

Berkswell Neighbourhood Development Plan (NDP)

Basic Conditions Statement

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

Autumn 2018



Berkswell Parish Council

With assistance from



1.0 INTRODUCTION

1.1 Planning Practice Guidance (Paragraph: 065 Reference ID: 41-065-20140306)¹ sets out that only a draft neighbourhood Plan or Order that meets each of a set of basic conditions can be put to a referendum and be made. The basic conditions are set out in [paragraph 8\(2\) of Schedule 4B to the Town and Country Planning Act 1990](#) as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The basic conditions are:

a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).

b. having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders.

c. having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders.

d. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.

e. the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).

f. the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.

g. prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).

1.2 This Basic Conditions Statement sets out how the Berskwell NDP has been prepared to meet the basic conditions. It has been prepared as a supporting document for consideration by the NDP independent Examiner.

¹ <https://www.gov.uk/guidance/neighbourhood-planning--2#basic-conditions-for-neighbourhood-plan-to-referendum>

2.0 LEGAL REQUIREMENTS

2.1 The Submission Plan is being submitted by a qualifying body

This Submission Plan is being submitted by a qualifying body, namely Berkswell Parish Council.

2.2 What is being proposed is a neighbourhood development plan

The plan being proposed relates to planning matters (the use and development of land) and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.

2.3 The proposed Neighbourhood Plan states the period for which it is to have effect

The proposed Neighbourhood Plan states the period for which it is to have effect. That period is from 2018 to 2033 (the same period as the emerging new Local Plan Review (LPR) for Solihull MBC).

2.4 The policies do not relate to excluded development

The Neighbourhood Plan proposal does not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.

2.5 The proposed Neighbourhood Plan does not relate to more than one neighbourhood area and there are no other neighbourhood development plans in place within the neighbourhood area.

The Neighbourhood Plan proposal relates to the designated Berkswell Neighbourhood Area and to no other area. There are no other Neighbourhood Plans relating to that neighbourhood area. The Designated Neighbourhood Plan Area has the same boundary as that of the Parish at the time of the designation and is shown on Map 1 in the NDP.

3.0 BASIC CONDITIONS

3.1 a. Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan

It should be noted that Berkswell Neighbourhood Development Plan has been prepared to have regard to the previous National Planning Policy Framework, March 2012. This is in line with the guidance set out in the revised National Planning Policy Framework, July 2018 which sets out in Annex 1: Implementation paragraph 214 that "*The policies in the previous Framework will apply for the purpose of examining plans, where those plans are submitted on or before 24 January 2019.*"

The Berkswell Neighbourhood Development Plan has been produced with appropriate regard to the guidance contained within the National Planning Policy Framework (NPPF). Paragraphs 183-185 of the NPPF outline specific guidance in relation to the production of Neighbourhood Plans. Paragraph 184 states that "The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the local area. Neighbourhood Plans must be in general conformity with the strategic policies of the local plan." The Neighbourhood Plan has been drafted with regard to the relevant strategic planning policies for Solihull MBC, and the comprehensive evidence base that supports these policies.

Paragraph 184 also states that Neighbourhood Plans should "not promote less development than set out in the Local Plan or undermine its strategic policies". The Berkswell Neighbourhood Plan does not undermine the strategic policies of Solihull MBC. The Plan aims to add value and detail to these policies, by:

- Providing a positive and detailed local planning framework to support new housing proposals which may come forward, including both large sites in the suburban area around Balsall Common and limited proposals to meet local needs in Berkswell village;
- Recognising the Parish's unique natural heritage and seeking to protect and enhance local landscape character and wildlife;
- Describing the built character and heritage assets in the neighbourhood area and requiring new development to be sensitive to local character generally and to the conservation area which extends across much of the village of Berkswell;
- Identifying two Local Green Spaces which are highly valued by local people and which should be protected from development;
- Guiding proposals for conversions of former agricultural buildings in the countryside;
- Supporting proposals to improve local infrastructure and accessibility including improvements to public car parking and promoting safe and accessible linkages to encourage walking and cycling; and
- Supporting sensitive rural business development which helps to diversify the rural economy.

The Plan has regard to the twelve core planning principles set out within paragraph 17 of the Framework, as set out in Table 1:

Table 1 NPPF Core Planning Principles and the Berkswell Submission Neighbourhood Development Plan

| NPPF Core Planning Principle | Regard that the Berkswell Neighbourhood Development Plan has to guidance |
|--|--|
| <p>Planning should be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and Neighbourhood Plans setting out a positive vision for the future of the area. Plans should be kept up to date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.</p> | <p>The Parish Council has produced the Submission Plan in line with this guidance.</p> <p>It will provide a framework to ensure that development is genuinely plan-led, and by involving the local community in shaping its policies and proposals through extensive consultation and engagement activities, the Plan has provided local people with an opportunity to shape their surroundings.</p> <p>The vision, objectives, policies and proposals in the Plan have been developed through a thorough approach to community engagement. The Plan sets out a positive vision for the Parish up to 2033.</p> <p>The Neighbourhood Plan sets out a concise and practical suite of policies (10 in total) to guide development management decisions.</p> |
| <p>Planning should not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives.</p> | <p>The Submission Neighbourhood Plan has been prepared taking into careful consideration the results of various public consultation processes.</p> <p>These included an initial launch event, consultation on Issues and Options and the emerging First Draft Plan, as well as many other informal, smaller target consultation exercises with key groups such as young people and the business community.</p> <p>The consultation responses to these exercises have demonstrated that the Steering Committee has secured a high level of local engagement and participation in the development of planning policies. In turn the NDP policies will help to ensure the special character of Berkswell which is so highly valued by local people is protected and enhanced.</p> |

| NPPF Core Planning Principle | Regard that the Berkswell Neighbourhood Development Plan has to guidance |
|--|---|
| <p>Planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities.</p> | <p>Berkswell Parish is located in the Green Belt. The NDP provides detailed planning policies to guide new development within the existing built up area, and is flexible enough to provide a positive planning framework to support proposals for housing that may come forward following the Solihull Local Plan Review.</p> <p>The NDP also supports development proposals for small scale business and homeworking subject to criteria such as design, adequately addressing traffic and parking and conversions of existing buildings.</p> |
| <p>Planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.</p> | <p>Several policies aim to promote and secure high quality design. These include Policy B1 which provides a detailed framework for large strategic sites, and Policy B3 which protects local landscape and built character.</p> |
| <p>Planning should take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.</p> | <p>Berkswell is located in the Green Belt and the NDP notes the different character and roles of the suburban area around Balsall Common and the wider rural area which includes Berkswell village.</p> <p>The Parish Council has commissioned several in depth pieces of work as part of the evidence base of the NDP including an ecological survey and a historic environment report and these have been used to provide relevant local detail to the Plan's policies.</p> |
| <p>Support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy).</p> | <p>Policy B1 promotes effective surface water drainage and use of SuDS and requires developments to should incorporate principles of sustainable design, maximising energy, water and resource efficiency both in terms of construction methods and for the benefit of future occupants.</p> |

| NPPF Core Planning Principle | Regard that the Berkswell Neighbourhood Development Plan has to guidance |
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| <p>Planning should contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in the Framework.</p> | <p>Detailed policies are supported by a robust evidence base which considers the landscape character of the rural area and sites of wildlife value.</p> <p>The NDP does not include any site allocations.</p> |
| <p>Planning should encourage the effective use of land by reusing land that has been previously developed (Brownfield land), provided that it is not of high environmental value.</p> | <p>Brownfield sites are supported in preference to greenfield sites in Policy B1.</p> |
| <p>Planning should promote mixed-use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as wildlife, recreation, flood risk mitigation, carbon storage or food production).</p> | <p>Policy B1 requires quality open space to be placed between existing homes and new development in Balsall Common to retain the green suburban character of Balsall Common and to support community integration through joint use by existing and new occupiers.</p> <p>Policy B3 provides an effective and detailed framework for larger sites, recognising the need to protect local features of wildlife and landscape value and the need to incorporate existing features as appropriate including ancient woodlands, mature trees and hedgerows, semi natural grassland, field ponds and river wetlands.</p> |
| <p>Planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations</p> | <p>The Submission Neighbourhood Plan is fully in line with this principle.</p> <p>The Plan summarises the historical development of the Parish and describes the conservation area and other heritage assets such as listed buildings. Policy B4 protects the conservation area and its setting from inappropriate development by providing local design guidance.</p> |
| <p>Planning should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus</p> | <p>The Submission Neighbourhood Plan supports measures which promote walking and cycling and identifies potential new routes which would link the existing</p> |

| NPPF Core Planning Principle | Regard that the Berkswell Neighbourhood Development Plan has to guidance |
|---|---|
| significant development in locations which are or can be made sustainable | built up area and possible new development sites to local facilities and the station. |
| Planning should take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural services to meet local needs | The Plan promotes safer walking and cycling as part of initiatives to encourage healthy lifestyles and notes the significance of the attractive, accessible rural area and many natural heritage assets in terms of supporting local wellbeing. |

3.2 b. Having Special Regard to the Desirability of Preserving any Listed Building or its Setting or any Features of Special Architectural or Historic Interest

There are 17 Listed Buildings and 6 scheduled monuments in the Neighbourhood Plan area. The NDP notes that the listed buildings illustrate building types and materials from the rubble and dressed sandstone of the 11th century church through timber frame and plaster infill panels to brick built houses and 19th century estate buildings. Plain clay tiles, thatch and slate are the predominant roof materials. The Submission Neighbourhood Plan has special regard to the desirability of preserving listed buildings and their settings, and features of architectural or historic interest within the town through Policy B5.

[Note: this Basic Condition only applies to Neighbourhood Development Orders but has been included for the sake of completeness].

3.3 c. Having Special Regard to the Desirability of Preserving or Enhancing Character or Appearance of any Conservation Area

The Plan area has a Conservation Area and this is referred to in Policy B5.

[Note: this Basic Condition only applies to Neighbourhood Development Orders but has been included for the sake of completeness].

3.4 d. Contributes to the Achievement of Sustainable Development

The Submission Neighbourhood Development Plan contributes strongly to the achievement of sustainable development.

Paragraphs 6-10 of the National Planning Policy Framework outline the Government’s definition of sustainable development.

The UK Government's interpretation of the concept of sustainable development builds on that of the UN resolution 24/187, which is 'meeting the needs of the present without compromising the ability of future generations to meet their own needs.'

The NPPF amplifies this simple definition, at paragraph 7, stating that sustainable development has three dimensions, economic, social and environmental. Planning needs to perform a number of roles in relation to these issues:

- ❑ "an economic role - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- ❑ a social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of the present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- ❑ an environmental role - contributing to protecting and enhancing our natural, built and historic environment; and as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy."

In Paragraph 6, the NPPF states that "the policies in paragraphs 18-219, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system".

Table 1 above gives a clear and comprehensive narrative of how the framework complies with the Core Planning Principles of the NPPF, and by corollary, the achievement of sustainable development.

Table 2 below summarises how the policies and allocations in the Berkswell Submission Plan contribute to the economic, social and environmental aspects of sustainable development.

Table 2 Berkswell Submission Plan’s contribution to the economic, social and environmental aspects of sustainable development.

| Sustainable Development Role | Neighbourhood Development Plan’s Contribution |
|-------------------------------------|--|
| Economic | The Submission Neighbourhood Plan supports appropriate rural economic development in the Plan area, taking into account the Parish's location within the Green Belt. |
| Social | <p>The NDP includes a housing policy to support local needs housing in Berkswell village, should a need arise over the plan period (Policy B2). More generally housing in the proposed strategic sites in the Local Plan Review should deliver an appropriate mix of house types, sizes and tenures but NDP Policy B1 also supports this.</p> <p>Built and natural heritage assets are recognised as being a significant to the cultural identity of local communities and these are protected in the NDP.</p> <p>Two Local Green Spaces are identified for protection which are highly valued by local people and which contribute to health and wellbeing.</p> |
| Environmental | <p>The Submission Neighbourhood Plan sets out policies that protect local wildlife and biodiversity and landscape character.</p> <p>Policies seek to promote the local distinctiveness of the area, and recognise the significance of locally important natural and built heritage assets to local residents as an important aspect of the Parish’s identity.</p> |

3.5 e. In General Conformity with Strategic Local Planning Policy

The Submission Neighbourhood Plan is in general conformity with strategic Local Plan policies contained in the Solihull Local Plan 2011 – 2028 which was adopted in December 2013. The NDP also notes the emerging draft policies and proposals in the new emerging Draft Local Plan Review which was published for consultation from December 2016 to February 2017.

Table 3 below sets out the way that the Neighbourhood Plan conforms to the relevant strategic planning policies in the Local Plan.

Table 3 Conformity with Strategic Local Planning Policy

| Berkswell NDP Policies | Solihull Local Plan 2011 – 2028 Adopted 2013 | Solihull Draft Local Plan Review Draft Local Plan Nov 2016 | General Conformity |
|---|---|--|---|
| <p>Policy B1: New Housing – General Principles</p> <p>Where new housing proposals come forward they will be required to address the following criteria:</p> <p>1. Brownfield sites</p> <p>Brownfield sites will be supported in preference to greenfield sites and should come forward before greenfield sites are released wherever possible.</p> <p>2. Layouts and Accessibility</p> <p>Where practical, developers should incorporate the following principles into the layout of schemes:</p> | <p>POLICY P4 – Meeting Housing Needs</p> <p>The Council will require developers of allocated and unidentified sites to make a contribution to affordable housing on residential sites of 0.2 hectares or more, or housing developments of 3 or more (net) homes to meet the housing needs of the Borough.</p> <p>Affordable housing includes social rented, affordable rented or intermediate – tenure housing which is available at below market price or rent and which is affordable to households whose needs are not met by the market.</p> | <p>Policy P4 Meeting Housing Needs A Affordable Housing</p> <p>The Council will require developers of allocated and unidentified sites to make a contribution to affordable housing on residential sites of 11 units or more, or which have a maximum combined gross floor space of more than 1,000sqm to meet the housing needs of the Borough. Affordable housing includes social rented, affordable rented, intermediate tenure and Starter Homes, which is available at below market price or rent and which is affordable to households whose needs are not met by the market. The Borough definition of ‘affordable’ is set out in a Meeting Housing Needs Supplementary Planning Document (SPD) which will</p> | <p>NDP Policy B1 seeks to provide a robust and locally relevant criteria based policy to guide new residential development in the Parish.</p> <p>An existing strategic site is identified in the adopted Local Plan at Riddings Hill, and two new sites are proposed on land within or partially within the parish in the Local Plan Review.</p> <p>Adopted Local Plan Policy P4 provides the framework for delivering appropriate affordable housing and market housing to meet local housing needs and NDP Policy B1 notes local needs identified in the Parish for smaller properties and some larger homes.</p> |

| Berkswell NDP Policies | Solihull Local Plan 2011 – 2028 Adopted 2013 | Solihull Draft Local Plan Review Draft Local Plan Nov 2016 | General Conformity |
|--|---|---|--|
| <p>a. Vehicle access to new development should be from main roads.</p> <p>b. Layouts should include small scale clusters of mixed scale dwellings (up to 20) in closes and cul-de-sacs to facilitate social cohesion and community security.</p> <p>c. Larger developments should be broken into character areas of about 250 properties (such as at Riddings Hill which is considered to demonstrate good practice).</p> <p>d. Through routes should promote connectivity and legibility and be designed to avoid rat runs.</p> <p>e. Longer new roads should include grass verges as well as pavements and highway designs should discourage parking on pavements and verges.</p> <p>f. For ease of use and permeability without recourse to motorised transport, access for pedestrians and cyclists should be maximised through provision of accessible non-vehicular routes linking to the safe routes identified in Section 10 and to local facilities such as shops, Berkswell rail</p> | <p>The Borough definition of 'affordable' is set out in an Affordable Housing Supplementary Planning Document (SPD) which will be updated periodically to reflect changes in local incomes and house prices.</p> <p>Contributions will be expected to be made in the form of 40% affordable dwelling units on each development site, but will take into account:</p> <ul style="list-style-type: none"> i. Site size; ii. Accessibility to local services and facilities and access to public transport; iii. The economics of provision, including particular costs that may threaten the viability of the site; iv. Whether the provision of affordable housing would prejudice the realisation of other planning objectives that need to be given priority in the development of the site; v. The need to secure a range of house types and sizes in the locality in helping to achieve socially balanced and mixed communities; and | <p>be updated periodically to reflect changes in local incomes and house prices. Contributions will be expected to be made in the form of 50% affordable dwelling units on each development site, but will take into account:</p> <ul style="list-style-type: none"> ☑ Site size; ☑ Accessibility to local services and facilities and access to public transport; ☑ The economics of provision, including particular costs that may threaten the viability of the site; ☑ Whether the provision of affordable housing would prejudice the realisation of other planning objectives that need to be given priority in the development of the site; ☑ The need to secure a range of house types and sizes in the locality in helping to achieve socially balanced and mixed communities; and ☑ The need to achieve a successful housing development. Where on-site provision is not feasible or viable there will be a financial contribution towards the provision of affordable housing that would | <p>Other detailed criteria relating to promoting accessibility and high quality design, and protecting natural and built heritage assets are in general conformity with a range of Adopted Local Plan policies including P9, P10, P11 and P15.</p> |

| Berkswell NDP Policies | Solihull Local Plan 2011 – 2028 Adopted 2013 | Solihull Draft Local Plan Review Draft Local Plan Nov 2016 | General Conformity |
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| <p>station, schools, community facilities and health centres.</p> <p>g. Suitable provision of communal green spaces should include children’s play areas close to areas of existing family housing, and nearby houses should be orientated to provide overlooking.</p> <p>h. Schemes should aim to integrate the natural environment into the layout and form of new development through the provision of gardens.</p> <p>i. Developments should provide quality public open space at a standard of 2.86 hectares of green space plus 0.4 hectare of informal green space per 1000 inhabitants in line with Solihull Green Space Strategy Review or relevant successor open space policy standard adopted by Solihull MBC in their Local Plan.</p> <p>j. Quality open space should be placed between existing homes and new development to retain the green character of the parish and to support community integration through joint use by existing and new occupiers. Where such provision of open space is not</p> | <p>vi. The need to achieve a successful housing development. Where on site provision is not feasible or viable there will be a financial contribution towards the provision of affordable housing that would not otherwise be provided, elsewhere within the Borough.</p> <p>This policy applies to all qualifying sites across the Borough and includes Gypsy and Traveller sites. In addition to requiring a proportion of the homes to be ‘affordable’ the Council will identify the tenure, mix and type of the homes and any requirements for homes to be designed to meet specific needs such as those of older or disabled people.</p> <p>The mechanisms and criteria for delivery of Policy 4 are set out in an Affordable Housing Supplementary Planning Document.</p> <p>c) Market Housing</p> <p>Where the Council issues a development brief for a site this will include details of the likely</p> | <p>not otherwise be provided, elsewhere within the Borough. The extent of affordable housing that should be provided in relation to developments that either re-use existing buildings or include the demolition of existing buildings will be assessed according to the 'vacant building credit'. The approach to calculating the vacant building credit is set out in the Meeting Housing Needs Supplementary Planning Document. This policy applies to all qualifying sites across the Borough and includes Gypsy and Traveller sites. The policy applies to all development in the ‘C3’ use class . The policy will also apply to ‘C2’ development that provides individual self-contained units that can be counted as part of the Borough’s overall housing numbers. In addition to requiring a proportion of the homes to be ‘affordable’, the Council will identify the tenure, mix and type of the homes and any requirements for homes to be designed to meet specific needs such as those of older or disabled people.</p> | |

| Berkswell NDP Policies | Solihull Local Plan 2011 – 2028 Adopted 2013 | Solihull Draft Local Plan Review Draft Local Plan Nov 2016 | General Conformity |
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| <p>possible due to site constraints, a minimum distance of 30m should be provided between existing and new buildings in large developments to protect the privacy and amenity of residents and to support a lower density pattern of development.</p> <p>k. Development schemes should create and maintain safe neighbourhoods by including measures to reduce crime and the fear of crime, and to strengthen the sense of local community. Such measures should incorporate the principles of ‘Secured by Design’ and be agreed in consultation with the West Midlands Police.</p> <p>3. Landscaping and Drainage</p> <p>Landscaping schemes should aim to incorporate the following wherever possible:</p> <p>a. Mature trees and hedgerows should be retained as significant natural environment features which contribute towards local landscape character and biodiversity. Schemes should conserve the heritage and</p> | <p>profile of household types requiring market housing, e.g. multi-person, including families and children (x%), single persons (y%) and couples (z%), as identified by the latest Strategic Housing Market Assessment. In assessing the housing mix of allocated and unidentified sites, the Council will, in negotiations, have regard to:</p> <p>i. Site size;</p> <p>ii. The existing mix of market housing and local housing demand in the area as guided by the Strategic Housing Market Assessment;</p> <p>iii. Accessibility to local services and facilities and access to public transport;</p> <p>iv. The economics of provision, including particular costs that may threaten the viability of the site;</p> <p>v. The need to secure a range of house types and sizes in the locality in helping to achieve socially balanced and mixed communities; and</p> <p>vi. The need to achieve a successful housing development.</p> | <p>Market Housing</p> <p>Where the Council issues a development brief for a site this will include details of the likely profile of household types requiring market housing, e.g. multi-person, including families and children (x%), single persons (y%) and couples (z%), as identified by the latest Strategic Housing Market Assessment. In assessing the housing mix of allocated and unidentified sites, the Council will, in negotiations, have regard to: □ Site size; □ The existing mix of market housing and local housing demand in the area as guided by the Strategic Housing Market Assessment; □ Accessibility to local services and facilities and access to public transport; □ The economics of provision, including particular costs that may threaten the viability of the site; □ The need to secure a range of house types and sizes in the locality in helping to achieve socially balanced and mixed communities; and □ The need to achieve a successful housing development.</p> | |

| Berkswell NDP Policies | Solihull Local Plan 2011 – 2028 Adopted 2013 | Solihull Draft Local Plan Review Draft Local Plan Nov 2016 | General Conformity |
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| <p>ecological value of individual ancient trees and use characteristic native species in new planting. Where such features, or parts thereof cannot be retained, suitable mitigation planting will be expected. Appropriate buffers to retained trees and hedgerows should reflect a requirement to avoid damage to the feature itself and also any site-specific constraints identified through relevant surveys.</p> <p>b. All areas of priority habitats (as defined by the NERC Act 2006 as amended) should be retained and naturalised to support local wildlife and enhance biodiversity. Such habitats include existing water courses, field ponds and areas of wet marshy grasslands.</p> <p>c. Effective surface water drainage measures should be provided to protect existing and future residential areas from flooding. New development should be designed to maximise the retention of surface water on the development site and to minimise runoff. Sustainable drainage</p> | <p>The Council considers permanent residential moorings to be low cost market housing and will require a proportion of all new moorings to be permanent residential and not solely provision for touring, leisure and holiday moorings.</p> <p>POLICY P5 – Provision of Land for Housing</p> <p><i>... (Text deleted following a legal challenge - see http://www.solihull.gov.uk/resident/planning/appealsenforcement/planmaking/ldf/localplan)</i></p> <p>The housing sites are phased to ensure a continuous supply of housing provision throughout the Plan period and a continuous supply of affordable housing. Sites will not be released for development before they reach their specified phase, unless existing housing land supply falls below national planning policy deliverable housing land supply requirements.</p> | <p>D Self and Custom Housebuilding</p> <p>2 options are offered for consultation.</p> <p>Policy P5 Provision of Land for Housing</p> <p>The Council will allocate sufficient land for at least 6,522 net additional homes to ensure sufficient housing land supply to deliver 15,029 additional homes in the period 2014-2033. The allocations will be part of the overall housing land supply detailed in the table below. The annual housing land provision target is 791 net additional homes per year (2014-2033). A trajectory showing how this target will be delivered from all sources of housing land supply is shown below. It will be subject to annual review through the AMR. New housing will be supported on unidentified sites in accessible locations where they contribute towards meeting borough-wide housing needs and towards enhancing local character and distinctiveness. Unless there</p> | |

| Berkswell NDP Policies | Solihull Local Plan 2011 – 2028 Adopted 2013 | Solihull Draft Local Plan Review Draft Local Plan Nov 2016 | General Conformity | | | | | | | | | | | | | | | | | | |
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| <p>systems (SuDS) should be implemented in accordance with the SuDS hierarchy wherever possible. Hard-standing surface areas should be permeable wherever practical.</p> <p>d. Hedgerows, tree lines or other locally appropriate habitats should be provided within development sites as landscaped buffer zones to support a gentle, green transition between built-up areas and the open countryside. However, such buffer zones should be limited in size and area to narrow corridors and any significant areas of public open space should be located between existing and new homes.</p> <p>4. Building Design Principles</p> <p>New housing designs should incorporate the following wherever possible:</p> <p>a. Generally buildings should not exceed 2 1/2 storeys, including rooms in the roof space. However to aid efficient land use some building heights could be varied</p> | <p>New housing will be supported on unidentified sites in accessible locations where they contribute towards meeting identified borough-wide housing needs and towards enhancing local character and distinctiveness. Unless there are exceptional circumstances, new housing will not be permitted in locations where accessibility to employment, centres and a range of services and facilities is poor.</p> <p>The density of new housing will make the most efficient use of land whilst providing an appropriate mix and maintaining character and local distinctiveness. Higher densities will be more appropriate in the most accessible locations.</p> <p>Development briefs will be prepared for each site in consultation with communities and developers and will set out the Council’s expectations for the development of each site. Each brief will provide criteria and principles for development. Development briefs will be a material</p> | <p>are exceptional circumstances, new housing will not be permitted in locations where accessibility to employment, centres and a range of services and facilities is poor.</p> <p>The density of new housing will make the most efficient use of land whilst providing an appropriate mix and maintaining character and local distinctiveness. Higher densities will be more appropriate in the most accessible locations. The submission version of the plan will include a phasing designation for each of the allocations. Sites will not be released for development before they reach their specified phase, unless existing housing land supply falls below national planning policy deliverable housing land supply requirements.</p> <p>Summary Table of Allocated Sites</p> <table border="1" data-bbox="1137 1169 1563 1289"> <thead> <tr> <th>Area²⁸</th> <th>Ref.</th> <th>Site Name</th> <th>Green Belt</th> <th>Site Area (ha)</th> <th>Indicative Capacity</th> </tr> </thead> <tbody> <tr> <td>Balsall Common</td> <td>1</td> <td>Barratt’s Farm</td> <td>Yes</td> <td>57</td> <td>800</td> </tr> <tr> <td></td> <td>3</td> <td>Windmill Lane/Kenilworth Road</td> <td>Yes</td> <td>11</td> <td>200</td> </tr> </tbody> </table> <p>230. The following table is a schedule of the SLP allocated sites</p> | Area ²⁸ | Ref. | Site Name | Green Belt | Site Area (ha) | Indicative Capacity | Balsall Common | 1 | Barratt’s Farm | Yes | 57 | 800 | | 3 | Windmill Lane/Kenilworth Road | Yes | 11 | 200 | |
| Area ²⁸ | Ref. | Site Name | Green Belt | Site Area (ha) | Indicative Capacity | | | | | | | | | | | | | | | | |
| Balsall Common | 1 | Barratt’s Farm | Yes | 57 | 800 | | | | | | | | | | | | | | | | |
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| <p>and 3 storeys may be appropriate provided the buildings are not adjacent to, and do not overlook, existing 2 storey properties and their position and design enhances the development. Such development should not have an adverse impact on or conflict with existing and surrounding properties and should be appropriate to the position proposed;</p> <p>b. Provision of basements for storage or parking is supported to maximise efficient use of land;</p> <p>c. External electric charging points should be provided to allow charging on driveways;</p> <p>d. Developments should incorporate principles of sustainable design, maximising energy, water and resource efficiency both in terms of construction methods and for the benefit of future occupants. Where roof mounted solar panels are provided, houses should be orientated to maximise solar gain and grouped together to create design compatibility; and</p> | <p>consideration in planning applications and will inform pre-application discussions.</p> <p>Phase 2 Sites – for release on 1st April 2018 Rural Area</p> <p>19 (33 & 179) Riddings Hill, Balsall Common</p> <p>Site area 1.61 ha Capacity 65 Density 40 dph Likely infrastructure requirements</p> <p>Link new access from new Health Centre off the The Croft with potential for a secondary access from Riddings Hill. New crossing point on Hallmeadow Rd. Improve pedestrian and cycle connectivity and access to public transport facilities. Neighbourhood scale accessible green space. Increased provision of utilities. Consider impact on local health services.</p> | <p>which have not yet commenced development and will be retained as allocations in this review.</p> <p>19 Riddings Hill, Balsall Common 1.61 65 Policy P7 Accessibility and Ease of Access</p> <p>All new development should be focussed in the most accessible locations and seek to enhance existing accessibility levels and promote ease of access. The Council will expect development proposals to fulfil the following:</p> <ul style="list-style-type: none"> • demonstrate how access to the site will be achieved in a sustainable manner by a range and choice of transport modes. • provide on-site transport infrastructure that promotes ease of access and enhances accessibility levels; • provide, contribute to and/or enhance off-site transport infrastructure schemes where appropriate and viable; • are consistent with, and contribute to, the implementation of the ‘Solihull Connected’ strategy; | |

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| <p>e. Garden areas should include space for secure storage and recycling bins.</p> <p>5. Housing Mix</p> <p>a. A suitable mix of housing should be provided, informed by the latest Strategic Housing Market Assessment and / or other local data, for example, Parish Surveys and developers' assessments. Housing mix, having regard to location, site size and scheme viability, should contain a range of types and size of housing needed for different groups in the community. The mix should include but not be limited to:</p> <ul style="list-style-type: none"> • those who require affordable housing, • families with children, • older people, • people with disabilities, • people who rent their homes, and • people wishing to commission or build their own homes. | <p>Consider impact on social infrastructure provision, e.g. emergency services and community facilities.</p> <p>POLICY P7 Accessibility and Ease of Access</p> <p>a) All new development should be focused in the most accessible locations and seek to enhance existing accessibility levels and promote ease of access.</p> <p>b) Access to development from the core walking, cycling, public transport and road networks will be expected to be:</p> <p>i. Safe, attractive, overlooked and direct on foot, by bicycle and from public transport;</p> <p>ii. Safe for those vehicles which need to access the development;</p> <p>iii. And assessed in accordance with Policy P15 'Securing Design Quality' in the Local Plan.</p> <p>POLICY P8 Managing Demand for Travel and Reducing Congestion</p> | <p>Access to all development will be required to demonstrate that:</p> <ul style="list-style-type: none"> • it is safe, attractive and suitable for all people by all modes. • opportunities for sustainable transport modes have been taken up. <p>Policy P8 Managing Travel Demand and Reducing Congestion</p> <p>The Council will support development proposals which:</p> <ul style="list-style-type: none"> • are located in accordance with the spatial strategy in seeking to reduce the need to travel and that essential travel can be met by forms of sustainable transport in addition to the private car; • promote linked trips by encouraging mixed use development where appropriate; • do not result in the reduction of safety for users of the highway or other transport network; • takes an evidence-based approach to demonstrate appropriate car parking provision, taking account of location, trip rates and, where relevant, travel plan targets and forecast levels of car ownership; | |

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| <p>Overall schemes should have an emphasis on 2- or 3-bedroom properties including some single storey dwellings, smaller units suitable for starter homes and residents wishing to downsize or resize and some larger houses (4 bedrooms or more) for families or those requiring multi-generational homes.</p> <p>b. Residential units which provide live / work accommodation will be supported, provided that residential amenity of surrounding occupiers is protected and any adverse impacts on the surrounding road network are minimised.</p> <p>c. Schemes that include opportunities for self-build projects will be supported.</p> <p>6. Natural Environment</p> <p>Development should aim to protect and enhance local biodiversity in line with Policy B3.</p> <p>a. Where possible new buildings should incorporate wildlife friendly features such as bird boxes and swift bricks.</p> | <p>a) All development proposals should have regard to transport efficiency and highway safety:</p> <p>i. Development will not be permitted which results in a significant increase in delay to vehicles, pedestrians or cyclists or a reduction in safety for any users of the highway or other transport network;</p> <p>ii. Travel demands associated with development should be managed to minimise detrimental impact to the efficiency of the highway network;</p> <p>iii. Ensure new development reduces the need to travel e.g. by promoting linked trips and encouraging mixed use development where appropriate;</p> <p>iv. Provision for parking and servicing will be required in accordance with a Supplementary Planning Document on managing travel demands associated with development;</p> <p>v. The Council will support proposals for strategic public transport schemes such as rapid transit, local rail schemes as</p> | <p>...</p> <p>Policy P9 Mitigating and Adapting to Climate Change</p> <p>Proposals for development will be required to demonstrate that, dependent on their scale, use and location, measures are included that mitigate and adapt to the impacts of climate change. Full details of the proposed measures should be incorporated into the proposal.</p> <p>....</p> <p>At a site level, the Council will promote an ‘energy hierarchy’ in seeking to reduce carbon dioxide emissions as follows:</p> <ul style="list-style-type: none"> • Reduce energy demand through energy efficiency measures. • Supply energy efficiently and give priority to decentralised and/or district energy supply. • Provide energy from renewable or low carbon sources. • Promote connections for electric vehicles. In order that development proposals are adaptive to climate change, measures will include: | |

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| <p>b. Layouts should support open spaces for wildlife areas and corridors.</p> <p>Where developers consider that any of the above criteria are not practical or deliverable, suitable evidence should be provided to demonstrate that a different approach is required.</p> | <p>identified in LTP3 and local Park and Ride at appropriate railway stations subject to other policies in the Local Plan;</p> <p>vi. Off-site parking provision proposed in association with economically important sites will be supported, subject to other policies in the Local Plan, where sustainable transport links between those sites and the parking provision are of a good quality, direct and attractive to use.</p> <p>b) The use of sustainable modes of transport, i.e. walking, cycling and public transport, shall be promoted and encouraged in all developments by:</p> <p>i. Ensuring the design and management of the development enables and encourages the use of sustainable modes of transport;</p> <p>ii. Ensuring transport planning measures are implemented to help and encourage people accessing the development to use sustainable transport modes;</p> | <ul style="list-style-type: none"> • Flood prevention and mitigation measures, including (SUDS) and water efficiency measures as set out in Policy P11. • Layout and design that minimises the need for energy for heating and cooling. • Integrated green infrastructure, such as SUDs, green spaces and corridors, retaining and planting trees, green roofs & walls, landscaping and rain gardens. <p>Policy P10 Natural Environment</p> <p>The Council recognises the importance of a healthy natural environment in its own right, and for the economic and social benefits it provides to the Borough. The full value and benefits of the natural environment will be taken into account in considering all development proposals, including the contribution to the green economy and the health of residents, and the potential for reducing the impacts of climate change. Joint working with neighbouring authorities and partners will be supported,</p> | |

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| | <p>iii. Ensuring the routes to the site from nearby services and local public transport stops are good quality, direct and attractive to use for all users.</p> <p>POLICY P9 Climate Change</p> <p>The Council will take full account of national and local targets for reducing greenhouse gas emissions and increasing the generation of energy from renewable and low carbon sources, when considering the location and design of new development.</p> <p>.....</p> <p>Developers will be expected to demonstrate the highest viable energy efficiency standards through the location and layout of developments and the use of materials and construction techniques that minimise emissions.</p> <p>....</p> <p>Developers should ensure resilience to the impacts of a changing climate for the anticipated lifespan of the development through consideration of a range of adaptation measures, including the location,</p> | <p>recognising the need for a landscape scale approach to the natural environment and conservation of biodiversity. Arden Landscape The Council will seek to protect, enhance and restore the diverse landscape features of the Borough and to create characteristic habitats such as new woodlands, copses, hedgerows and standard trees, species-rich grassland and wood pasture. To halt and where possible reverse the degrading of the Arden landscape and promote local distinctiveness. Development should take full account of national and local guidance on protecting and restoring the landscape and the areas in need of enhancement, including guidance relating to the countryside. Developers will be expected to incorporate measures to protect, enhance and restore the landscape, unless it is demonstrated that it is not feasible, disproportionate or unnecessary. Biodiversity and Geodiversity The Council will seek to conserve, enhance and restore biodiversity and geodiversity across the Borough. Protection of designated</p> | |

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| | <p>design, materials, build and operation of developments, and the provision of green infrastructure.</p> <p>POLICY P10 Natural Environment</p> <p>The Council recognises the importance of a healthy natural environment in its own right, and for the economic and social benefits it provides to the Borough. The full value and benefits of the natural environment will be taken into account in considering all development proposals, including the contribution to the green economy and the health of residents, and the potential for reducing the impacts of climate change. Joint working with neighbouring authorities will be supported, recognising the need for a landscape scale approach to the natural environment and conservation of biodiversity.</p> <p>The Council will seek to protect, enhance and restore the diverse landscape features of the</p> | <p>sites, ancient woodland, and priority habitats shall include the establishment of buffers to any new development so that they connect with existing and created green infrastructure assets. Development should be informed by the latest information on habitats and species, and take full account of national and local guidance on conserving biodiversity, opportunities for biodiversity enhancement and for improving and restoring the Borough’s green infrastructure (especially fragmentation of habitats). When appropriate, development should seek to enhance accessibility to the natural environment, especially for disabled people. Habitat and species protection and enhancement The Council will protect areas of national and local importance for biodiversity and geodiversity, where it is reasonable, proportionate and feasible to do so.</p> <p>....</p> <p>Outside Designated Sites: Developers will be expected to take full account of the nature conservation or geological value,</p> | |

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| | <p>Borough and to create new woodlands and other characteristic habitats, so as to halt and where possible reverse the degrading of the Arden landscape and promote local distinctiveness. Development should take full account of national and local guidance on protecting and restoring the landscape and the areas in need of enhancement, including guidance relating to the countryside. Developers will be expected to incorporate measures to protect, enhance and restore the landscape, unless it is demonstrated that it is not feasible, disproportionate or unnecessary.</p> <p>The Council will seek to conserve, enhance and restore biodiversity and geodiversity, to create new native woodlands and other habitats and to protect, restore and enhance ancient woodland and green infrastructure assets across the Borough. Protection of ancient woodland, designated sites and priority habitats shall include the</p> | <p>and the existence of any habitats or species included in the Local Biodiversity Action Plan, national S.41 list, or sites in the Local Geological Action Plan as well as the Wildlife and Countryside Act and EU Directives. Developers will be required to undertake a full ecological survey and to deliver a net gain or enhancement to biodiversity, unless it is demonstrated that it is not appropriate or feasible. In considering the need for green space improvements associated with new development, developers should have regard for the standards and priorities in the Green Spaces Strategy in relation to accessible natural green space.</p> <p>Policy P11 Water Management</p> <p>Sustainable Drainage Systems</p> <p>All major development must include the use of sustainable drainage systems, in order to contribute towards wider sustainability considerations, including amenity, recreation, conservation of</p> | |

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| | <p>establishment of buffers to any new development. Development should be informed by the latest information on habitats and species, and take full account of national and local guidance on conserving biodiversity, opportunities for biodiversity enhancement and for improving and restoring the Borough’s green infrastructure. When appropriate, development should seek to enhance accessibility to the natural environment, especially for disabled people.</p> <p>The Council will protect areas of national and local importance for biodiversity and geodiversity, where it is reasonable, proportionate and feasible to do so.</p> <p>POLICY P11 Water Management</p> <p>....</p> <p>The Council recognises the need for water efficiency in all new development. Developers shall demonstrate the highest possible standards of water efficiency through the use of water efficient</p> | <p>biodiversity and landscape character, as well as flood alleviation and water quality control. Minor development is expected to include the use of sustainable drainage systems unless demonstrated to be inappropriate to do so. Developers are encouraged to secure reduction of flood risk by the provision or enhancement of green infrastructure. Sustainable drainage systems must be considered for all developments at an early stage, with developers allowing for the allocation of sufficient land to accommodate an appropriate train of adequate sustainable drainage systems features that are technically appropriate for the environment in which they are to be placed. All features must be located outside of the 1 in 100 year plus climate change flood extent.</p> <p>Policy P14 Amenity</p> <p>The Council will seek a good standard of amenity for all existing and future occupiers of houses, businesses and other uses in</p> | |

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| | <p>fittings and appliances, and where appropriate, recycling of potable, grey water and rainwater in order to minimise consumption.</p> <p>All new development shall incorporate sustainable drainage systems, unless it is shown to be impractical to do so. Developers shall ensure that adequate space is made for water within the design layout of all new developments to support the full use of sustainable drainage systems, and shall demonstrate that improvements to the water environment will be maximised through consideration of a range of techniques. Wherever possible, sustainable drainage systems will be expected to contribute towards wider sustainability considerations, including amenity, recreation, conservation of biodiversity and landscape character, as well as flood alleviation and water quality control.</p> <p>POLICY P15 Securing Design Quality All development proposals will be expected to achieve good quality, inclusive and sustainable</p> | <p>considering proposals for new development, extensions and changes of use and will:</p> <ul style="list-style-type: none"> • Permit development only if secures high quality design (see Policy P15); • Safeguard important trees, hedgerows and woodlands, and will require new and replacement tree and hedgerow planting; and, where appropriate, new woodlands; <p>Policy P15 Securing Design Quality All development proposals will be expected to contribute to, or create, high quality places and spaces which have regard to local distinctiveness to achieve high quality, inclusive and sustainable design. Proposals will be expected to meet the following key principles:</p> <ul style="list-style-type: none"> • Conserves and enhances local character, distinctiveness and streetscape quality and ensures that the scale, massing, density, layout, territory (including space between buildings), materials and landscape of the development respect the surrounding natural, built and historic environment; | |

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| | <p>design, which meets the following key principles:</p> <p>i. Conserves and enhances local character, distinctiveness and streetscape quality and ensures that the scale, massing, density, layout, materials and landscape of the development respect the surrounding natural, built and historic environment;</p> <p>ii. Ensures that new development achieves the highest possible standard of environmental performance through sustainable design and construction and the location and layout of the development in accordance with the guidance provided in Policy P9</p> <p>– Climate Change;</p> <p>iii. Secures the sustainable long-term use of new development through flexible, robust and future-proofed design e.g. high-speed digital connectivity;</p> <p>iv. Makes appropriate space for water within the development, using sustainable drainage</p> | <ul style="list-style-type: none"> • Secures the sustainable long-term use of new development through flexible, robust and future-proofed design and layout; • Makes appropriate provision for water management within development, and provides innovative design solutions for all development; • Be proactive in responding to climate change and adopts sustainable and low carbon construction principles in terms of their design, layout and density, meeting the requirements of Approved Document M of the Building Regulations, or subsequent equivalent; • Conserves, restores or enhances biodiversity; • Respects and enhances landscape quality, including trees, hedgerows and other landscape features of value, and contributes to strategic green infrastructure; • Creates attractive, safe, active, legible and uncluttered streets and public spaces which are accessible, inter-connected and easily maintained, and encourages walking and cycling and reduces | |

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| | <p>(SuDS) principles, to minimise and adapt to the risk of flooding. Further guidance is provided in Policy P11 – Water Management;</p> <p>v. Conserves and enhances biodiversity, landscape quality and considers the impact on and opportunities for green infrastructure at the earliest opportunity in the design process. Further guidance is provided in Policy P10 – Natural Environment;</p> <p>vi. Integrates the natural environment within the development through the provision of gardens, quality open space and/or improved access to, enhancement or extension of the green infrastructure network. Further guidance is provided in Policy P20 – Provision for Open Space, Children’s Play, Sport, Recreation and Leisure;</p> <p>vii. Creates attractive, safe, active, legible and uncluttered streets and public spaces which are accessible, easily maintained and encourage walking and cycling</p> | <p>crime and the fear of crime through the adoption of Secured by Design principles in all developments.</p> | |

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| | <p>and reduce crime and the fear of crime.</p> <p>Development proposals will also be expected to contribute to or create a sense of place. Such measures may include; reflecting heritage assets and their setting in the design process, integrating landscape into the development, promoting diversity through a mix of uses within the site, or the incorporation of public art.</p> | | |
| <p>Policy B2: Rural Exception Local Needs Housing in Berkswell Village</p> <p>Small-scale affordable housing development (of 1 to 2 homes) in Berkswell Village will be supported where proposals would meet a proven local need in Berkswell village, as identified in the Strategic Housing Market Assessment or other up to date and robust local housing needs evidence.</p> <p>A detailed needs assessment will be required to be submitted with the planning application, and this should set out why residents with a</p> | <p>POLICY P4 – Meeting Housing Needs</p> <p>b) Rural Exceptions</p> <p>The provision of affordable housing developments on green belt land to meet the local needs of households in that Parish or neighbourhood will be supported in circumstances where,</p> <p>i. The development proposal is consistent with the Village, Parish or Neighbourhood Plan; or</p> <p>ii. There is evidence that people with a local connection to the Parish area have a housing need that</p> | <p>Policy P4 Meeting Housing Needs</p> <p>Rural Exceptions</p> <p>The provision of affordable housing developments on green belt land to meet the local needs of households in that Parish or neighbourhood will be supported in circumstances where:</p> <ul style="list-style-type: none"> - The development proposal is consistent with the Village, Parish or Neighbourhood Plan; or - There is evidence that people with a local connection to the Parish area have a housing need that cannot be met through affordable housing | <p>NDP Policy B2 provides a locally distinct policy to guide any proposals for rural exception housing that may come forward to meet local needs in Berkswell village over the plan period.</p> <p>This policy is supported by Adopted Local Plan Policy P4 which sets out where rural exceptions may be appropriate, Policy P15 which requires high quality design and Policy P17 which provides the criteria for development to be acceptable in the Countryside and Green Belt.</p> |

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| <p>proven local connection to the village of Berkswell have a housing need that cannot be met through affordable housing provision on an allocated site elsewhere in the parish.</p> <p>Housing proposals should not lead to a detrimental impact on the character of the village and should demonstrate that appropriate access and car parking can be achieved within or adjoining the site, and that any adverse impacts on the residential amenity of neighbouring occupiers is minimised.</p> <p>Where possible, development for local needs housing should take place on previously developed (brownfield) land and / or be located on small infill sites, so that it does not expand the village beyond the existing built up area.</p> | <p>cannot be met through affordable housing provision on an allocated housing site and the proposed development is supported by the Parish Council or Neighbourhood Group.</p> <p>POLICY P15 Securing Design Quality</p> <p>All development proposals will be expected to achieve good quality, inclusive and sustainable design, which meets the following key principles:</p> <p>i. Conserves and enhances local character, distinctiveness and streetscape quality and ensures that the scale, massing, density, layout, materials and landscape of the development respect the surrounding natural, built and historic environment.</p> <p>...</p> <p>POLICY P17 Countryside and Green Belt</p> <p>The Council will not permit inappropriate development in the Green Belt, except in very special</p> | <p>provision on an allocated housing site and the proposed development is supported by the Parish Council or Neighbourhood Forum.</p> <p>Policy P15 Securing Design Quality</p> <p>All development proposals will be expected to contribute to, or create, high quality places and spaces which have regard to local distinctiveness to achieve high quality, inclusive and sustainable design. Proposals will be expected to meet the following key principles:</p> <ul style="list-style-type: none"> • Conserves and enhances local character, distinctiveness and streetscape quality and ensures that the scale, massing, density, layout, territory (including space between buildings), materials and landscape of the development respect the surrounding natural, built and historic environment; <p>....</p> <p>Policy P17 Countryside and Green Belt</p> <p>Inappropriate development will not be permitted in the Solihull Green</p> | |

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| | <p>circumstances. In addition to the national policy, the following provisions shall apply to development in the Borough's Green Belt:</p> <ul style="list-style-type: none"> • Development involving the replacement, extension or alteration of buildings in the Green Belt will not be permitted if it will harm the need to retain smaller more affordable housing or the purposes of including land within the Green Belt. • Limited infilling will not be considered to be inappropriate development within the Green Belt settlements, providing this would not have an adverse effect on the character of the settlements. Limited infilling shall be interpreted as the filling of a small gap within an otherwise built-up frontage with not more than two dwellings. | <p>Belt, unless very special circumstances have been demonstrated in accordance with the NPPF. Paragraphs 89 and 90 of the NPPF set out forms of development that are not regarded as inappropriate.</p> <p>...</p> <p>Development within or conspicuous from the Green Belt must not harm the visual amenity of the Green Belt by reason of siting, materials or design.</p> | |
| <p>Policy B3: Protecting Local Landscape and Built Character</p> <p>Landscape Character</p> <p>1. The location, design and layout of new housing</p> | <p>POLICY P10 Natural Environment</p> <p>The Council will seek to protect, enhance and restore the diverse landscape features of the</p> | <p>Policy P10 Natural Environment</p> <p>The Council recognises the importance of a healthy natural environment in its own right, and for the economic and social benefits it provides to the Borough. The full</p> | <p>NDP Policy B3 aims to ensure new development protects and enhances the natural and built heritage assets which are intrinsic to the special character of Berkswell and the wider Arden landscape.</p> |

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| <p>development should respect local character as set out in the Solihull Borough Landscape Character Assessment.</p> <p>2. Development should retain any features of identified local heritage interest such as ridge and furrow, and local landscape features and wildlife habitats of identified value such as ancient woodlands, mature trees and hedgerows, semi natural grassland, field ponds and river wetlands. Where proposals would impact adversely on such features detailed survey information should be used to inform the assessment and identify appropriate mitigation measures.</p> <p>3. All developments should mitigate the impact from the loss of countryside, wildlife and the natural environment. For larger sites (10 houses or with an area of 1 hectare or more) the developer will be required to produce an evidence-based mitigation plan covering the wildlife, mature hedges, mature trees, streams,</p> | <p>Borough and to create new woodlands and other characteristic habitats, so as to halt and where possible reverse the degrading of the Arden landscape and promote local distinctiveness. Development should take full account of national and local guidance on protecting and restoring the landscape and the areas in need of enhancement, including guidance relating to the countryside. Developers will be expected to incorporate measures to protect, enhance and restore the landscape, unless it is demonstrated that it is not feasible, disproportionate or unnecessary.</p> <p>The Council will seek to conserve, enhance and restore biodiversity and geodiversity, to create new native woodlands and other habitats and to protect, restore and enhance ancient woodland and green infrastructure assets across the Borough. Protection of ancient woodland, designated sites and priority habitats shall include the</p> | <p>value and benefits of the natural environment will be taken into account in considering all development proposals, including the contribution to the green economy and the health of residents, and the potential for reducing the impacts of climate change. Joint working with neighbouring authorities and partners will be supported, recognising the need for a landscape scale approach to the natural environment and conservation of biodiversity.</p> <p>Arden Landscape</p> <p>The Council will seek to protect, enhance and restore the diverse landscape features of the Borough and to create characteristic habitats such as new woodlands, copses, hedgerows and standard trees, species-rich grassland and wood pasture. To halt and where possible reverse the degrading of the Arden landscape and promote local distinctiveness. Development should take full account of national and local guidance on protecting</p> | <p>At a strategic level, Adopted Local Plan Policy P10 seeks to protect, enhance and restore natural heritage assets, Policy P15 promotes high quality design and Policy P16 protects built heritage assets.</p> |

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| <p>ponds. This should include the retention of existing important features and the inclusion of new features such as trees, bird boxes, wild life areas, ponds and woodlands. Street trees should be provided wherever possible.</p> <p>Built Character</p> <p>1. Designs should respond positively to the distinctive local and historic character of individual settlements and character areas of the parish.</p> <p>2. The use of traditional materials used locally is encouraged such as traditional red brick and render for elevations and tiled roofs as are innovative systems to generate solar electricity designed to supplement solar panels.</p> <p>3. Scale, massing, density and layout should relate to the surrounding built form.</p> <p>4. Innovative design and materials to achieve enhanced</p> | <p>establishment of buffers to any new development. Development should be informed by the latest information on habitats and species, and take full account of national and local guidance on conserving biodiversity, opportunities for biodiversity enhancement and for improving and restoring the Borough’s green infrastructure. When appropriate, development should seek to enhance accessibility to the natural environment, especially for disabled people.</p> <p>The Council will protect areas of national and local importance for biodiversity and geodiversity, where it is reasonable, proportionate and feasible to do so.</p> <p>POLICY P15 Securing Design Quality All development proposals will be expected to achieve good quality, inclusive and sustainable design, which meets the following key principles: i. Conserves and enhances local character, distinctiveness and streetscape quality and</p> | <p>and restoring the landscape and the areas in need of enhancement, including guidance relating to the countryside. Developers will be expected to incorporate measures to protect, enhance and restore the landscape, unless it is demonstrated that it is not feasible, disproportionate or unnecessary.</p> <p>Biodiversity and Geodiversity</p> <p>The Council will seek to conserve, enhance and restore biodiversity and geodiversity across the Borough. Protection of designated sites, ancient woodland, and priority habitats shall include the establishment of buffers to any new development so that they connect with existing and created green infrastructure assets. Development should be informed by the latest information on habitats and species, and take full account of national and local guidance on conserving biodiversity, opportunities for biodiversity enhancement and for improving and restoring the Borough’s green infrastructure (especially fragmentation of</p> | |

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| <p>environmental performance are encouraged.</p> <p>Heritage Assets</p> <p>1. Development proposals that impact upon the character and significance of the parish’s heritage assets and their setting will be expected to demonstrate how this impact has been assessed to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal.</p> <p>2. Great weight will be given to the conservation of the parish’s heritage assets. Any harm to the significance of a designated or non-designated heritage asset must be justified. Proposals will be weighed against the public benefits of the proposal; whether it has been demonstrated that all reasonable efforts have been made to sustain the existing use, find new uses, or mitigate the extent of the harm to the significance of the asset; and whether the works proposed are the minimum</p> | <p>ensures that the scale, massing, density, layout, materials and landscape of the development respect the surrounding natural, built and historic environment;</p> <p>ii. Ensures that new development achieves the highest possible standard of environmental performance through sustainable design and construction and the location and layout of the development in accordance with the guidance provided in Policy P9</p> <p>– Climate Change;</p> <p>iii. Secures the sustainable long-term use of new development through flexible, robust and future-proofed design e.g. high-speed digital connectivity;</p> <p>iv. Makes appropriate space for water within the development, using sustainable drainage (SuDS) principles, to minimise and adapt to the risk of flooding. Further guidance is provided in Policy P11 – Water Management;</p> | <p>habitats). When appropriate, development should seek to enhance accessibility to the natural environment, especially for disabled people.</p> <p>Habitat and species protection and enhancement</p> <p>The Council will protect areas of national and local importance for biodiversity and geodiversity, where it is reasonable, proportionate and feasible to do so.</p> <p>...</p> <p>Outside Designated Sites:</p> <p>Developers will be expected to take full account of the nature conservation or geological value, and the existence of any habitats or species included in the Local Biodiversity Action Plan, national S.41 list, or sites in the Local Geological Action Plan as well as the Wildlife and Countryside Act and EU Directives. Developers will be required to undertake a full ecological survey and to deliver a</p> | |

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| <p>required to secure the long term use of the asset.</p> <p>3. All applications that affect the historic environment will be expected to have considered and used, as a minimum, the evidence in the Berkswell Historic Environment Record to inform the principle and design response of the proposal.</p> <p>4. Scheduled monuments and other non-designated archaeological sites of equivalent importance should be preserved in situ. In those cases where this is not justifiable or feasible, provision should be made for excavation and recording with an appropriate assessment and evaluation. The appropriate publication/curation of findings will be expected.</p> <p>5. Material(s) stolen from historic assets should be replaced like-for-like and supported by appropriate security measures. If alternative materials are proposed following theft of or from a heritage asset, proposals should be</p> | <p>v. Conserves and enhances biodiversity, landscape quality and considers the impact on and opportunities for green infrastructure at the earliest opportunity in the design process. Further guidance is provided in Policy P10 – Natural Environment;</p> <p>vi. Integrates the natural environment within the development through the provision of gardens, quality open space and/or improved access to, enhancement or extension of the green infrastructure network. Further guidance is provided in Policy P20 – Provision for Open Space, Children’s Play, Sport, Recreation and Leisure;</p> <p>vii. Creates attractive, safe, active, legible and uncluttered streets and public spaces which are accessible, easily maintained and encourage walking and cycling and reduce crime and the fear of crime.</p> <p>Development proposals will also be expected to contribute to or create a sense of place. Such measures</p> | <p>net gain or enhancement to biodiversity, unless it is demonstrated that it is not appropriate or feasible. In considering the need for green space improvements associated with new development, developers should have regard for the standards and priorities in the Green Spaces Strategy in relation to accessible natural green space.</p> <p>Mitigation hierarchy</p> <p>Where development is likely to have significant harmful effects on the natural environment, as a result of the development itself, or the cumulative impact of developments, developers must demonstrate that all possible alternatives that would result in less harm have been considered. Where development is permitted, appropriate mitigation of the impacts and compensation where relevant will be required to deliver a net gain in biodiversity, habitat creation, landscape character and local distinctiveness. Enhancements should be undertaken either on the site, or in</p> | |

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| <p>accompanied by a detailed and thorough explanation of the rationale for the change and the anticipated impact on the significance of the heritage asset together with an explanation of why like-for-like materials with appropriate security measures will not be the appropriate course of action.</p> <p>Large Agricultural Buildings in the Open Countryside</p> <p>1. Proposals for large agricultural, commercial, and infrastructure developments in the countryside should be sited, designed and landscaped with sensitivity, taking into account the characteristics of the Arden landscape of the rural area of the parish.</p> <p>2. Prominent, metallic or bright colours should be avoided in buildings or parts of buildings which are highly visible from or located within sensitive landscape areas. Natural and earth colours</p> | <p>may include; reflecting heritage assets and their setting in the design process, integrating landscape into the development, promoting diversity through a mix of uses within the site, or the incorporation of public art.</p> <p>POLICY P16 Conservation of Heritage Assets and Local Distinctiveness</p> <p>The Council recognises the importance of the historic environment to the Borough’s local character and distinctiveness, its cultural, social, environmental and economic benefits and the effect this has on civic pride. The Council considers the following characteristics make a significant contribution to the local character and distinctiveness of the Borough and where applicable, development proposals will be expected to demonstrate how these characteristics have been conserved:</p> | <p>its vicinity, but where it is demonstrated that this is not possible, offsetting, as a last resort, in alternative strategic locations within the biodiversity or green infrastructure network, to deliver biodiversity or other objectives may be considered.</p> <p>Policy P14 Amenity</p> <p>The Council will seek a good standard of amenity for all existing and future occupiers of houses, businesses and other uses in considering proposals for new development, extensions and changes of use and will:</p> <ul style="list-style-type: none"> • Permit development only if secures high quality design (see Policy P15); • Safeguard important trees, hedgerows and woodlands, and will require new and replacement tree and hedgerow planting; and, where appropriate, new woodlands; • Ensure development that would contribute to air pollution, either directly or indirectly does not have a significant adverse impact on local air quality resulting in unacceptable | |

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| <p>and materials are preferred wherever possible.</p> <p>3. Boundary treatments should be designed taking into account the Landscape Character design criteria under this Policy and Policy B6, and obtrusive security / palisade type fencing should be avoided.</p> | <p>ii. The historical development and variety of architectural styles within the Mature Suburbs and the larger established rural settlements of Meriden, Hampton-in-Arden, Balsall Common, Knowle, Dorridge, Bentley Heath, Hockley Heath, Cheswick Green and Tidbury Green;</p> <p>iii. The Arden landscape, historic villages, hamlets, farmsteads, country and lesser houses and the distinct medieval core of historic rural settlements including Berkswell, Barston, Temple Balsall, Meriden Hill, Walsal End, Hampton-in-Arden, Bickenhill and Knowle;</p> <p>iv. Parks, gardens and landscape including common, woodland, heathland and distinctive fieldscapes as defined in the Warwickshire Historic Landscape Characterisation.</p> <p>Development will be expected to preserve or enhance heritage assets as appropriate to their</p> | <p>effects on human health, local amenity and the natural environment, and that it incorporates appropriate attenuation, mitigation or compensatory measures where necessary;</p> <p>....</p> <p>Policy P15 Securing Design Quality</p> <p>All development proposals will be expected to contribute to, or create, high quality places and spaces which have regard to local distinctiveness to achieve high quality, inclusive and sustainable design. Proposals will be expected to meet the following key principles:</p> <ul style="list-style-type: none"> • Conserves and enhances local character, distinctiveness and streetscape quality and ensures that the scale, massing, density, layout, territory (including space between buildings), materials and landscape of the development respect the surrounding natural, built and historic environment; • Secures the sustainable long-term use of new development through | |

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| | <p>significance, conserve local character and distinctiveness and create or sustain a sense of place. In Solihull, heritage assets include; Listed Buildings, Scheduled Ancient Monuments, Registered Parks and Gardens, Conservation Areas and also non-designated assets; buildings, monuments, archaeological sites, places, areas or landscapes positively identified in Solihull’s Historic Environment Record as having a degree of significance meriting consideration in planning decisions, such as those identified on the Local List. All applications and consents that affect the historic environment will be expected to have considered and used the evidence in the Solihull Historic Environment Record to inform the design of the proposal. This should be explained in the accompanying Design and Access Statement or, for significant proposals, in a Heritage Statement. Proposals seeking to modify heritage assets for the mitigation of and adaptation to the effects of climate change will be expected to</p> | <p>flexible, robust and future-proofed design and layout;</p> <ul style="list-style-type: none"> • Makes appropriate provision for water management within development, and provides innovative design solutions for all development; • Be proactive in responding to climate change and adopts sustainable and low carbon construction principles in terms of their design, layout and density, meeting the requirements of Approved Document M of the Building Regulations, or subsequent equivalent; • Conserves, restores or enhances biodiversity; • Respects and enhances landscape quality, including trees, hedgerows and other landscape features of value, and contributes to strategic green infrastructure; • Creates attractive, safe, active, legible and uncluttered streets and public spaces which are accessible, inter-connected and easily maintained, and encourages walking and cycling and reduces crime and the fear of crime through | |

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| | <p>be sympathetic and conserve the special interest and significance of the heritage asset or its setting.</p> | <p>the adoption of Secured by Design principles in all developments.</p> <p>Policy P16 Conservation of Heritage Assets and Local Distinctiveness</p> <p>The Council recognises the importance of the historic environment to the Borough’s local character and distinctiveness, and to civic pride, and the cultural, social, environmental and economic benefits that its conservation brings. Heritage assets are an irreplaceable resource that should be conserved as appropriate to their significance, sustained and enhanced, and put to viable use consistent with their conservation. The Council considers that the following characteristics make a significant contribution to the local character and distinctiveness of the Borough:</p> <ul style="list-style-type: none"> • The historical development and variety of architectural styles within the Mature Suburbs and the larger established rural settlements of Meriden, Hampton-in-Arden, Balsall Common .. •The Arden landscape, historic villages, hamlets, farmsteads, | |

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| | | <p>country and lesser houses and the distinct medieval core of historic rural settlements including Berkswell, ...</p> <ul style="list-style-type: none"> • Parks, gardens and landscape including common, woodland, heathland and distinctive fieldscapes as defined in the Warwickshire Historic Landscape Characterisation; <p>...</p> | |
| <p>Policy B4: Local Green Spaces</p> <p>The following are designated as Local Green Spaces:</p> <ol style="list-style-type: none"> 1. The Recreation Ground on Meeting House Lane, next to the Catholic Church, Balsall Common; and 2. The Football ground on Lavender Hall Lane, Balsall Common. <p>These are shown on Map 4a and Map 4b.</p> | <p>POLICY P20 Provision for Open Space, Children’s Play, Sport, Recreation and Leisure</p> <p>a) Existing public open space, sports and recreational facilities:</p> <p>The Council recognises the importance and multi-functional benefits of public open space, sports and recreational facilities within the Borough and will support the enhancement of existing facilities and open space. Loss of existing facilities through development will not be permitted where they are of value by to the local community for recreation, visual amenity,</p> | <p>Policy P18 Health and Wellbeing</p> <p>The Council will, with its partners, create an environment, which supports positive health outcomes and reduces inequality. New development proposals will be expected to promote, support and enhance physical and mental health and wellbeing. Healthy lifestyles will be enabled by:</p> <ul style="list-style-type: none"> • Facilitating opportunities for formal and informal physical activity, exercise opportunities, recreation and play through access to well maintained open spaces; • Contributing to and creating a high quality, inclusive and attractive environment which minimise and | <p>NDP Policy B4 identifies 2 Local Green Spaces for protection from development which are highly valued by local residents.</p> <p>The principle of NDPs designating Local Green Spaces is supported in Adopted Local Plan Policy P20 and this policy also protects existing areas of open space and recreation facilities.</p> |

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| | <p>nature conservation or make an important contribution to the quality of the environment or network of green infrastructure, unless:</p> <p>i. it can be demonstrated that the open space or buildings are clearly surplus to requirements; or</p> <p>ii. the need or benefits of the development clearly outweigh the loss.</p> <p>In such circumstances, the Council will require appropriate compensatory measures for the loss.</p> <p>Enhancement of open space or buildings shall be in accordance with Policy P15 – Securing Design Quality and Policy P10 – Natural Environment.</p> <p>The Council supports the principle of designating land as Local Green Space. Where designation would be appropriate, necessary and where the open space meets the criteria outlined in national guidance, the Council will support designation of Local Green Spaces in neighbourhood plans.</p> | <p>mitigate against potential harm from risks such as pollution and obesogenic environments, and promoting health and well-being & opportunities for social interaction;</p> <ul style="list-style-type: none"> • Increasing opportunities for walking, cycling and encouraging more sustainable travel choices. • Improving the quality and access to the strategic and local green infrastructure network in the Borough, particularly in the North Solihull Regeneration Area and in areas where accessible green spaces and infrastructure is identified as lacking. • Supporting the retention and protection of facilities which promote healthy lifestyles such as open space, including public rights of way to open space, playing pitches and allotments; <p>....</p> <ul style="list-style-type: none"> • Seeking to retain and enhance, where appropriate, green spaces and incorporate planting, trees, open spaces and soft surfaces wherever possible in order to secure a variety of spaces for residents, visitors or employees to use and observe ... | |

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| | | <p>Policy P20 Provision for Open Space, Childrens Play, Sport, Recreation and Leisure</p> <p>A Existing public open space, children’s play, sports and recreational facilities:</p> <p>The Council will support proposals which will contribute towards the enhancement of existing recreational facilities; children’s play and open space. Existing facilities that are of value to the local community for recreation, visual amenity, nature conservation or that make an important contribution to the quality of the environment or network of green infrastructure will be protected, unless:</p> <ul style="list-style-type: none"> • it can be evidenced clearly that the open space or facilities are surplus to requirements and are no longer required to meet local need • the proposed development provides equivalent or better replacement open space, sport, or recreation facilities in size, quality and accessibility within an | |

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| | | <p>accessible location for existing and potential new users; or</p> <ul style="list-style-type: none"> • the development results in a substantial community benefit that clearly outweighs the harm resulting from the loss of the existing open space/facilities. Where existing provision is not being protected then the Council will require appropriate compensatory measures. Enhancement of open space or buildings shall be in accordance with Policy P15 – Securing Design Quality and Policy P10 – Natural Environment. <p>The Council supports the principle of designating land as Local Green Space, including designation within Neighbourhood Plans. Where designation would be appropriate, necessary and where the open space meets the criteria outlined in national guidance.</p> | |
| <p>Policy B5: Berkswell Conservation Area</p> <p>Development proposals for new buildings, extensions and conversions of existing buildings will be supported where designs</p> | <p>POLICY P15 Securing Design Quality</p> <p>All development proposals will be expected to achieve good quality, inclusive and sustainable design, which meets the following key principles:</p> | <p>Policy P15 Securing Design Quality</p> <p>All development proposals will be expected to contribute to, or create, high quality places and spaces which have regard to local distinctiveness to achieve high quality, inclusive</p> | <p>NDP Policy B5 has been prepared to provide locally relevant design guidance for limited new development in the conservation area.</p> |

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| <p>enhance and reinforce local character and distinctiveness, and the character and appearance of Berkswell conservation area. All proposals should demonstrate how the design is appropriate in terms of scale, height, materials and detailing to the character and appearance of the conservation area. Where relevant development should also preserve listed buildings and their settings.</p> <p>New Buildings New buildings should be of a scale, massing and overall height which respond to the characteristics of the site and its setting within the local character area as identified in the Conservation Area Appraisal and Management Proposals document. Where relevant they must also have regard to the desirability of preserving a listed building or its setting. New buildings in the conservation area: 1. Should be modest in scale, no more than two storeys in height with pitched roofs and either</p> | <p>i. Conserves and enhances local character, distinctiveness and streetscape quality and ensures that the scale, massing, density, layout, materials and landscape of the development respect the surrounding natural, built and historic environment; </p> <p>POLICY P16 Conservation of Heritage Assets and Local Distinctiveness</p> <p>The Council recognises the importance of the historic environment to the Borough’s local character and distinctiveness, its cultural, social, environmental and economic benefits and the effect this has on civic pride.</p> <p>Development will be expected to preserve or enhance heritage assets as appropriate to their significance, conserve local character and distinctiveness and create or sustain a sense of</p> | <p>and sustainable design. Proposals will be expected to meet the following key principles:</p> <ul style="list-style-type: none"> • Conserves and enhances local character, distinctiveness and streetscape quality and ensures that the scale, massing, density, layout, territory (including space between buildings), materials and landscape of the development respect the surrounding natural, built and historic environment; <p>....</p> <p>Policy P16 Conservation of Heritage Assets and Local Distinctiveness</p> <p>The Council recognises the importance of the historic environment to the Borough’s local character and distinctiveness, and to civic pride, and the cultural, social, environmental and economic benefits that its conservation brings. Heritage assets are an irreplaceable resource that should be conserved as appropriate to their significance, sustained and enhanced, and put to viable use consistent with their conservation. The Council considers that the following characteristics</p> | <p>Strategic Local Plan Policy P15 promotes high quality design taking into account local character and distinctiveness and Policy P16 conserved heritage assets including conservation areas.</p> |

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| <p>detached or grouped in small terraces.</p> <p>2. Should adopt building lines up to the back of footpath in the Church Lane area and set slightly back behind footways or front gardens elsewhere so that they are in context with their surroundings.</p> <p>3. Should use rooflines consistent with neighbouring buildings.</p> <p>4. Should use materials chosen to complement the design of a development and add to the quality or character of the surrounding environment; locally appropriate materials such as traditional red brick or timber frames with plain clay tiled roofs and possibly thatch should normally be used.</p> <p>5. Can employ contemporary designs where that would contribute positively towards the visual interest of the local street scene; such proposals must use high quality traditional materials, usually traditional ones such as local brick in innovative ways where appropriate.</p> | <p>place. In Solihull, heritage assets include; Listed Buildings, Scheduled Ancient Monuments, Registered Parks and Gardens, Conservation Areas and also non-designated assets; buildings, monuments, archaeological sites, places, areas or landscapes positively identified in Solihull’s Historic Environment Record as having a degree of significance meriting consideration in planning decisions, such as those identified on the Local List.</p> <p>All applications and consents that affect the historic environment will be expected to have considered and used the evidence in the Solihull Historic Environment Record to inform the design of the proposal. This should be explained in the accompanying Design and Access Statement or, for significant proposals, in a Heritage Statement. Proposals seeking to modify heritage assets for the mitigation of and adaptation to the effects of climate change will be expected to be sympathetic and conserve the</p> | <p>make a significant contribution to the local character and distinctiveness of the Borough:</p> <p>...</p> <ul style="list-style-type: none"> • The Arden landscape, historic villages, hamlets, farmsteads, country and lesser houses and the distinct medieval core of historic rural settlements including Berkswell, <p>...</p> <p>Development proposals that impact upon this character and significance will be expected to demonstrate how this impact has been assessed and minimised, using a recognised process of assessment, involvement, evaluation and design.</p> <p>Development will be expected to conserve heritage assets in a manner appropriate to their significance, conserve local character and distinctiveness, create or sustain a sense of place and seek and take opportunities to enhance the contribution made by the historic environment to the character of a place. In Solihull,</p> | |

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| <p>Extensions Extensions to existing properties will be supported where they meet the following criteria:</p> <ol style="list-style-type: none"> 1. The scale and form are subordinate in scale to the existing building, the roofline does not exceed the existing rooflines and the character of the street scene is protected. 2. Materials are compatible with the materials of the original building or distinctive in a fully justifiable manner. 3. Traditional boundary treatments are retained. <p>Conversions Proposals for conversions will be supported where buildings are capable of conversion without substantial or complete rebuilding, and where proposals do not detract from the character of the original building, the character and appearance of the conservation area, or the special interest or setting of any relevant listed building. Careful thought is required about the treatment of external areas in terms of</p> | <p>special interest and significance of the heritage asset or its setting.</p> | <p>heritage assets include; Listed Buildings, Scheduled Ancient Monuments, Registered Parks and Gardens, Conservation Areas and also non-designated assets. The latter include buildings, monuments, archaeological sites, places, areas or landscapes positively identified in Solihull’s Historic Environment Record, or during development management work as having a degree of significance meriting consideration in planning decisions, such as those identified on the Local List of Heritage Assets. The historic landscape includes ancient woodlands, hedgerows and field boundaries, and archaeological features such as earthworks.</p> <p>All applications that affect the historic environment will be expected to have considered and used, as a minimum the evidence in the Solihull Historic Environment Record to inform the design of the proposal. Heritage assets should be assessed using further sources and appropriate expertise where necessary. This should be explained</p> | |

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| <p>enclosure, lighting, garden structures and the like.</p> <p>Views and Open Spaces</p> <p>1. Proposals should take account of the important views over open countryside and parkland as identified in the Conservation Area Appraisal and Management Proposals document, and particularly views towards the focal points of the Parish Church and the Malthouse and Bear Inn at the main crossroads.</p> <p>2. The important open spaces at the churchyard, the well and village green should be maintained for their strong contribution to local character and distinctiveness.</p> | | <p>in the accompanying Design and Access Statement or, for significant proposals, in a Heritage Statement.</p> | |
| <p>Policy B6: Conversions of Former Agricultural Buildings</p> <p>Where planning permission is required, the re-use or conversion of former agricultural buildings for small scale business uses or residential uses will be supported where proposals are sensitive to the existing character and form of the rural landscape and buildings</p> | <p>POLICY P17 Countryside and Green Belt</p> <p>Development involving farm-based diversification will normally be permitted in order to support farm enterprises and the management of land, providing it is in an appropriate location, of a scale appropriate to its location, and does not harm the Green Belt, conservation or</p> | <p>Policy P17 Countryside and Green Belt</p> <p>Inappropriate development will not be permitted in the Solihull Green Belt, unless very special circumstances have been demonstrated in accordance with the NPPF. Paragraphs 89 and 90 of the NPPF set out forms of development that are not regarded as inappropriate. In interpreting</p> | <p>NDP Policy B6 sets out locally detailed criteria setting out where conversions of former agricultural buildings may be acceptable.</p> <p>Adopted Local Plan Policy P17 permits the re-use of buildings in the Green Belt provided the openness is protected and design is in keeping with surroundings.</p> |

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| <p>are of permanent and substantial construction.</p> <p>Where appropriate materials such as red brick, wooden cladding, roof tiles and glass should be used, and designs should aim to retain the scale and form of the original building(s) as well as any traditional detailing.</p> <p>Conversions should be limited to the footprint, scale and height of the existing building. Any proposed extensions or new buildings associated with the development should not result in disproportionate additions or extend the curtilage of the building into open countryside.</p> <p>Existing access arrangements should be used. Access should be suitable and adequate for proposed increases in traffic associated with new uses bearing in mind the local road network. Landscaping should be provided to screen parking areas.</p> | <p>enhancement policies.</p> <p>The Council will not permit inappropriate development in the Green Belt, except in very special circumstances. In addition to the national policy, the following provisions shall apply to development in the Borough’s Green Belt:</p> <p>- Where the re-use of buildings or land is proposed, the new use, and any associated use of land surrounding the building, should not conflict with, nor have a materially greater impact on, the openness of the Green Belt and the purposes of including land in it, and the form, bulk and general design of the buildings shall be in keeping with their surroundings.</p> | <p>these paragraphs the following provisions will apply:</p> <ul style="list-style-type: none"> • Where the re-use of buildings or land is proposed, the new use, and any associated use of land surrounding the building, should not conflict with, nor have a materially greater impact on, the openness of the Green Belt and the purposes of including land in it, and the form, bulk and general design of the buildings shall be in keeping with their surroundings. <p>In considering proposals for inappropriate development in the Green Belt, the following factors may be taken into account as very special circumstances:</p> <ul style="list-style-type: none"> • The reasonable expansion of established businesses into the Green Belt will be allowed where the proposal would make a significant contribution to the local economy or employment, providing that appropriate mitigation can be secured. <p>...</p> | |

| Berkswell NDP Policies | Solihull Local Plan 2011 – 2028 Adopted 2013 | Solihull Draft Local Plan Review Draft Local Plan Nov 2016 | General Conformity |
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| <p>Boundary treatments should reflect existing field boundaries in the wider rural area such as hedges and post and rail fencing. Suburban style close-boarded fencing and high brick walls are not appropriate and should be avoided. Consideration could be given to the use of ha-ha ditches. Appropriate screening should be provided to help conceal parking areas and vehicles, bin storage areas and other ancillary domestic structures or buildings.</p> | | | |
| <p>Policy B7: Improving Car Parking Facilities at Berkswell Station</p> <p>Development proposals which provide additional public car parking and secure, safe and convenient cycle parking at Berkswell Station will be supported. Such proposals could include development of a two storey car park building and / or an extension to the current car park to the west of the West Coast Main Line to increase capacity for rail passengers.</p> | <p>POLICY P8 Managing Demand for Travel and Reducing Congestion</p> <p>a) All development proposals should have regard to transport efficiency and highway safety:</p> <p>...</p> <p>v. The Council will support proposals for strategic public transport schemes such as rapid transit, local rail schemes as identified in LTP3 and local Park and Ride at appropriate railway stations subject to other policies in the Local Plan;</p> | <p>Policy P8 Managing Travel Demand and Reducing Congestion</p> <p>The Council will support development proposals which:</p> <p>...</p> <ul style="list-style-type: none"> • takes an evidence-based approach to demonstrate appropriate car parking provision, taking account of location, trip rates and, where relevant, travel plan targets and forecast levels of car ownership; <p>...</p> <p>The Council will support proposals for local Park and Ride at</p> | <p>NDP Policy B7 supports improvements to parking provision at the rail station to help alleviate on street car parking in the area and in response to likely increases in demand if new housing proposals in the LPR come forward.</p> <p>Adopted Local Plan Policy P8 supports local park and ride schemes at rail stations.</p> |

| Berkswell NDP Policies | Solihull Local Plan 2011 – 2028 Adopted 2013 | Solihull Draft Local Plan Review Draft Local Plan Nov 2016 | General Conformity |
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| <p>Landscaping schemes should incorporate appropriate landscaping and tree planting to provide adequate screening, shade and enhancements to the public realm.</p> | | <p>appropriate railway stations subject to other policies in the Local Plan.</p> | |
| <p>Policy B8: Car Parking and Cycle Storage</p> <p>Developers of new housing schemes will be required to undertake an evaluation of the number of car or van parking spaces and cycle storage needed, taking account of the following:</p> <ol style="list-style-type: none"> 1. Size of property; 2. Proximity to local facilities and public transport provision; 3. The average number of cars per household currently in the parish; 4. The location of employment and the likely travel to work method and the data from any Transport Statement/Assessment required by the NPPF; 5. The width of roads that would permit effective on street | <p>POLICY P8 Managing Demand for Travel and Reducing Congestion</p> <p>a) All development proposals should have regard to transport efficiency and highway safety: ... iv. Provision for parking and servicing will be required in accordance with a Supplementary Planning Document on managing travel demands associated with development;</p> <p>b) The use of sustainable modes of transport, i.e. walking, cycling and public transport, shall be promoted and encouraged in all developments by:</p> <p>i. Ensuring the design and management of the development enables and encourages the use of sustainable modes of transport;</p> | <p>Policy P8 Managing Travel Demand and Reducing Congestion</p> <p>The Council will support development proposals which:</p> <ul style="list-style-type: none"> • takes an evidence-based approach to demonstrate appropriate car parking provision, taking account of location, trip rates and, where relevant, travel plan targets and forecast levels of car ownership; | <p>NDP Policy B8 notes the relatively high rate of car ownership in the parish, and existing problems with on street parking and traffic congestion. There is a need for new residential development to provide suitable car parking provision and cycle parking to support more sustainable transport alternatives.</p> <p>Adopted Local Plan Policy P8 requires provision for parking in line with an SPD and supports proposals which encourage walking and cycling.</p> |

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| <p>parking without the need for residents to park on pavements or verges;</p> <p>6. Suitable provision for visitors’ car parking and space for delivery vehicles;</p> <p>7. Provision for communal parking which is close to residents’ homes and “overlooked” for security purposes and in accordance with the provisions of the Manual for Streets ;</p> <p>8. As far as is practical, achieving secure by design in parking and layout to ensure the unimpeded and safe use of pavements and pavement ramps at junctions for those with disabilities both ambulatory and visual, and those with young children in prams, buggies and pushchairs to meet the requirements of the Human Rights Act 1993 and Equality Act 2010;</p> <p>9. The need to ensure access for emergency vehicles even when cars are parked on the roads/streets; and</p> <p>10. Supporting the need for residents to charge their electric vehicles (recognising that the sale</p> | <p>ii. Ensuring transport planning measures are implemented to help and encourage people accessing the development to use sustainable transport modes;</p> <p>iii. Ensuring the routes to the site from nearby services and local public transport stops are good quality, direct and attractive to use for all users.</p> | | |

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| <p>of new cars with petrol/diesel engines may be banned early in the life of new housing built under this NDP).</p> <p>Where possible, off street car parking provision in new housing schemes should be provided at a minimum standard of 2 parking spaces per household for households of 1-2 bedrooms, and thereafter 1 additional car parking space per additional bedroom, but such provision can be reduced where suitable and sufficient communal and on-street parking is provided as defined above.</p> <p>For the purposes of this policy, spaces within garages do not count towards the provision of car parking spaces but those in car ports without doors do count towards the provision of car parking spaces, unless the developer can demonstrate that the garage provision will actually be used for parking.</p> | | | |

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| <p>All housing schemes should include high quality cycle parking and storage facilities.</p> | | | |
| <p>Policy B9: Improving Accessibility for All</p> <p>Development proposals should include linkages to existing footpaths and cycle routes (as identified on Map 6) in order to improve connectivity between existing networks and enhance the attractiveness of walking and cycling in and around the area. All existing public rights of way should be retained within development schemes wherever possible.</p> <p>Where new (or diverted) non-vehicular routes are proposed, paths should avoid the use of estate roads wherever possible, and preference will be given to routes through landscaped areas or open spaces away from vehicular traffic.</p> <p>Designs should maximise safe accessibility for all non-vehicle users. Path widths should be</p> | <p>POLICY P7 Accessibility and Ease of Access</p> <p>a) All new development should be focused in the most accessible locations and seek to enhance existing accessibility levels and promote ease of access. Development will be expected to meet the following accessibility criteria, unless justified by local circumstances.</p> <p>i. Proposed housing development should be:</p> <ul style="list-style-type: none"> • Within an 800m walk distance of a primary school, doctor’s surgery and food shop offering a range of fresh food; and • Within a 400m walk distance of a bus stop served by a commercial high frequency bus service (daytime frequency of 15 minutes or better) providing access to local and regional employment and retail centres; and/or | <p>Policy P7 Accessibility and Ease of Access</p> <p>All new development should be focussed in the most accessible locations and seek to enhance existing accessibility levels and promote ease of access. The Council will expect development proposals to fulfil the following:</p> <ul style="list-style-type: none"> • demonstrate how access to the site will be achieved in a sustainable manner by a range and choice of transport modes. • for residential development over 100 dwellings, provide access to a bus service offering at least a 30 minute daytime, evening and weekend frequency within 400m of the site; • for all other development, provide access to a bus service offering at least a 30 minute daytime frequency within 400m of the site; • provide on-site transport infrastructure that promotes ease of | <p>NDP Policy B9 promotes improved accessibility for all as part of measures which support sustainable transport alternatives.</p> <p>Adopted Local Plan Policy P7 supports accessible residential development which links to walking, cycling networks and public transport provision.</p> <p>Adopted Local Plan Policy P8 supports proposals which encourage walking and cycling.</p> |

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| <p>suitable for safe use by users of mobility scooters, wheelchairs and pushchairs.</p> <p>All new and existing pedestrian and cycle routes within the built-up area should be well lit to encourage confident use and reduce anti-social behaviour. Routes should not be enclosed on both sides by high fences, walls or hedging which can lead to narrow, unattractive corridors with limited overlooking.</p> | <ul style="list-style-type: none"> • Within an 800m walk distance of a rail station providing high frequency services (3 or more per hour during peak periods) to local and regional employment and retail centres. <p>...</p> <p>Investment in improvements to local public transport provision, cycling and/or walking measures will be sought in association with development proposals which do not meet the accessibility criteria set out by this policy.</p> <p>Residential development proposals for fewer than 3 dwellings in urban areas west of M42 and within rural settlements will be exempt from the criteria set out above. Investment in improvements to local public transport provision, cycling and/or walking measures will continue to be sought in association with such proposals where considered necessary.</p> <p>b) Access to development from the core walking, cycling, public transport and road networks will be expected to be:</p> | <p>access and enhances accessibility levels;</p> <ul style="list-style-type: none"> • provide, contribute to and/or enhance off-site transport infrastructure schemes where appropriate and viable; • are consistent with, and contribute to, the implementation of the ‘Solihull Connected’ strategy; • for offices, retail and leisure development, are directed to locations in town centres, or other established locations including Birmingham Business Park, Blythe Valley Business Park, Birmingham Airport and NEC, as defined in Policies P1, P2 and P19; Access to all development will be required to demonstrate that: <ul style="list-style-type: none"> • it is safe, attractive and suitable for all people by all modes. • opportunities for sustainable transport modes have been taken up. • assessed in accordance with Policy P8 ‘Managing Travel Demand and Reducing Congestion’ and Policy P15 ‘Securing Design Quality’ in the Local Plan. | |

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| | <p>i. Safe, attractive, overlooked and direct on foot, by bicycle and from public transport;</p> <p>ii. Safe for those vehicles which need to access the development;</p> <p>iii. And assessed in accordance with Policy P15 'Securing Design Quality' in the Local Plan.</p> <p>POLICY P8 Managing Demand for Travel and Reducing Congestion</p> <p>b) The use of sustainable modes of transport, i.e. walking, cycling and public transport, shall be promoted and encouraged in all developments by:</p> <p>i. Ensuring the design and management of the development enables and encourages the use of sustainable modes of transport;</p> <p>ii. Ensuring transport planning measures are implemented to help and encourage people accessing the development to use sustainable transport modes;</p> <p>iii. Ensuring the routes to the site from nearby services and local public transport stops are</p> | <p>Policy P8 Managing Travel Demand and Reducing Congestion</p> <p>The Council will support development proposals which:</p> <ul style="list-style-type: none"> • are located in accordance with the spatial strategy in seeking to reduce the need to travel and that essential travel can be met by forms of sustainable transport in addition to the private car; | |

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| | good quality, direct and attractive to use for all users. | | |
| <p>Policy B10: Supporting Local Businesses</p> <p>Development proposals for small scale business and live / work units, meeting facilities to support small scale local businesses and proposals linked to diversification of the rural economy will be supported where:</p> <p>1. Development is appropriate to Berkswell Parish’s rural location in the Green Belt, the local landscape character and surrounding land uses in terms of design, scale and materials;</p> <p>2. Proposals incorporate appropriate suitable mitigation measures to minimise any adverse impacts on the local road network, and adequate car, other motor vehicle and cycle parking is provided on site for employees and visitors; and</p> <p>3. Proposals include the re-use or conversion of existing</p> | <p>Policy P3 – Provision of Land for General Business and Premises</p> <p>Sustainable economic growth is important to Solihull’s success as an attractive place to live, work and invest. It will enable increased prosperity, opportunity, well being and quality of life and will potentially provide a better quality of life for individuals and communities experiencing high unemployment.</p> <p>....</p> <p>(b) The Council will encourage the retention of small and medium sized enterprises, and the creation of new ones, both in urban and rural areas as a key economic driver and to help facilitate growth in a broad variety of locations, including North Solihull as a priority, subject to the following criteria:</p> <p>i. Form, use and scale are appropriate to the character of the particular location.</p> | <p>Policy P3 Provision of Land for General Business and Premises</p> <p>The Council will encourage the retention of small and medium sized enterprises, and the creation of new ones, both in urban and rural areas as a key economic driver and to help facilitate growth in a broad variety of locations, including North Solihull as a priority, subject to the following criteria:</p> <ul style="list-style-type: none"> • Form, use and scale are appropriate to the character of the particular location. • There is no significant harm to the local environment, including landscape quality and character. • Proposals for home-working are compatible with the character of the local environment and are consistent with the amenity policies of the Local Plan. • The land or premises are not in the Green Belt or are compliant with Green Belt policy. • In the case of development in rural areas, it is consistent with the Council’s countryside policies and | <p>NDP Policy B10 supports appropriate investment in local businesses, taking into account Berkswell's location in the Green Belt.</p> <p>Adopted Local Plan Policy P3 encourages the retention of existing small and medium sized enterprises and the creation of new ones subject to Green Belt policy (P17).</p> |

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| <p>former agricultural buildings, workshops or previously used brownfield sites or the development of sensitively designed new buildings within the curtilage of existing farm holdings (subject to Policy B6).</p> <p>Proposals for homeworking which require planning consent will be supported where they re-use or bring back into use an existing building, or part of an existing building, and where such development would not have an adverse impact on residential amenity, village or landscape and historic character.</p> <p>Where extensions to residential properties are proposed they should be subservient to the main building.</p> | <p>ii. There is no significant harm to the local environment, including landscape quality and character.</p> <p>iii. Proposals for home-working are compatible with the character of the local environment and are consistent with the amenity policies of the Local Plan.</p> <p>iv. The land or premises are not in the Green Belt or are compliant with Green Belt policy.</p> <p>v. In the case of development in rural areas, it is consistent with the Council’s countryside policies and does not undermine the quality and character of the natural environment. The Council will expect development proposals on business sites to include the necessary infrastructure to accommodate high capacity digital communication.</p> <p>POLICY P17 Countryside and Green Belt</p> <p>The reasonable expansion of established businesses into the Green Belt will be allowed</p> | <p>does not undermine the quality and character of the natural environment. The Council will expect development proposals on business sites to include the necessary infrastructure to accommodate high capacity digital communication.</p> <p>POLICY P17 Countryside and Green Belt</p> <p>...</p> <p>In considering proposals for inappropriate development in the Green Belt, the following factors may be taken into account as very special circumstances:</p> <ul style="list-style-type: none"> • The reasonable expansion of established businesses into the Green Belt will be allowed where the proposal would make a significant contribution to the local economy or employment, providing that appropriate mitigation can be secured. | |

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| | <p>where the proposal would make a significant contribution to the local economy or employment, providing that appropriate mitigation can be secured.</p> <ul style="list-style-type: none"> • Where the re-use of buildings or land is proposed, the new use, and any associated use of land surrounding the building, should not conflict with, nor have a materially greater impact on, the openness of the Green Belt and the purposes of including land in it, and the form, bulk and general design of the buildings shall be in keeping with their surroundings. | | |

3.6 f. Be Compatible with EU Obligations

The Submission Neighbourhood Plan is fully compatible with EU Obligations.

The making of the neighbourhood development plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010(2)) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007(3)) (either alone or in combination with other plans or projects).

Strategic Environmental Assessment (SEA)

To meet the 'basic conditions' which are specified by law a Neighbourhood Development Plan must be compatible with EU obligations. Furthermore, as at 9th February 2015 Regulation 15 of the 2012 Neighbourhood Planning Regulations was amended to require that when a plan is submitted to the Local Planning Authority it should include either an environmental report prepared in accordance with the applicable regulations or where it has been determined as unlikely to have significant environmental effects, a statement of reasons for the determination.

A SEA Screening Report was prepared by Solihull MBC in May 2018 to determine whether or not the content of the Berkswell Neighbourhood Plan requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.

Section 3. of the Report, Screening Outcome sets out the following:

"3.3 Screening Outcome

As a result of the assessment in Table 1 above, it is unlikely that there will be any significant environmental effects arising from the Berkswell NDP that were not covered in the Sustainability Appraisal / SEA of the Solihull Local Plan and the Gypsy and Traveller Site Allocations Document. The Berkswell NDP does not allocate sites for development, no sensitive natural heritage assets are affected by the proposals in the plan and as such, it is concluded that Berkswell NDP does not require a full SEA to be undertaken."

The responses are provided in Table 4.

| Consultation Body | Response |
|--------------------|--|
| Environment Agency | <p>Dear Sir,</p> <p>BERKSWELL NEIGHBOURHOOD DEVELOPMENT PLAN – STRATEGIC ENVIRONMENTAL ASSESSMENT & HABITAT REGULATIONS ASSESSMNET – SCREENING REPORT</p> <p>Thank you for consulting us on the above Screening report which was received on 12 June 2018.</p> <p>As requested we have reviewed the screening assessment prepared in support of the Berkswell Neighbourhood Development Plan. We agree with the report’s conclusions and do not consider further work on the SEA and HRA necessary for the plan to progress as it is unlikely to have any significant environmental impacts.</p> <p>Yours sincerely</p> |

Date: 09 July 2018
Our ref: 248684



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Solihull Metropolitan Borough Council

BY EMAIL ONLY

Dear Richard Wilson

Planning consultation: Berkswell Neighbourhood Plan SEA / HRA Screening report.

Thank you for your consultation on the above dated 04 June 2018 which was received by Natural England on 04 June 2018.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Where Neighbourhood Plans could have significant environmental effects, they may require a Strategic Environmental Assessment (SEA) under the Environment Assessment of Plans and Programmes Regulations 2004. Further guidance on deciding whether the proposals are likely to have significant environmental effects and the requirements for consulting Natural England on SEA are set out in the National Planning Practice Guidance at:

<http://planningguidance.communities.gov.uk/blog/guidance/strategic-environmental-assessment-and-sustainability-appraisal/sustainability-appraisal-requirements-for-neighbourhood-plans>

Where a neighbourhood plan could potentially affect a European protected site, it will be necessary to screen the plan in relation to the Conservation of Habitats and Species Regulations (2017), as amended (the 'Habitats Regulations'). One of the basic conditions that will be tested at Examination is whether the making of the plan is compatible with European obligations and this includes requirements relating to the Habitats Directive, which is transposed into the Habitats Regulations.

In accordance with Schedule 2 of The Neighbourhood Planning (General) Regulations 2012, a neighbourhood plan cannot be made if the likelihood of significant effects on any European Site, either alone (or in combination with other plans and projects) cannot be ruled out. Therefore, measures may need to be incorporated into the neighbourhood plan to ensure that any likely significant effects are avoided in order to secure compliance with the Regulations. A screening exercise should be undertaken if there is any doubt about the possible effects of the plan on European protected sites. This will be particularly important if a neighbourhood plan is to progress before a local plan has been adopted and/or the neighbourhood plan proposes development which has not been assessed and/or included in the Habitats Regulations Assessment for the local plan.

Natural England agrees with the conclusion of the submitted Berkswell Neighbourhood Development Plan Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report May 2018

| Consultation Body | Response |
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| | <p>If you have any queries relating to the advice in this letter please contact me on 02080 266680.</p> <p>Yours sincerely</p> <p>Caolan Gaffney Sustainable Development Adviser</p> |
| <p>Historic England</p> | <p>Dear Mr Barlow</p> <p>BERKSWELL NEIGHBOURHOOD PLAN- SEA AND HRA SCREENING</p> <p>Thank you for your consultation and the invitation to comment on the SEA and HRA Screening Document for the above Neighbourhood Plan.</p> <p>For the purposes of consultations on SEA Screening Opinions, Historic England confines its advice to the question, “Is it likely to have a significant effect on the environment?” in respect of our area of concern, cultural heritage.</p> <p>Our comments are based on the information supplied with the screening request. On the basis of the information supplied and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of the ‘SEA’ Directive], Historic England concurs with your view that the preparation of a Strategic Environmental Assessment is not required. Regarding HRA Historic England does not disagree with your conclusions but would defer to the opinions of the other statutory consultees.</p> <p>The views of the other statutory consultation bodies should be taken into account before the overall decision on the need for a SEA is made. If a decision is made to</p> |

| Consultation Body | Response |
|-------------------|---|
| | <p>undertake a SEA, please note that Historic England has published guidance on Sustainability Appraisal / Strategic Environmental Assessment and the Historic Environment that is relevant to both local and neighbourhood planning and available at: https://www.historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/</p> <p>I trust the above comments will be of help in taking forward the Neighbourhood Plan.</p> <p>Yours sincerely</p> |

Requirement for Habitats Regulations Assessment (HRA)

Article 6 (3) of the EU Habitats Directive (Council Directive 92/43/EEC) and Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) requires that an appropriate assessment of plans and programmes is carried out with regard to the conservation objectives of European Sites (Natura 2000 sites) and that other plans and projects identify any significant effect that is likely for any European Site. In the context of neighbourhood planning, a Habitats Regulation Assessment (HRA) is required where a Neighbourhood Plan is deemed likely to result in significant negative effects occurring on protected European Sites (Natura 2000 sites) as a result of the plan's implementation.

A Habitat Regulations Assessment Screening Report was undertaken for the Neighbourhood Plan to determine whether a Habitats Regulations Assessment (HRA) is required in accordance with Article 6(3) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended).

The Screening Report was published for consultation with the three consultation bodies, Historic England, Environment Agency and Natural England in June 2018.

The Screening Assessment Report set out a summary of findings:

" 4.3 Screening Outcome

4.3.1. The sensitivities and vulnerabilities of the 12 Natura 2000 sites outlined above have already been identified in the HRA for the Solihull Local Plan and the Solihull Gypsy and Traveller Site Allocations plan. The screening assessment concluded that there would be no likely significant effect on the Natura 2000 network, either alone or in combination with other local plans.

4.3.2. The Berkswell NDP is unlikely to significantly increase the quantum of development contained within the Solihull Local Plan or the Gypsy and Traveller Site Allocations Plan and the Berkswell NDP should be in general conformity with the statutory Development Plan.

4.3.3. The screening assessment therefore concludes that the Berkswell NDP does not require a full HRA to be undertaken."

The Summary and Conclusions are set out in Section 5 of the report:

"5. Summary and Conclusions of the Screening Assessments

Summary

5.1.1. Berkswell Parish forms a large rural area within the Metropolitan Borough of Solihull. It is mainly designated as Green Belt, but includes part of the settlement of Balsall Common which is inset from the Green Belt. The Parish area includes Berkswell village which is a Conservation Area and a number of smaller settlements and scattered farms.

5.1.2. The Berkswell NDP is unlikely to significantly increase the quantum of development proposed within the Solihull Local Plan or the Gypsy and Traveller Site Allocations Plan and it is expected to be in general conformity with the statutory Development Plan. The draft policies that are proposed in the Berkswell NDP seek to provide a local interpretation, clarify and add detail to the strategic policies of the Local Plan. The Berkswell NDP does not therefore propose a significantly different policy direction to the adopted Development Plan in Solihull.

1.1. Strategic Environmental Assessment

5.2.1. The SEA screening assessment concluded that the policies in the Berkswell NDP are likely to be in general conformity with the strategic policies of the adopted Development Plan. It is therefore unlikely that there will be any significant environmental effects arising from the Berkswell NDP that were not covered in the Sustainability Appraisal / SEA of the Solihull Local Plan and the Gypsy and Traveller Site Allocations Plan.

5.2.2. *It is therefore concluded that the Berkswell NDP does not require a full SEA to be undertaken.*

1.2. Habitat Regulations Assessment

5.3.1. *The policies of the Solihull Local Plan and the Gypsy and Traveller Site Allocations Plan have also been subject to HRA. The screening assessment for both documents concluded that there would be no likely significant effect on the Natura 2000 network, either alone or in combination with other local plans.*

5.3.2. *For the reasons outlined above, it is also concluded that the Berkswell NDP does not require a full HRA to be undertaken."*

European Convention on Human Rights

The Submission Neighbourhood Plan is fully compatible with the European Convention on Human Rights. It has been prepared with full regard to national statutory regulation and policy guidance, which are both compatible with the Convention. The Plan has been produced in full consultation with the local community. The Plan does not contain policies or proposals that would infringe the human rights of residents or other stakeholders over and above the existing strategic policies at national and district-levels, as demonstrated below.

The Human Rights Act 1998 incorporated into UK law the European Convention on Human Rights ("The Convention"). The Convention includes provision in the form of Articles, the aim of which is to protect the rights of the individual.

Section 6 of the Act prohibits public bodies from acting in a manner, which is incompatible with the Convention. Various rights outlined in the Convention and its First Protocol are to be considered in the process of making and considering planning decisions, namely:

Article 1 of the First Protocol protects the right of everyone to the peaceful enjoyment of possessions. No one can be deprived of possessions except in the public interest and subject to the conditions provided by law and by the general principles of international law. The Submission Neighbourhood Plan is fully compatible with the rights outlined in this Article. Although the Submission Plan includes policies that would restrict development rights to some extent, this does not have a greater impact than the general restrictions on development rights provided for in national law, namely the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011. The restriction of development rights inherent in the UK's statutory planning system is demonstrably in the public interest by ensuring that land is used in the most sustainable way, avoiding or mitigating adverse impacts on the environment, community and economy.

Article 6 protects the right to a fair and public hearing before an independent tribunal in determination of an individual's rights and obligations. The process for Neighbourhood Plan production is fully compatible with this Article, allowing for extensive consultation on its proposals at various stages, and an independent examination process to consider representations received.

Article 14 provides that "The enjoyment of the rights and freedoms set forth in ... [the] ... European Convention on Human Rights shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status." The Parish Council has developed the policies and proposals within the Plan in full consultation with the community and wider stakeholders to produce as inclusive a document as possible. In general, the policies and proposals will not have a discriminatory impact on any particular group of individuals. The NDP also promotes good accessibility for all, and by requiring provision of adequate on site car parking in new developments, aims to tackle and reduce high levels of car parking on or blocking pavements which currently has an adverse impact on some vulnerable groups such as the elderly, infirm and children using pushchairs.

3.7 g. Prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).

The prescribed conditions have therefore been met in relation to the Neighbourhood Development Plan (NDP) and prescribed matters have been complied with in connection with the proposal for the Plan.

Berkswell Parish Council

Autumn 2018