixon’s objection.”

The District Council has provided me with the current “Methodology for defining Built-up Area Boundaries” which is included as Annex 4 to the “Site Allocations Plan Preferred Options Consultation Version (October 2020)”. I note that the Methodology says that, *inter alia*, the following are to be “included” within the BUAB:

- Community buildings and their immediate curtilage (excluding associated playing fields or open spaces on the edge of a settlement);
- Dwellings and areas of lawful residential curtilage (excluding areas of land that are clearly paddocks or orchards or land more appropriately defined as ‘non-urban’)

And the following are to be “excluded” from the BUAB:

- Play areas, recreation areas and open spaces on the edge of a settlement (including Public Open Space associated with planning permissions);
- Paddocks, orchards, and other land more appropriately defined as ‘non-urban’ and agricultural land on the edge of a settlement;
- Large mansions (e.g. ‘Manor Houses’) and their associated curtilage on the edge of a settlement;
- Agricultural land associated with farm buildings located on the edge of a settlement
- Dwellings on the periphery of settlements where there are intervening land uses deemed to be non-domestic in nature

On the basis that the tennis courts within proposed Local Green Space 2 can be described as “associated playing fields or open spaces on the edge of a settlement” and therefore excluded from the “immediate curtilage” of a community building, I agree with the Qualifying Body that the BUAB should exclude those tennis courts. The areas of the “three properties in Vicarage Hill Tanworth” are less straightforward to determine. I believe it is possible that the property known as “Merryfields” might come within the category of “Large mansions and their associated curtilage on the edge of a settlement” but perhaps the building does not quite equate to the exemplified “Manor Houses”. However, the nature of the extensive plots for “Merryfields” and “Thurleston” certainly are a significant contrast to the other plots included within the BUAB and, comparatively, they are more akin to plots excluded from the BUAB eg Shenstone House to the South. Therefore, I believe that they may be “more appropriately defined as ‘non-urban’”. The smaller intervening property “Tile House” might therefore be grouped with them into that category. The extensive wooden-boarded fence on the frontage of “Thurleston” does somewhat undermine the rural character, but the BUAB criteria clearly relate to the nature of the land, not particular aspects of its appearance. Accordingly, I agree with the Qualifying Body that the area of three properties to the west of Vicarage Hill, Tanworth should be excluded from the BUAB. Local community knowledge has certainly been helpful here in interpreting features on the ground.

A representation has raised a concern in relation to Land at Merewood Farm. SDC has confirmed that planning permission was granted in December last year for the erection of 3 bungalows on the site (21/02771/FUL). In accordance with the BUAB Methodology “Sites with extant planning permission” should be included within the BUAB and therefore the

Earlswood BUAB needs to be amended to accommodate the actual site of the referenced permission.

The corrections to the BUAB boundaries must be incorporated within the Inset Policy Maps and corrections are required to the NPPF references within the Policy.

**Recommendation 3:**

*3.1 Within the Inset Policy Maps included in Section 1, correct all BUAB boundaries to coincide exactly with the SDC versions but varied as follows:*

- *for Tanworth in Arden to exclude three properties in Vicarage Hill, Tanworth ('Merryfileds', 'Tile House' and 'Thurlaston') and the tennis courts adjacent to Local Green Space 2;*
- *for Earlswood to include the whole of the site at Merewood Farm consented by permission reference 21/02771/FUL.*

*3.2 Within Policy H3:*

*3.2.1 In the first sentence replace "proposals set out in this plan" with 'Policies set out in this Plan'.*

*3.2.2 In the second sentence replace "145" with '149', "2019" with '2021' and correct "AS10" to 'CS.10'.*

*3.3 In paragraph 2.22 replace the first sentence with 'Policy CS.15 in the adopted Core Strategy has established the principle of using Built-Up Area Boundaries (BUABs) as a mechanism for managing the location of development; the boundary can be identified in a NDP or by the Council in its proposed Site Allocations Plan.'*

*3.4 In paragraph 2.23 replace "with a very few exceptions" with 'only two exceptions'; replace the last two sentences with: 'The two exceptions relate to a slightly different application of the SDC BUAB criteria, which are set down in Annex 4 to the Site Allocations Plan Preferred Options Consultation Version (October 2020). One difference is at Vicarage Hill, Tanworth where the "physical confines of the settlement" are considered by local people to be tighter than the SDC version. And the other where a tennis court has been excluded from the BUAB, in line with other exclusions of recreation areas. A third alteration relates to a correction to the boundary for a planning consent granted at Merewood Farm, Earlswood.'*

As amended Policy H3 meets the Basic Conditions.

**Policy H4 - Brownfield Sites**

In relation to Brownfield Sites, Core Strategy Policy CS.10 says the following would not be inappropriate: "The limited infilling or the partial or complete redevelopment of a previously developed ('brownfield') site, whether redundant or in continuing use (excluding temporary buildings), subject to it not having a materially greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development." It is therefore unclear what Policy H4 is designed to say that is different from this and particular to the Neighbourhood Area? The local authority has been obliged to comment: "Annex 2 of the NPPF details other types of land that do not constitute previously developed land. It is considered that this paragraph should include all of these types of land for completeness."; this illustrates the difficulty of wording NDP Policies that are well covered at other policy levels. The Qualifying Body agreed that Policy H4 should be deleted since it adds nothing to, and potentially confuses the content of, the Core Strategy.

**Recommendation 4:**

*Delete Policy H4 and paragraphs 2.24 & 2.25; renumber subsequent Policies and paragraphs accordingly.*



## **Policy H5 - Use of Garden Land**

Policy H5 has regard to the components of the NPPF and Core Strategy concerned with delivering a wide choice of high-quality homes, requiring good design and conserving and enhancing the rural environment.

Paragraph 2.28 notes “garden development outside the three main villages is not acceptable because of the Green Belt policies” but the Core Strategy Policy Map shows the whole of the Neighbourhood Area as within the Green Belt. The Qualifying Body agreed that the paragraph was superfluous. I am advised that the wording of Policy H5 is derived from the Claverdon Neighbourhood Plan, now made. However, the Examiner for that Plan amended the wording so that, from the Policy wording, it is evident how a decision maker should react to development proposals, as required by paragraph 16 of the NPPF. For the same reason I must recommend the same modifications,

The local authority has pointed out that “Criterion (2) would preclude garden land development in the majority of cases due to the settlement character of the Parish (as outlined in paragraph 2.30).” Essentially, criterion 2 is the negative form of criterion 1 and therefore the positive version is to be preferred.

In the supporting paragraphs, the use of the words “detrimental harm” in paragraphs 2.26 and 2.27 is tautology, it is sufficient to say ‘harm’. And in paragraph 2.27, harm ‘may’, but will not always, include the matters listed, depending on the circumstances.

### **Recommendation 5:**

*5.1 Within Policy H5 (now renumbered as H4):*

*5.1.1 In the opening sentence delete “under paragraph 1.18” since the Policy may be quoted in other documents.*

*5.1.2 In criterion 1 delete “the area” and insert ‘its surroundings’.*

*5.1.3 Delete criterion 2.*

*5.1.4 In criterion 4 delete “satisfactory” and insert ‘safe’, and delete “parking” and insert ‘will not result in additional on-road parking’.*

*5.2 In paragraphs 2.26 and 2.27 delete “detrimental” and in paragraph 2.27 replace “includes” with ‘may include’.*

*5.3 In paragraph 2.28 replace “is not acceptable” with ‘is generally not appropriate’.*

As amended Policy H4 (as renumbered) meets the Basic Conditions.

## **Policy H6 – Management of change in the housing stock**

The detailing of element 2 in this Policy – relating to “Extensions to, or replacement of, existing dwellings” - is neither justified nor evidenced in terms of what the Policy can expect to achieve; why 1975 (whereas the NPPF defines “original building” as: “A building as it existed on 1 July 1948”); and why 30% for *all* dwellings when the Policy is about smaller dwellings and paragraph 4.1.9 of the Core Strategy notes: “The Council previously applied a 30% maximum threshold relating to the scale of a house extension and replacement dwelling. However, it is considered that a specific maximum figure is in many senses arbitrary and a more appropriate means of maintaining openness is to consider proposals on a case-by-case basis, from the starting point that maintaining openness and preventing urban sprawl is of utmost importance. Such an approach would also conflict less and be more consistent with changes to the General Permitted Development Order (GPDO)

regarding the ability of homeowners to extend their homes without necessarily requiring planning consent.”

The Qualifying Body has commented: “...it was [SDC] who suggested that as well as dealing with the problem [of housing stock imbalance] by providing for new smaller homes we should tackle the causes of the problem. Initially we looked at trying to restrict new development to smaller homes but apart from the sites referred to in Policies H1 and H2 new development will be limited to infill, and the limited infill opportunities are in areas nearly always characterised by large houses. It seemed therefore that there were practical problems in developing a workable policy along those lines. The only other approach is to limit the scale of replacement dwellings and extensions.” However, adapting a Core Strategy policy approach to maintaining openness and preventing urban sprawl is not appropriate, as outlined above. A simpler form of words can support the desired message.

### **Recommendation 6:**

*6.1 Reword Policy H6 (now renumbered as Policy H5) as:*

*‘In order that future development of the housing stock of the Parish best meets the specific needs of the local community:*

*1) Infilling with smaller dwellings will be supported where the design and layout is compatible with the character of the surroundings (see Policies H4 and BE1);*

*2) The loss of smaller dwellings through replacement will be resisted.’*

*6.2 In paragraph 2.32 replace “That said, given the extent of opposition, this NDP sets a high bar to overcome as to the implications and hence acceptability of the development or conversion of existing dwellings to flats or apartments” with ‘Core Strategy Policies’.*

*6.3 Delete paragraphs 2.33 & 2.34.*

As amended Policy H5 (as renumbered) meets the Basic Conditions.

### **3. ECONOMY**

The Policies under this heading do not appear to add anything Area-specific to the general Policies set out in the Core Strategy. Policy E1 does not seem to derive from any assessment of the existing employment base, the suitability of sites and their capacity for expansion. The Qualifying Body has explained: “There are .... a number of established businesses and business parks within the parish which provide employment of services for local people. .... You are right that much of this is provided for within the existing Core Strategy but we believe this policy provides explicit support for such businesses to continue to exist and develop within the parish subject to local and immediate impact being managed.” The Policy may therefore be seen as a ‘vote of confidence’ in existing local businesses, but since no assessment has been made of individual sites, support ought to be ‘in principle’. Further, there is no value in stating the Green Belt issue both positively and negatively.

Policy E2 does not identify the particular businesses to which it relates and the most recent Government revision of Use Classes adds to the significant range of changes that can take place without great planning formality. It has however also added Class F2(a) “Shops (mostly) selling essential goods, including food, where the shop’s premises do not exceed 280 square metres and there is no other such facility within 1000 metres”, a change of use from which would require a planning consent. The Qualifying Body has explained: “As a rural parish with relatively few shops and services but with an ageing population it is important that such services are maintained where viable. There is [*sic*] also relatively few employment opportunities locally. Policy E2 is therefore drafted to provide that challenge similar to that of businesses and assets deemed community assets.” However, many changes might not require a planning consent and the Policy wording poorly supports the aim:

- it is indicated, by the use of “and”, that *all* the Policy elements need to be demonstrated but, for instance, “redevelopment” may not be proposed in all instances;
- a new service may be being proposed that would *better* meet local needs;
- element 1 lacks clarity on what “services” would count and how “local needs” might be defined;
- element 3 is unclear as to who might define and how “a more suitable site”;
- element 4 appears to be a repetition of other elements.

Revised wording is therefore needed.

With Policy E3 it is hard to envisage instances where the home-working use would give rise to the need for additional parking whilst still remaining domestic in character. Indeed, the Qualifying Body has responded “We agree that in many cases working at home will not mean additional parking but in some cases it can. For example a self employed person employing others as business grows.” But that example would almost certainly take the use out of home-working and into a mixed or commercial use for premises. Although I believe that most proposals will not require a planning consent, a simplified form of wording is recommended below.

As with Policy E1, Policy E4 does not seem to derive from any assessment of the existing tourism base, the suitability of sites and their capacity for expansion. The Qualifying Body has explained: “Policy E4 .... provides support for local businesses e.g. Earlswood Garden Centre, Umberslade Farm as well as local pubs and restaurants to continue to provide such services as required by day tourists who look to enjoy the rural character of the parish provided such development does not impact on the local character and amenity enjoyed by local residents.” As with Policy E1, this seems to be a ‘vote of confidence’ Policy, and since the, apparently good, business examples quoted are not expanded into a list, support ought to be ‘in principle’.

### **Recommendation 7:**

#### **7.1 Within Policy E1:**

*7.1.1 Between “supported” and “provide” add ‘, in principle,’; capitalise ‘Green Belt Policy’.*

*7.1.2 Delete the second sentence.*

#### **7.2 Under Policy E2:**

*7.2.1 Reword Policy E2 as:*

*‘To ensure their retention wherever possible, where a planning consent is required, proposals for the change of use or redevelopment of land or premises from which Local Services are provided must assess and address their impact on local service delivery and any appropriate mitigation. If business viability is a factor, compelling supporting evidence must be provided.’*

*7.2.2 Amend paragraph 3.7 to delete “criteria” from the third sentence.*

#### **7.3 Within Policy E3:**

*7.3.1 Delete criterion 1 and amend criterion 2 by adding ‘, including on-street parking’ after “amenity”.*

*7.3.2 Replace criterion 3 with ‘Green Belt Policy is complied with.’*

*7.4 Reword Policy E4 as: ‘Small scale expansion of local tourism and leisure uses, which might include enhancement of buildings, additional car parking, or additional facilities, will be*

*supported in principle where it is proportionate, compatible with neighbouring uses, can be shown to maintain or enhance the character and appearance of the immediate surroundings, and complies with Green Belt Policy.'*

As amended Policies E1 – E4 meet the Basic Conditions.

#### **4. INFRASTRUCTURE**

##### **Policy I1 Parking Provision at Railway Stations**

Whilst its purpose in facilitating the use of public transport is supported by higher level policies, it is difficult to see on what basis this Policy might be deliverable. Paragraph 4.4 notes that “Wood End and The Lakes [stations] would require new parking areas to be found and developed”, but no such land has been identified. The same paragraph suggests that the Train Operating Company is not envisaging any expansion of services. The Qualifying Body has commented: “We recognise that improvements to the parking provision at any of the stations is probably entirely dependent on action by the Train Operating company over which we have no control. But is it inappropriate for an NDP to say that should proposals be made they would be supported?” A more purposeful option available to Neighbourhood Plan is to allocate suitable land for the purpose. Whilst Policy i1 is more akin to a Parish Council Action Point, it may be deemed acceptable with minor modifications.

##### **Recommendation 8:**

*Within Policy I1 replace “modest” with ‘proportionate’ and after “supported” add ‘in principle, subject to appropriate screening and additional planting’.*

As amended Policy I1 meets the Basic Conditions.

##### **Policy I2 Improving broadband and mobile telephone service**

##### **Policy I3 Access to high speed broadband**

It is unclear why there is a need for two Policies here but further, the two in combination would not appear to say anything more in land use terms than the NPPF and Core Strategy. In particular paragraph 77 of the NPPF assures: “Applications for electronic communications development (including applications for prior approval under the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development” and there are listed a number of specific areas for this evidence to cover. Arguably, residents’ concerns are already suitably addressed.

In response to a local authority comment the Qualifying Body has responded: “There are lots of occasions where planning decisions require balancing one set of desirables against another without detailed criteria being set out.” But planning decisions are intended to be evidence based and criteria guide the evidence to be brought into play. The Qualifying Body has acknowledged that “this policy is potentially less relevant now than when the NDP was originally drafted”.

##### **Recommendation 9:**

*Delete Policies I2 and I3 and the related “Explanation” paragraphs 4.8 & 4.9; renumber subsequent paragraphs accordingly.*

##### **Supporting Actions**

At this juncture in the Plan document there is the first instance of a “Supporting Action”. Planning Policy Guidance says: “Wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, [but] actions dealing with non land use matters should be clearly identifiable. For example, set out in a companion document or annex.” (Planning Policy Guidance Paragraph: 004 Reference ID: 41-004-20170728). I note that, in addition to specific headings, italic letters are used to distinguish the relatively infrequent “Supporting Actions” from the “Policy” entries. I accept that this has

proportionately achieves the Guidance expectation that “non land use matters should be clearly identifiable”. The contrast between land use and non-land use elements would be helped further by the local authority suggestion for: “putting the policy wording in shaded boxes in order for it to stand out from remaining text. Also, make the policy numbers/titles more prominent.”. The Qualifying Body has accepted this constructive point.

**Recommendation 10:**

*Throughout the Policy section improve the contrast between the land use and non-land use elements by putting the Policy wording in shaded boxes and making the Policy numbers/titles more prominent.*

## **5. THE BUILT ENVIRONMENT**

### **Policy BE1 Responding to Local Character and Design Principles**

The context for this Policy is the 2021 NPPF with strengthened content relating to design and a Core Strategy design policy CS.9. I note the helpful Neighbourhood Area related Character Assessments included as an Appendix to the Plan. I also note that Historic England has commented: “The Character and Landscape Assessment Statements in Appendix A will no doubt prove invaluable in guiding the design proposals of intending developers. In this and other respects Historic England considers that the Plan takes an exemplary approach.” I had a concern that the largely generic “Design Principles” within the Policy detract from the locally specific Character Assessments but the Qualifying Body responded: “while some of the elements highlighted in Policy BE1 might be considered generic they are singled out because, in our experience of being a statutory consultee on planning applications, they are frequently relevant and important”. Accordingly, I make only minor modification recommendations to ensure clarity in the wording.

**Recommendation 11:**

*11.1 In paragraph 5.2 replace “125” with ‘127’ and correct the quotation with an opening quotation mark after “that” and then the following: ‘Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development ...’*

**11.2 Within Policy BE1:**

*11.2.1 In the opening sentence replace “will be supported provided that it can be demonstrated” with ‘must demonstrate’.*

*11.2.2 In Design Principle 1 replace “retention or provision” with ‘use’.*

*11.2.3 In Design Principle 4 relace “local” with ‘locally typical’.*

*11.2.4 In Design Principle 6 replace “listed buildings” with ‘Listed Buildings’ and delete “in line with national criteria”.*

*11.2.5 In Design Principle 7 delete “used in line with national criteria”.*

*11.2.6 Add a tenth Principle: ‘Incorporation within the design of an electric vehicle charging facility, bicycle storage and sufficient, well located parking spaces, in accordance with Part O of the District Council’s Development Requirements Supplementary Planning Documents and to help remove the need for any on-road parking’.*

As amended Policy BE1 meets the Basic Conditions.



### **Policy BE2 Car parking**

No current evidence is provided, and my visit to the Neighbourhood Area did not elicit any, to suggest that domestic parking within newer housing is such a significant issue in the Neighbourhood Area that a particular Neighbourhood Area Policy is required. As worded, in all important respects, the Policy repeats the local authority policy content and does not address the design considerations in a rural setting. Accordingly, I conclude that the above recommended modification to Policy BE1 is more appropriate.

#### **Recommendation 12:**

*Delete Policy BE2 and paragraphs 57 & 58 and renumber subsequent Policies and paragraphs accordingly.*

### **Policy BE3 Preservation of Historic Heritage**

I note that Appendix B lists the non-designated heritage assets to which Policy BE 3 refers. Appendix B provides a helpful, if brief, reasoning for the selection of those features now identified, the nature of which my visit confirmed. A mechanism doesn't presently exist for Appendix B to be regarded as a 'live list' but that would not prevent the use of a Supporting Action to provide a route for the identification of additional historic features. A map locating the features listed in the Appendix would be appropriate. To the latter point the Qualifying Body responded: "If there is not a map of designated assets we see little point in mapping the non-designated assets" but this rather misses the point that Listed Buildings are mapped by other authorities whereas the Neighbourhood Plan will be the only document identifying the non-designated heritage assets.

The Qualifying Body further advised "we have noticed that the Malt Shovel is already listed and should not have been included as a non designated heritage asset". My recommendations therefore include for that correction.

#### **Recommendation 13:**

*13.1 Amend Policy BE3 (now renumbered as Policy BE2) by adding after "Appendix B" 'and located on the Inset Policy Maps' and deleting "and compliance with Core Strategy Policy CS.8".*

*13.2 From paragraph 5.12 amend "should be seen as a live document" with 'and other non-designated assets could be added in the future". And delete from Appendix B "The list should be regarded as a live document, managed by the Parish Council with amendments made as appropriate at the time."*

*13.3 Within Appendix B remove the entry for the "Malt Shovel" under Non-designated Heritage Assets in Tanworth Conservation Area.*

As amended Policy BE2 (as renumbered) meets the Basic Conditions.

## **6. NATURAL ENVIRONMENT**

Policy NE1 Landscape, and Valued Views

Given the Green Belt and Special Arden Landscape status of the Area, significant development would not generally be envisaged and therefore the opening sentence of the Policy ought not to imply general support (and the reference should be to 'Appendix A', corrected from "Appendix 1").

I can see that the "views" identified in Appendix C add to and complement the landscape character assessments but nothing suggests that all of the views, without exception, are of such significance that the sort of small-scale development that might be anticipated could not be suitably mitigated. The second element of the policy, relating to the views, is

overstating the “protection” to be afforded, and the Qualifying Body agreed with this assessment.

**Recommendation 14:**

*Reword Policy NE1 as:*

*‘Development proposals must take full account of the Character & Landscape Assessment Statements summarised in Appendix A and published on the Parish Council website. Applicants will be expected to assess and address the impact of their proposals on the landscape, and in particular on the valued views listed in Appendix C and located on the Inset Proposals Maps and, where appropriate, put forward mitigation proposals.’*

As amended Policy NE1 meets the Basic Conditions.

**Policy NE 2 Protection of Local Wildlife Sites and Local Nature Reserves**

As noted earlier, no source details are provided for the designation or prospective designation of the sites referenced in this Policy through identification on the Proposals Map. As the Qualifying Body indicated that this Policy and its supporting “Explanation” should be deleted, and I believe that is appropriate in the absence of further evidence, that is my recommendation.

**Recommendation 15:**

*Delete Policy NE2 and paragraphs 6.8 & 6.9 and amend subsequent Policy and paragraph numbers accordingly.*

**Policy NE3 Local Green Spaces**

The justification for the designation of the identified Local Green Spaces is helpfully set out in Appendix D. In response to a representation the Qualifying Body agreed to redraw the boundary to LGS2 to exclude the Hall and its access from the open space. From my visit it was apparent that LGS1 also includes a substantial building and car park at its centre and LGS5 also has a significant, surfaced parking area included. The footprint of the school and the parking areas should be excluded from the areas to be designated.

A representation also raised an objection to the designation of LGS4. Public access is not a requirement for LGS designation and the Planning Guidance is clear that designations should not be used to protect already protected public footpaths. The reasons for designation should be intrinsic to the space itself and not ‘borrowed’ from adjacent spaces. The representation comments: “the land itself is not demonstrably special in terms of its beauty. It is ordinary farmland, like many other parcels of agricultural land around the village.” The NPPF criteria require that the space is (my emphasis added) “demonstrably special ... *and* holds a particular local significance”. The Qualifying Body responded: “The origin of the proposal was essentially the protection of the views over the site, especially towards the church. But the NDP has a policy to protect these views and we agree the deletion of this proposed LGS[4].”

As noted by the local authority, the read-across between the Policy and the related maps requires that the numbering is exactly the same in both contexts. I also note that the paragraph numbering has strayed into the Policy which is unhelpful when the Policies are quoted outside of the Plan content.

**Recommendation 16:**

*16.1 Within Policy NE3 (now renumbered as NE2):*

*16.1.1 To the opening sentence after “6,” insert ‘located on the Inset Proposals Maps and described in Appendix D.’*



*16.1.2 Delete from the list of designated spaces “6.9.4 Field adjacent to the Tanworth- in-Churchyard” and amend the numbering of the remaining four as LGS1 – LGS4.*

*16.2 On figures 5 & 6 ensure that the numbering of each space corresponds to the numbering in the Policy and that the scale is large enough to ensure that boundaries can be identified unambiguously; in figure 5 redraw the boundary of LGS5 to exclude the surfaced parking area; in figure 6 redraw the LGS2 boundary in line with the revised drawing submitted as Appendix G to their email dated 13/01/22 and redraw the boundary of LGS1 to include only the green space (ie exclude the footprint of the school, hardstanding and related parking).*

*16.3 In paragraph 6.10 amend the NPPF paragraph numbers to 101 and 102 respectively.*

*16.4 Amend the related Appendix D to remove the content relating to “LGS 4. Field adjacent to Churchyard” and renumber the remaining space to accord with Policy wording and figures 5 & 6.*

As amended Policy NE2 (as renumbered) meets the Basic Conditions.

## **APPENDICES**

All of the Appendices provide helpful and appropriate background to their respective Plan Policies and will be helpful to readers of the Plan. Amendments have been noted earlier under the related Policy content.

## **Other matters raised in Representations**

Some representations suggest that additional housing sites should have been identified or propose particular sites for allocation. The Qualifying Body has responded that: “The NDP could have identified more specific sites for development, than those the subject of Policies H1 and H2 but the PC view is that the NDP represents the balance of views of the residents.” As the Basic Conditions are met by the Plan’s allocation of sites my Recommendations cannot extend to adding Plan content. Additional sites may form part of a subsequent review of the Plan.

I note a number of supportive representations. These do help to show that the consultation undertaken in the preparation of the Plan has been helpful in gaining public support for the Plan as presented, although not conclusively so until the referendum has been completed.

## **European Union (EU) and European Convention on Human Rights (ECHR) Obligations**

A further Basic Condition, which the Tanworth in Arden Neighbourhood Development Plan must meet, is compatibility with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

There is no legal requirement for a Neighbourhood Plan to have a sustainability appraisal. The Strategic Environmental Assessment and Habitats Regulations Assessment Screening carried out by Lepus Consulting for Stratford-on-Avon District Council for the Tanworth in Arden Neighbourhood Plan (December 2019) considered whether or not the content of the Plan required a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plan and

Programmes Regulations 2004. In accordance with Regulation 9 of the SEA Regulations 2004, the Report concluded: “significant effects on the environment are considered to be unlikely to occur as a result of the NDP. ... It is recommended that the Tanworth-in-Arden NDP should not be screened into the SEA process” and “This screening report has explored the potential effects of the proposed Tanworth-in-Arden NDP with a view to determining whether a habitats regulations assessment is required. ... It is recommended that the Tanworth-in-Arden NDP should not be screened into the HRA process.” In making their recommendation, the Consultants had regard to Schedule 1 of the Regulations and carried out consultation with the relevant public bodies which concurred with the conclusion of the Assessment. Particularly in the absence of any adverse comments from the statutory body or the Local Planning Authority (either at the Screening or the Regulation 16 Consultation) I can confirm that the Screening undertaken was appropriate and proportionate, and that the Plan has sustainability at its heart.

In regard to the European Convention on Human Rights, the Basic Conditions Statement that accompanies the Neighbourhood Development Plan states: “The TNDP has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998.” No evidence has arisen or been put forward to demonstrate that this is not the case.

Taking all of the above into account, I am satisfied that the Tanworth in Arden Neighbourhood Development Plan is compatible with EU obligations and that it does not breach, nor is in any way incompatible with, the ECHR.

## Conclusions

This Independent Examiner's Report recommends a range of modifications to the Policies, as well as some of the supporting content, in the Plan. Modifications have been recommended to effect corrections, to ensure clarity and in order to ensure that the Basic Conditions are met. Whilst I have proposed a significant number of modifications, the Plan itself remains fundamentally unchanged in the role and direction set for it by the Qualifying Body.

I therefore conclude that, subject to the modifications recommended, the Tanworth in Arden Neighbourhood Development 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 Plan for the area;
- is compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations;
- does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017(d).

**On that basis I *recommend* to Stratford-on-Avon District Council that, subject to the incorporation of modifications set out as recommendations in this report, it is appropriate for the Tanworth in Arden Neighbourhood Development Plan to proceed to referendum.**

### Referendum Area

As noted earlier, part of my Examiner role is to consider whether the referendum area should be extended beyond the Plan area. I consider the Neighbourhood Area to be appropriate and no evidence has been submitted to suggest that this is not the case. I therefore ***recommend*** that the Plan should proceed to referendum based on the Neighbourhood Area as approved by Stratford-on-Avon District Council on 6<sup>th</sup> October 2014.

**Recommendations:** (this is a listing of the recommendations exactly as they are included in the Report)

Rec	Text	Reason
1	<p>1.1 On the front cover and any later references amend the Plan period from “2011 – 2031” to ‘2021 – 2031’ and remove references to “Submission Draft”.</p> <p>1.2 Under the heading “Introduction”:</p> <p>1.2.1 In paragraph 1.2 replace “adopted” with ‘made’ (in inverted commas) and add after the last sentence: ‘A Site Allocations Plan (SAP) will also form part of the Development Plan once adopted. Stratford-on-Avon District Council, together with Warwick District Council, has also commenced work on the South Warwickshire Local Plan which will in due course replace the strategic policies of the Core Strategy.’</p> <p>1.2.2 In paragraph 1.5 replace “2019” with ‘2021’.</p> <p>1.2.3 In paragraph 1.6, to the third bullet point add “The survey was repeated in July 2021 which found similar levels of housing need.”; in the last bullet point replace “Each” with ‘In the “Report on Identifying Possible Housing Sites” (2017), each’.</p> <p>1.2.4 Correct the heading before paragraph 1.9 to: ‘The Parish of Tanworth in Arden’ and within paragraph 1.9 replace “landscape” with ‘Landscape’.</p> <p>1.2.5 In paragraph 1.10 replace the second sentence with ‘The heart of the village is located within a Conservation Area which includes many listed buildings, including the Grade I listed Parish Church of St. Mary Magdalene’. Insert here or hereabouts a map of the village showing the heritage assets, titled as such.</p> <p>1.2.6 Amend the opening bullet point of paragraph 1.16 by replacing the words before the first comma with ‘Three villages (Tanworth, Earlswood and Wood End)’.</p> <p>1.2.7 Amend Paragraph 1.18 to read: ‘The Inset Proposals Maps below show the application of the key NDP policies to Earlswood, Tanworth and Wood End. The maps should be read in conjunction with the related Policies and also, in the case of the Valued Views, Appendix C.’</p> <p>1.2.8 Amend Figures 2, 3 &amp; 4 to:</p> <p>1.2.8.1 Ensure that the notations on the map are the same colours as the key.</p> <p>1.2.8.2 Amend the keys (as appropriate) to show: ‘Local Housing Site (Policies H1 &amp; H2) Built-up Area Boundary (Policy H3) Non-designated Heritage Assets (Policy BE3)</p>	For clarity and accuracy

	<p>Valued Views (Policy NE1) Local Green Spaces (Policy NE2)</p> <p>1.2.8.3 Amend the map content to accord exactly with the Recommendations below relating to the individual Policies being illustrated.</p> <p>1.2.8.4 Provide a source reference for the base map and add north points.</p> <p>1.2.9 Amend paragraph 1.19 to replace “National Regulations” with ‘national policy’.</p>	
2	<p>Under the heading “2. Housing”:</p> <p>2.1 Under the sub-heading “Background and Objectives”: in paragraph 2.6 replace “2016” with ‘2021’, replace “(28)” with ‘(25)’ and replace “17” with ‘29’.</p> <p>2.2 Under the sub-heading “What is the scope for meeting the identified housing needs?”:</p> <p>2.2.1 In paragraph 2.10 replace “145” with ‘149’ and amend the quotation from the NPPF to accord exactly with the 2021 NPPF.</p> <p>2.2.2 In paragraph 2.12 replace “outstanding” with ‘extant’.</p> <p>2.2.3 In paragraph 2.14:</p> <p>2.2.3.1 After the first three sentences add: ‘Site suitability was also assessed on the basis of traffic impact, flood risk (by use of the Flood Maps at <a href="https://api.warwickshire.gov.uk/documents/WCCC-680-7">https://api.warwickshire.gov.uk/documents/WCCC-680-7</a>) and, in consultation with the owners and prospective developers, capacity and deliverability.’</p> <p>2.2.3.2 Replace the last three sentences with the following and move this to form a new paragraph 2.15 (replacing the existing): ‘The review eliminated the majority of sites because they could not be considered to be consistent with Green Belt Policy. However, two sites were identified which could contribute to a more diverse housing stock whilst respecting the community wish for smaller sites. The 2018 Consultation found support for the development of these, one, adjoining 141, The Common, Earlswood, and one on land behind the Warwickshire Lad on Broad Lane, Wood End. These two sites are included in the Plan (Policies H1 and H2).’</p> <p>2.2.4 In paragraph 2.16 replace “(H6)” with ‘(H3)’.</p> <p>2.3 Under the sub-heading “Policy H1 - Meeting Local Housing Needs (1)”:</p> <p>2.3.1 Replace the opening sentence of Policy H1 with:</p>	For clarity and accuracy and to meet Basic Conditions 1 & 3

	<p>'Land adjoining 141 The Common, Earlswood (as identified on the Earlswood Inset Proposals Map) is allocated for development of a small-scale community-led Local Needs Housing Scheme, subject to the following criteria being met:'.</p> <p>2.3.2 In criterion 1 replace "2016" with '2021' and delete "commissioned by the Parish Council".</p> <p>2.3.3 Replace criterion 2 with: 'A Section 106 Agreement is concluded that accords with Part S of Stratford-on-Avon District Council's Development Requirements Supplementary Planning Document' (or any update of this).'</p> <p>2.3.4 Delete criterion 3 and renumber criterion 4 accordingly.</p> <p>2.3.5 Amend criterion 4 by replacing "character of the area as defined within this NDP" with 'the relevant Character Assessment that accompanies this Plan'.</p> <p>2.3.6 To avoid splitting the Policies. move paragraph 2.17 to the "Explanation" section after Policy H2 and in paragraph 2.17 delete the content "Currently the conditions are" and the bullet points that follow.</p> <p>2.4 Under the sub-heading "Policy H2 - Meeting Local Housing Needs (2)":</p> <p>2.4.1 Replace the opening sentence of Policy H2 with: 'Land to the north of The Warwickshire Lad Public House, Wood End (as identified on the Wood End Inset Proposals Map) is allocated for development of a small-scale Local Needs Housing Scheme of 10 or fewer 2 and 3-bedroom dwellings, subject to the following criteria being met:'.</p> <p>2.4.2 Replace criterion 1 with: 'The scheme will contribute towards meeting the local housing needs identified in the Tanworth 2021 Housing Needs Survey (or any subsequent update) and the need for smaller homes to help rebalance the housing stock in the Neighbourhood Area.'</p> <p>2.4.3 Replace criterion 2 with: 'A Section 106 Agreement is concluded that accords with Part S of Stratford-on-Avon District Council's Development Requirements Supplementary Planning Document' (or any update of this).'</p> <p>2.4.4 Delete criterion 3 and renumber criterion 4 accordingly.</p> <p>2.4.5 Amend criterion 4 by replacing "character of the area as defined within this NDP" with 'the relevant Character Assessment that accompanies this Plan'.</p> <p>2.4.6 In paragraph 2.20 replace "it is important therefore that the homes built on this site continue to meet this demand. A condition will therefore be attached that limits future extensions</p>	
--	--	--

	to these homes” with ‘the plot sizes should limit the potential for significant extensions’.	
3	<p>3.1 Within the Inset Policy Maps included in Section 1, correct all BUAB boundaries to coincide exactly with the SDC versions but varied as follows:</p> <ul style="list-style-type: none"> <li>• for Tanworth in Arden to exclude three properties in Vicarage Hill, Tanworth (‘Merryfileds’, ‘Tile House’ and ‘Thurlaston’) and the tennis courts adjacent to Local Green Space 2;</li> <li>• for Earlswood to include the whole of the site at Merewood Farm consented by permission reference 21/02771/FUL.</li> </ul> <p>3.2 Within Policy H3:</p> <p>3.2.1 In the first sentence replace “proposals set out in this plan” with ‘Policies set out in this Plan’.</p> <p>3.2.2 In the second sentence replace “145” with ‘149’, “2019” with ‘2021’ and correct “AS10” to ‘CS.10’.</p> <p>3.3 In paragraph 2.22 replace the first sentence with ‘Policy CS.15 in the adopted Core Strategy has established the principle of using Built-Up Area Boundaries (BUABs) as a mechanism for managing the location of development; the boundary can be identified in a NDP or by the Council in its proposed Site Allocations Plan.’</p> <p>3.4 In paragraph 2.23 replace “with a very few exceptions” with ‘only two exceptions’; replace the last two sentences with: ‘The two exceptions relate to a slightly different application of the SDC BUAB criteria, which are set down in Annex 4 to the Site Allocations Plan Preferred Options Consultation Version (October 2020). One difference is at Vicarage Hill, Tanworth where the “physical confines of the settlement” are considered by local people to be tighter than the SDC version. And the other where a tennis court has been excluded from the BUAB, in line with other exclusions of recreation areas. A third alteration relates to a correction to the boundary for a planning consent granted at Merewood Farm, Earlswood.’</p>	For clarity and accuracy and to meet Basic Conditions 1 & 3
4	Delete Policy H4 and paragraphs 2.24 & 2.25; renumber subsequent Policies and paragraphs accordingly.	For clarity and to meet Basic Condition 1
5	<p>5.1 Within Policy H5 (now renumbered as H4):</p> <p>5.1.1 In the opening sentence delete “under paragraph 1.18” since the Policy may be quoted in other documents.</p> <p>5.1.2 In criterion 1 delete “the area” and insert ‘its surroundings’.</p> <p>5.1.3 Delete criterion 2.</p> <p>5.1.4 In criterion 4 delete “satisfactory” and insert ‘safe’, and delete “parking” and insert ‘will not result in additional on-road parking’.</p>	For clarity and to meet Basic Conditions 1 & 3



	<p>5.2 In paragraphs 2.26 and 2.27 delete “detrimental” and in paragraph 2.27 replace “includes” with ‘may include’.</p> <p>5.3 In paragraph 2.28 replace “is not acceptable” with ‘is generally not appropriate’.</p>	
6	<p>6.1 Reword Policy H6 (now renumbered as Policy H5) as:  ‘In order that future development of the housing stock of the Parish best meets the specific needs of the local community:  1) Infilling with smaller dwellings will be supported where the design and layout is compatible with the character of the surroundings (see Policies H4 and BE1);  2) Where a planning consent is required, the loss of smaller dwellings through replacement will be resisted.’</p> <p>6.2 In paragraph 2.32 delete “That said, given the extent of opposition, this NDP sets a high bar to overcome as to the implications and hence acceptability of the development or conversion of existing dwellings to flats or apartments” with ‘Core Strategy Policies’.</p> <p>6.3 Delete paragraphs 2.33 &amp; 2.34.</p>	For clarity and accuracy and to meet Basic Conditions 1 & 3
7	<p>7.1 Within Policy E1:  7.1.1 Between “supported” and “provide” add ‘, in principle,’; capitalise ‘Green Belt Policy’.</p> <p>7.1.2 Delete the second sentence.</p> <p>7.2 Under Policy E2:  7.2.1 Reword Policy E2 as:  ‘To ensure their retention wherever possible, where a planning consent is required, proposals for the change of use or redevelopment of land or premises from which Local Services are provided must assess and address their impact on local service delivery and any appropriate mitigation. If business viability is a factor, compelling supporting evidence must be provided.’</p> <p>7.2.2 Amend paragraph 3.7 to delete “criteria” from the third sentence.</p> <p>7.3 Within Policy E3:  7.3.1 Delete criterion 1 and amend criterion 2 by adding ‘, including on-street parking’ after “amenity”.</p> <p>7.3.2 Replace criterion 3 with ‘Green Belt Policy is complied with.’</p> <p>7.4 Reword Policy E4 as: ‘Small scale expansion of local tourism and leisure uses, which might include enhancement of buildings, additional car parking, or additional facilities, will be supported in principle where it is proportionate, compatible with neighbouring uses, can be shown to maintain or enhance the character and appearance of the immediate surroundings, and complies with Green Belt Policy.’</p>	For clarity and accuracy and to meet Basic Conditions 1 & 3

8	Within Policy I1 replace “modest” with ‘proportionate’ and after “supported” add ‘in principle, subject to appropriate screening and additional planting’.	For clarity and accuracy and to meet Basic Condition 1
9	Delete Policies I2 and I3 and the related “Explanation” paragraphs 4.8 & 4.9; renumber subsequent paragraphs accordingly.	For clarity and to meet Basic Condition 1
10	Throughout the Policy section improve the contrast between the land use and non-land use elements by putting the Policy wording in shaded boxes and making the Policy numbers/titles more prominent.	For clarity and accuracy and to meet Basic Condition 1
11	<p>11.1 In paragraph 5.2 replace “125” with ‘127’ and correct the quotation with an opening quotation mark after “that” and then the following: ‘Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development ...’</p> <p>11.2 Within Policy BE1:</p> <p>11.2.1 In the opening sentence replace “will be supported provided that it can be demonstrated” with ‘must demonstrate’.</p> <p>11.2.2 In Design Principle 1 replace “retention or provision” with ‘use’.</p> <p>11.2.3 In Design Principle 4 relace “local” with ‘locally typical’.</p> <p>11.2.4 In Design Principle 6 replace “listed buildings” with ‘Listed Buildings’ and delete “in line with national criteria”.</p> <p>11.2.5 In Design Principle 7 delete “used in line with national criteria”.</p> <p>11.2.6 Add a tenth Principle: ‘Incorporation within the design of an electric vehicle charging facility, bicycle storage and sufficient, well located parking spaces, in accordance with Part O of the District Council’s Development Requirements Supplementary Planning Documents and to help remove the need for any on-road parking’.</p>	For clarity and accuracy and to meet Basic Condition 1
12	Delete Policy BE2 and paragraphs 57 & 58 and renumber subsequent Policies and paragraphs accordingly.	For clarity and to meet Basic Condition 1
13	<p>13.1 Amend Policy BE3 (now renumbered as Policy BE2) by adding after “Appendix B” ‘and located on the Inset Policy Maps’ and deleting “and compliance with Core Strategy Policy CS.8”.</p> <p>13.2 From paragraph 5.12 amend “should be seen as a live document” with ‘and other non- designated assets could be added in the future’.</p>	For clarity and accuracy and to meet Basic Condition 1

	<p>And delete from Appendix B “The list should be regarded as a live document, managed by the Parish Council with amendments made as appropriate at the time.”</p> <p>13.3 Within Appendix B remove the entry for the “Malt Shovel” under Non-designated Heritage Assets in Tanworth Conservation Area.</p>	
14	<p>Reword Policy NE1 as:  ‘Development proposals must take full account of the Character &amp; Landscape Assessment Statements summarised in Appendix A and published on the Parish Council website. Applicants will be expected to assess and address the impact of their proposals on the landscape, and in particular on the valued views listed in Appendix C and located on the Inset Proposals Maps and, where appropriate, put forward mitigation proposals.’</p>	For clarity and to meet Basic Condition 1
15	<p>Delete Policy NE2 and paragraphs 6.8 &amp; 6.9 and amend subsequent Policy and paragraph numbers accordingly.</p>	For clarity and to meet Basic Condition 1
16	<p>16.1 Within Policy NE3 (now renumbered as NE2):</p> <p>16.1.1 To the opening sentence after “6,” insert ‘located on the Inset Proposals Maps and described in Appendix D,’.</p> <p>16.1.2 Delete from the list of designated spaces “6.9.4 Field adjacent to the Tanworth- in-Churchyard” and amend the numbering of the remaining four as LGS1 – LGS4.</p> <p>16.2 On figures 5 &amp; 6 ensure that the numbering of each space corresponds to the numbering in the Policy and that the scale is large enough to ensure that boundaries can be identified unambiguously; in figure 5 redraw the boundary of LGS5 to exclude the surfaced parking area; in figure 6 redraw the LGS2 boundary in line with the revised drawing submitted as Appendix G to their email dated 13/01/22 and redraw the boundary of LGS1 to include only the green space (ie exclude the footprint of the school, hardstanding and related parking).</p> <p>16.3 In paragraph 6.10 amend the NPPF paragraph numbers to 101 and 102 respectively.</p> <p>16.4 Amend the related Appendix D to remove the content relating to “LGS 4. Field adjacent to Churchyard” and renumber the remaining space to accord with Policy wording and figures 5 &amp; 6.</p>	For clarity and accuracy and to meet Basic Condition 1