

**BERKSWELL NEIGHBOURHOOD DEVELOPMENT PLAN
(SUBMISSION PLAN DATED AUTUMN 2018)**

Qualifying Body's Responses V2 27th February 2019

Solihull MBC Responses 6 March 2019

Dear Mr Matheson

Thank you for your initial enquiries as set out below. Please find the joint response from the Qualifying Body (Berkswell Parish Council) and Solihull MBC to your comments in blue bold and green text respectively.

As you are aware I have been appointed to conduct the Examination of the Berkswell Neighbourhood Development Plan. I can see that considerable community effort has gone into developing the Plan; in order that I may progress the Examination I would be grateful for the Qualifying Body's response to the initial enquiries below; the local authority may also have comments. The queries are not extensive but the responses will all contribute to the progressing of the Examination.

I still have considerable work to undertake in fully assessing the submitted Plan but my purpose here is to better understand the intention behind the policy content from the authors and it is not to invite new content or policies that will not have been subjected to the public consultation process. In particular I need to be sure that the Plan policies meet the obligation to "provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency" (NPPF para 17*). It is an expectation of Neighbourhood Plans that they should address the issues that are identified through community consultation, set within the context of higher level planning policies. There is no prescribed content and no requirement that the robustness of proposals should be tested to the extent prescribed for Local Plans. Where there has been a failure by the Qualifying Body to address an issue in the round, leading to an inadequate statement of policy, it is part of my role wherever possible to see that the community's intent is sustained in an appropriately modified wording for the policy.

In order to ensure transparency with the conduct of the Examination a copy of these queries is being sent to the Local Planning Authority with a request that the exchange of emails be published on the webpage relating to the Neighbourhood Plan alongside the representations received during the Regulation 16 public consultation.

The Examiner's queries will be published on the relevant Council web page as soon as possible, along with the response from the Qualifying Body and Solihull MBC and the representations on the NDP received during the Regulation 16 consultation.

*NB As you are aware a new National Planning Policy Framework (NPPF) was published in July 2018 but the transitional arrangements in para 214 Appendix 1 on Implementation apply and thus this Examination is unaffected by the changed NPPF; accordingly all references to the NPPF in this document (and in the final Examination Report) are to the original 2012 NPPF document, unless otherwise indicated.

1. What is a Neighbourhood Development Plan

I feel this section has now served its purpose and it can be omitted for the Plan that will be a Development Plan document. Do you agree?

Yes. We agree that this section can now be omitted from the plan given that it has served its purpose of explaining to residents and others the nature of the document during the various consultation processes.

Planning Policies

5. Housing in Balsall Common

I note that at the foot of para 5.1 there is a reference to "Appendix 2" but I believe that this should be to Appendix 1 – is that correct?

Yes correct. There is a typographical error here and the correct reference is to Appendix 1. However, see comment in response to consultees suggestion that this appendix (they call it Appendix A) should be deleted.

Policy B1: New Housing – General Principles

1. Brownfield Sites

A representation queries the wording of criterion 1; partly it is queried on the basis of comparison with the NPPF 2018 wording but, as noted above, I am Examining against the 2012 NPPF. The representation comments: "The 2012 NPPF states (Paragraph 111) that the re-use of brownfield land should be encouraged, not that development on brownfield land must come forward before greenfield land will be released". I note that the Policy wording does not say "must" but instead says "should" but the thrust of the point is valid. Additionally I note that, given the location of the Parish within the Green Belt, the "release" of greenfield land is a strategic matter for Solihull MBC.

Accordingly, whilst a preference for the use of brownfield land is reasonable, the wording of criterion 1 needs to be tempered to have regard to national policy.

This was initially put in because residents felt so strongly that SMBC were ignoring brownfield sites. All major brownfield sites adjacent to or very close to Balsall Common have now been included within the latest draft of the Solihull Plan. There has been a lot of local campaigning including numerous meetings with SMBC, taking them to the sites and a change in the law requiring a brownfield register. Therefore, the original purpose of this planning requirement has passed from a residents' point of view.

However there remains a valid planning issue as follows:

NPPF para 80 sets out that one of the 5 purposes of the Green Belt is "to assist in urban regeneration, by encouraging the recycling of derelict and other urban land".

One of the core planning principles (paragraph 17 of the 2012 NPPF) is to "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."

Section 11 of the 2018 NPPF has a similar approach. In paragraph 117 it states "Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes

as much use as possible of previously-developed or brownfield land.”. Paragraph 118 advises “planning policies should give substantial weight to the value of using brownfield land within settlements for homes, and support appropriate opportunities to remediate despoiled, degraded, derelicts, contaminated or unstable land.”

It is known that the redevelopment of brownfield sites can be problematical and therefore cause delay during redevelopment.

If brownfield land is not phased for redevelopment until the end of the Local Plan period then there is a risk that it will not be redeveloped at all during the plan period.

Hence it makes logical sense that brownfield sites should be phased for the earlier years of the Local Plan (where practical) so that if redevelopment slips, then other land from later phases of the Local Plan can be brought forward keeping the housing supply on schedule whilst allowing time for any issues with delayed starts to brownfield sites to be remedied within the plan period.

Revised wording could say something like:

"Brownfield sites will be supported in preference to greenfield sites for earlier phases of development and an approach is encouraged which promotes brownfield first ahead of greenfield development wherever possible."

I am unclear how criteria 2b and 2c might operate together; are they not ultimately both about character? If Secured by Design (<http://www.securedbydesign.com/wp-content/uploads/2018/05/SBD-HOMES-2016.pdf>) is the source of the guidance on closes and culs-de-sac, what underpins the suggestion that “up to 20” dwellings is a beneficial scale – is that perhaps a proxy for short culs-de-sac?

Grouping homes into a scale that people can identify with supports both security/safety/crime prevention purposes as well as encouraging community pride and involvement in local community activities. Berkswell Parish has a high level of community involvement in such issues as litter picking, flower and bulb planting and the maintenance of the public space and the NDP should support development which will encourage such activity in the future. The Berkswell Society has large numbers of volunteers most of whom will do practical work in the immediate vicinity of where they live with relatively few willing to do such work at a distance from where they live. (many photos of this can be provided).

Small closes and short cul-de-sacs in the NDP area of around 20 dwellings are typical of the local character. A survey of cul-de-sacs within Berkswell/Balsall Common shows that only one has more than 20 homes and only there because it includes a small block of flats.

Road name	Home numbers (houses and flats)	Comment
Oxhayes Close	19	
Barrett’s Lane	9	
Beverley Close	15	Sunnyside
Sunnyside Close	7	Sunnyside
Dockers Close	18	
Green Lane	16	
Brickyard Close	10	
Kerley Close	8	
Hathaway Close	12	

Turnpike Close	10	
Elm Grove	14	
Wellfield Close	9	
Huddesford Drive	18	Riddings Hill
Watson Way	20	Riddings Hill
Floyd Grove	19	Riddings Hill
Huggins Close	24	Includes a small block of flats Riddings Hill
Meadow Rise	17	Riddings Hill
Birch Grove	14	Riddings Hill
Wilmot Close	16	Riddings Hill
Eborne Croft	19	Riddings Hill
Grovefield Crescent 1-7	4	Riddings Hill
Grovefield Crescent 2-8	4	Riddings Hill
Grovefield Crescent 48-54	4	Riddings Hill

Paragraph 81 of the January 2019 Solihull Local Plan states:-

“The settlement (sic. Balsall Common) is characterised by popular, low density residential areas with an open plan cul-de-sac layout.”

Hence, the NDP planning policy seeks to replicate within new development the best of current Balsall Common practice given that it builds on this human tendency to identify with a local grouping and hence form local cohesiveness and the looking out for neighbours. Within a cul-de-sac it is easy to get to know your neighbours, observe strangers who might be “up to no good” and to subtly impose good community standards such as low noise, no littering etc.

So the basic unit of the community proposed is the 20 home grouping (where practical) within larger groupings of around 250 homes. There is nothing to stop 1000 houses being built on a site but the policy asks that, where practical, the 1000 homes are broken up by design into communities of around 250 properties and within this smaller character areas of clusters of around 20 units. In addition provision of green space, protection of natural landscape features, and provision of community facilities can assist with helping to break down an amorphous mass of residential areas into smaller areas within which residents can feel comfortable.

Additionally at least one representation notes that “A more flexible approach would reflect the need to design layouts to respond to site-specific context”.

Perhaps "around 20" would provide greater flexibility than "up to 20" although the QB would like to retain the 20 figure as a guideline as this reflects existing local character and context.

Whilst I note that Riddings Hill is a development of 250 dwellings is there any evidence to suggest that this will invariably be an appropriate scale for character? Further whilst Riddings Hill is said to “demonstrate good practice” no real insight is provided within sections 2 or 7 as to what this might be – or is the feature that is valued the surrounding parkland?

Riddings Hill is seen as demonstrating the above good practice. A significant development of 265 new homes is broken down into smaller cul-de-sacs of around 20 units. The development is popular with local residents and is a much sought after area providing a good quality of life. Indeed the QB is aware that residents often move house within the development, taking

advantage of the different house types and sizes available within Riddings Hill as their individual needs change over time.

Perhaps it would be more appropriate to change the ordering of criteria b and c so that c, which refers to larger developments of around 250 units comes first, followed by b which explains how such developments could then be broken down into smaller character areas.

In relation to criterion 2d Secured by Design says: “Whilst it is accepted that through routes will be included within development layouts, the designer must ensure that the security of the development is not compromised by excessive permeability”. Is this the basis of your expectation that “rat runs” (source and destination unspecified) can be designed out?

The aim of this is to prevent residential roads becoming an alternative route for traffic passing through Balsall Common during peak periods.

A reference to the source could be included in the supporting text or use the wording from Secured by Design if the Examiner considers this is more appropriate.

Similarly with criterion 2e what is the related guidance on how to design out “parking on pavements and verges”?

Parking on pavement and verges is a particular issue in Balsall Common as is shown in the evidence base on the PC's web site
<https://www.berkswellparishcouncil.org.uk/sites/berkswellparishcouncil.org.uk/files/downloads/Report%20on%20road%20blocking%20and%20pavement%20parking.pdf>

The existing problem is noted by SMBC - see <http://www.solihullupdates.com/council-appeals-for-motorists-to-keep-off-the-grass/> and https://www.fixmystreet.com/reports/Solihull?status=all&filter_category=Car%20parking&zoom=10&lat=52.41121&lon=-1.56836

This criterion was introduced to help control parking on grass verges in new developments to avoid exacerbating existing problems.

The QB considers that there are many ways to tackle this and does not wish to be unduly prescriptive. Examples include but are not limited to: providing adequate parking in homes or dedicated communal parking, kerb heights or other physical deterrence such as planting trees, grass verges to be provided on bends. SMBC does not at present seem to have guidelines for new development to minimise parking on verges and pavements.

Policy P8 a) iv of the Solihull Local Plan 2013 requires parking and servicing to be provided in accordance with guidance in the Vehicle Parking Standards and Green Travel Plans SPD 2006, see <http://www.solihull.gov.uk/Resident/Planning/appealsenforcement/planmaking/ldf/OtherPlanningPolicyDocuments> . However, this guidance is out of date and emerging policy in the Draft Local Plan Review 2016 proposes 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. In practice, this is the approach that is adopted in considering development proposals.

However other local planning authorities have looked at this in more detail eg Leeds CC see: <https://www.leeds.gov.uk/docs/Grass%20Verge%20Guidance%202016.pdf> . This guidance includes various options eg including letters and signs, promoting pavement crossings to allow off street parking provided by resident and introducing edge treatments.

The criterion could be amended by providing such guidelines as examples of good practice.

For criterion 2g a representation comments that “this criterion should specify that children’s play areas are not necessarily required in all open spaces, only on those where the Borough’s guidance requires it”.

Accepted - wording could be amended as suggested.

Within criterion 2j it is suggested that the 30m distance guide is in part designed “to support a lower density pattern of development” but this is not the case if this is the Solihull standard. A representation comments: “This could be overly restrictive and not relevant for all sites. It is also in conflict with the NPPF’s requirement for making effective use of land”. Is the use of the guide distance perhaps more about enabling retention of and encouraging the provision of more trees and planting? A representation comments that the application of the guideline could result in some fairly unusable spaces.

There seems to be some confusion here. This is about length of gardens and not about creating “dead space” between developments.

The policy is very specific that the distance is between existing and new buildings. Balsall Common (Berkswell Parish) indeed generally has low housing density as stated in paragraph 81 of the January 2019 draft local plan. Whilst it is accepted that densities on new developments might need to increase to make efficient use of land, the transition from existing to new would be helped by slightly larger gaps between the existing and new buildings than would perhaps exist within the new development. 15 metres for each property for a back garden is not considered excessive. The Council notes that this might not be appropriate for all developments, however Policy B1 section 2 is about “principles” and is preceded by the words “Where practical”.

Perhaps criterion j should be split into 2. The first sentence up to "new occupiers" refers to open space. The second part could be a new criterion beginning "Where such provision.." and perhaps "including garden areas" should be inserted after "of 30m".

One representation suggests that “criteria b., c., j. and k. are deleted and replaced by a criterion that reads: Proposals should be supported by information explaining how the design and layout will facilitate social cohesion and community safety and security.” Would this meet your expectations for the Policy?

Not accepted.

This would replace some specific and clear principles with a vague requirement that could lead to inconsistency in application by different development management officers. It then would create an unfair playing field for developers because the rules would be variable.

The QB would prefer to retain a sufficient level of detail though different criteria to ensure that designs of developments are appropriate to the area and not generic volume housebuilder schemes. However some amendments to policy / criteria wording may be acceptable if the Examiner considers there is a need to improve clarity.

A representation comments: "Policy 3a should be amended to reflect that fact that not all mature trees and hedgerows are worthy of retention. The desirability of retaining trees on sites should be identified through the production of site specific tree surveys". I note that the opening to the Landscape and Design section says "wherever possible" but you may have comments on the suggested revised approach.

Page 43 of the SMBC Landscape Character Assessment states for the Berkswell area (LCA5) describes "Small sized fields with a distinct field pattern bound by a strong hedgerow structure and some ditches. The fields are historic, most likely post-medieval enclosed fields that may have medieval origins."

It is accepted that not all mature trees and hedgerows are worthy of retention. However, the Arden Landscape in the Berkswell area is typified by such features. The Council is willing to accept that where a developer can demonstrate that trees and hedgerow is not worthy of retention then this planning requirement is not appropriate.

The first 3 sentences of the criterion could be amended to something like:

"Where mature trees and hedgerows are located within or on the boundaries of development sites, site specific surveys will be required. Wherever possible mature trees and hedgerows should be retained as significant natural environment features which contribute towards local landscape character and biodiversity, but where such surveys demonstrate that existing trees and hedgerows are not worthy of retention they may be removed and replaced elsewhere using characteristic native species as part of suitable mitigation planting ."

Retain the rest of the criterion.

With criterion 3d – as with 2j – a representation comments that "this criterion should ideally avoid being too prescriptive about the need for open space to be located between existing and proposed housing. This may not always deliver the best layout in terms of a site's characteristics."

Not accepted.

This is seen as a key requirement to help with the acceptability and integration of new homes and residents. Placing public green space where both new and existing residents can use it encourages social integration. To give but one example. Balsall Common has a high degree of dog walkers that can be observed. Social interaction is heavy amongst this group anywhere. Similarly, in formal play areas for children parents interact with each other. It also means that existing residents benefit from the new development thereby making such development acceptable. Again, it is worth repeating that Policy B1 2 starts with the phrase "where practical". It is important that development is seen as development of the community as a whole (old and new). Therefore, the best development for a site might not be the best development for the community as a whole. The policy seeks to ensure, that as far as is practical, development is for the community as a whole not just a single site.

The QB would prefer that this criterion is retained. It has been through several phases of public consultation and is considered to be an important guideline for new development.

The Environment Agency has recommended that an additional point is included within 'Policy B1: New Housing – General Principles' (presumably under section 3) "to state that all new development

should be located within Flood Zone 1 and where this is not viable, development must be steered to land at the lowest flood risk, following the application of the Sequential Test”.

Accepted.

In 4a the last sentence would appear to be a repeat of the second whilst lacking clarity on what “appropriate to the position proposed” might entail?

The QB does not agree that the last sentence repeats the second point. It is possible that a 2.5 storey building might have an adverse impact on surrounding properties due to height, scale and massing. For example, a street scene consisting of residential bungalows might well be an inappropriate place for a 2.5 story new house although a chalet bungalow may be more acceptable.

On a point of detail, criterion 4c specifically says that charging points should allow “charging on driveways” but why would in-garage charging not be appropriate where possible – a point echoed within a representation?

It is widely recognised that garages become storage facilities in modern developments with cars parked on the drive. However the criterion could be amended by adding after "driveways": "and in garages, provided that the garages are of the minimum size required to provide a parking space" (include reference to Manual for Streets minimum size of 6m X 3m) to the end of the sentence.

In relation to 4e a representation notes: “the criterion would be better reflecting the need for the provision of suitable storage of bins (and presumably cycles) rather than specifying it should be within the garden.”

Partially accepted. The Council agrees that the wording is over prescriptive and will not work in all circumstances. The Council suggests that the policy is reworded to:

“Where communal areas are not provided for refuse and recycling bins or secure domestic storage then suitable provision should be made within the garden area or curtilage of individual homes”

Within section 5 the wording of criterion a suggests that all of the listed types of housing should be provided, including self-build and housing for older people on all sites. As a representation notes, this would be particularly difficult on smaller sites; therefore the Policy wording ought to include ‘where appropriate/required’, or similar.

We understand the point being made but consider that including the wording “where appropriate” would be too vague. The need is already qualified by the wording “Housing mix, having regard to location, site size and scheme viability, should contain a range of types and size of housing for different groups within the community”. That requirement is needed to ensure balance in the community and meet need. Paragraphs 410 to 415 of the Solihull Draft Local Plan January 2019 demonstrates the need (again) for a broader range of housing than the market has delivered to date. That is the purpose of this policy element. However, to clarify the position, the 3rd sentence that precedes the list of housing types can be modified from “The mix should include but not be limited to:” and replaced with “The mix of homes proposed both meet the need identified housing need resulting from studies defined above and adapted to reflect the capacities defined nature and characteristics of the site. Consideration of housing need should include but not be limited to:”

The last bullet point of criterion 5a and criterion 5c would appear to be the same point?
Your comments on the above lines of thought are invited.

Accepted - delete 5c as covered in last bullet point of a.

6. Housing in the Rural Area

I note that the definition of Affordable Housing referenced and included as Appendix 3 is not the 2018 definition. Given that there may be further updates it would probably be simpler to reference the NPPF Glossary at the foot of page 19?

Accepted. The definition given in Appendix 3 was included within the draft plan to help residents. The laypersons' view of what is affordable housing and the legal definition are often not the same. The Council accepts the point being made. The Council proposes that appendix 3 is deleted and The footnote at the bottom of page 19 which refers to Appendix 3 is changed to read " which meets the NPPF definition" and Policy B2 is amended to insert the words "to the NPPF definition" in the first line of the policy so that it reads

"Small-scale affordable housing development which meets the definition within the NPPF (of 1 to 2 homes) in Berkswell village" etc

Policy B2: Rural Exception Local Needs Housing in Berkswell Village

As I read this Policy it is intending to accommodate multiple developments of "1 to 2" homes should evidence of need be provided, thus making no presumption about the scale of needs that will come forward in the future. A slight doubt arises because "development" rather than 'developments' is used in the opening sentence. Is my reading correct?

Yes - over the 15 years of the plan it would be possible that one or more such needs for a small-scale development could be identified.

Amend to "developments".

7. Protecting Rural Area and Local Landscape Character Green Belt and the Rural Area

Paragraph 7.5 is no longer appropriate for a Plan on the verge of being 'made' and therefore it should be deleted. Do you have any comment on this?

Yes - delete 7.5.

Local Landscape Character in the Rural Areas

In the first bullet point of paragraph 7.10 I presume that "boarded" should read 'bordered'?

You are correct that it should read "bordered" however, the words written in the NDP are exactly as written in the Land Character Assessment page 40. Perhaps to make that clear the denotation "sic" could be put after the word "boarded".

This is a typographical error in the Landscape Character Assessment which should read 'bordered'.

In a Plan that is generally well referenced it is surprising to find that the HER noted in paragraph 7.18 lacks a reference as does the Ecological Report noted in the following paragraph; what are the references?

The HER was undertaken for Berkswell Parish and is published in the evidence base on the Parish Council's web site. The Ecological report is also to be found on the parish council's web site.

Insert references in the footnotes to the paragraphs where the documents are first mentioned ie paras 7.14 and 7.19.

Berkswell Neighbourhood Plan Historic Environment Summary Report, Warwickshire County Council, February 2018

<https://www.berkswellparishcouncil.org.uk/projects/ndp/1st-draft-additional-evidence>

Preliminary Ecological Report Parish Neighbourhood Plan For Berkswell Parish Council, Habitat Biodiversity Audit Partnership for Warwickshire, Coventry and Solihull Warwickshire Wildlife Trust Ecological Services, Warwickshire County Council, January 2018

<https://www.berkswellparishcouncil.org.uk/projects/ndp/1st-draft-additional-evidence>

However it is pleasing to see that the representation from Historic England commends the approach as "exemplary".

Noted.

Policy B3: Protecting Local Landscape and Built Character

Unlike earlier Policies, the numbering of Policy B3 (and some subsequent Policies) involves numerous elements that are all numbered 1,2 or 3 etc; there needs to be a tiered numbering adopted to allow elements to be appropriately distinguished.

Accepted. Amend policy numbering to improve consistency with B1 eg.

1. Landscape Character

a. The location, design and layout of new housing development should respect local character as set out in the Solihull Borough Landscape Character Assessment.

In relation to this Policy a representation comments: "In terms of criterion 1 of this Landscape Character policy, it is worth noting that the Balsall Common Eastern Fringe is a different landscape character area than the rest of the area to the north (Berkswell Landscape Character Area 4 Rural Centre, Sub Area 4D). The area to the east of Balsall Common (within the Eastern Fringe) is generally flat and is heavily influenced by the adjacent settlement, with the Landscape Character Guide (November 2016) stating:

"Being in close proximity to Balsall Common the area therefore is heavily influenced by the settlement bringing in strong elements of suburbia. This is particularly noticeable around Catchems Corner and Carol Green introducing manicured lanes, close mown grass verges, footways and overhead cables. The strong influence of Balsall Common on the rural character of the area has led to the loss of the definitive edge between the urban area and countryside beyond."

Not accepted. Refer to paras 7.9 and 7.12.

It is true that the parish has more than one landscape character. The policy point 1 calls for new housing development to respect the “local character” where the development is taking place not the generalised character of the parish nor the character of a different area.

Landscape Character

Paragraph 2 of this Policy refers to “[landscape] features of identified local heritage interest such as ridge and furrow”; in saying “identified” and “such as” the question is begged as to how the prospective developer will know of the location of these and the other such features not mentioned but apparently identified.

The paragraph goes on to consider “landscape features and wildlife habitats of identified value” and again uses “identified” and “such as” but fails to refer to the specifics in Map 2 whilst including the much more nebulous elements of “semi-natural grassland” and “river wetlands” which the text seems to acknowledge will not all be of equal interest/importance.

Details of the features can be found in the published documents that formed part of the evidence base i.e. the Environment Summary report and HER links to which are provided above and by the developer conducting due diligence survey’s. It is not unreasonable to require development to avoid damage to sites of ecological or historical value and where appropriate take steps at mitigation. This meets the requirements of both the 2012 NPPF sections 11 & 12 and the 2018 NPPF Section 15 & 16.

The policy criterion could perhaps include references to the HER and Ecological survey to clarify the sources of the identified assets.

Given that many of these features have been lost over time with agricultural change one must question whether it is realistic/reasonable for inevitably limited development (in the Green Belt) to “retain” all “such” features – as opposed to (say) ‘have appropriate regard for the importance of those specifically identified?’

With respect to paragraph 2 of policy B3, this policy will apply to land both within and outside of the greenbelt as it changes over the 15 years of the NDP.

Paragraph 3 opens with “All developments” whereas I believe it should read ‘Developments that may involve the loss of countryside, wildlife or the natural environment should...’.

Suggested amendment accepted.

It would seem that there is significant overlap between paragraphs 2 & 3 and even some parts of the Heritage Assets section?

Accepted. Paragraphs 2 and 3 could be revised. Paragraph 2 deals generally with the need to retain features as a priority and paragraph 3 deals with mitigation measures where retention is not possible.

Paragraph 2 could therefore finish at "river wetlands".

Paragraph 3 could read something like:

"Where developments involve the loss of countryside, wildlife or the natural environment detailed survey information should be used to inform the assessment and identify appropriate mitigation measures. 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, 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."

Built Character

I wonder how paragraphs 2 & 4 are to be read together and is the wording of 2 correct with two references "solar"?

Solar panels are the traditional method for generating solar electricity. However, new systems are being developed such as window glass and roof tiles that generate electricity. These are encouraged particularly because their objective is often to reduce visual impact. Similarly, advances in building techniques using, for example, timber framed or factory-built homes can have higher energy standards and will be encouraged particularly if they have pitched tiles roofs and external brickwork that blends with existing character.

Accepted. 2, 3 and 4 could be revised to something like:

"2. Scale, massing, density and layout should relate to the surrounding built form.

3. The use of local materials is encouraged such as traditional red brick and render for elevations and tiled roofs.

4. Retain wording as before.

Heritage Assets

Paragraph 2 seems to compact together a number of different ways that heritage assets might be harmed whilst implying that all will be considerations in every instance. I believe that the first two sentences, in conjunction with national and Local Plan policies, are sufficient.

Further, a representation notes: "Criteria 2 should be amended to remove the reference to 'great' weight being applied to the conservation of [all] heritage assets. NPPF (2012) Paragraph 132 states that great weight should be given to the conservation of a 'designated heritage asset' and Policy B3 should reflect this."

This whole section was drawn from wording provided by Historic England and submitted to SMBC in relation to the Local Plan. It should be noted that SMBC supported this and Historic England commends the draft NDPs approach as "exemplary". The NDP provides practical guidance to developers and those owning historic assets.

However, the NPPF does differentiate in terms of weight given to designated and undesignated heritage assets. The first sentence of paragraph 2 should therefore be amended to read something like "The parish's heritage assets should be conserved in a manner appropriate to their significance".

Paragraph 5 is a matter that would be dealt with through Listed Building legislation which is not the same as that through which Local and Neighbourhood Plans are provided for. Accordingly, whilst you may wish to note the point in the supporting text, it should not form part of a land use Policy. Your comments on the above lines of thought are invited.

Accepted - could delete para 5 and add to supporting text

Local Green Spaces

This section is very thoroughly presented. However, a significant number of representations reassert the point noted in the text in relation to the site named as "The Recreation Ground" (although I note the base map annotates it as "Playing Field") that the proposed Space is private land.

**On Google maps it is denoted as Meeting House Lane Park
On the current (2018) free on-line OS maps it is shown as a playing field
On the previous free on-line OS map it was shown as a recreation ground.**

The text in paragraph 7.30 acknowledges that "public access is not one of the criteria in the NPPF". But Planning Practice Guidance also notes: "Land could be considered for designation even if there is no public access (e.g. green areas which are valued because of their wildlife, historic significance and/or beauty). Designation does not in itself confer any rights of public access over what exists at present" (Ref: 37-017-20140306). Therefore there is no prospect that the land could be considered as public recreation space unless the owner agreed, access rights were established or the land was purchased for this purpose – one representation goes so far as to say that the land has previously been rented to the Parish Council. Was it the understanding upon which the designation as Local Green Space was proposed that no public right of access would be created; amongst those making representations there seems to be a belief that public access is at stake?

There has been informal use / access of the site for a number of years - see separate representation / note from a local resident. However this was generally with the explicit or implicit agreement of the landowner. More recently, following submission of the NDP and objections to the proposed LGS designation, the landowner fenced the area off along the route of the footpath; this has been a disappointing development and impacts on the area's attractiveness as an open space for walkers.

The PC has tried through various public consultations to make clear that LGS does not require and would not necessarily lead to public access (without landowner agreement), but are unsure as to whether this mistaken view has had an impact on the level of responses supporting the LGS designation.

Representations also assert that the Plan assessment against the NPPF criteria overplays the claimed recreation, tranquillity and wildlife value of the land in question and that, as a consequence, the "demonstrably special" and "particular local significance" requirements are not established. Further comments suggest that these concerns have been ignored or inadequately addressed within the consultations.

I would comment that, as far as I can tell from an indistinct map within the Solihull MDC Local Plan 2013, the land in question is within the current Green Belt – there is no map within the Neighbourhood Plan that would confirm this. The NPPF establishes that (para 78) “Local policy for managing development within a Local Green Space should be consistent with policy for Green Belts”. Therefore, if the Green Belt status of the land continues, there is no obvious benefit from the designation as Local Green Space since it will only confer the same protections as the land already has benefit from.

The PC is concerned that the Local Plan Review may lead to a loss of this area from the Green Belt and the NDP consultation responses clearly show that the area is demonstrably special to local people and that there is a strong wish to seeing it protected from development.

However, a number of representations note that the land has been identified by Solihull MBC as a site with housing potential that is actively being considered for inclusion within the new Local Plan the preparation of which is still in progress. I see that the current Solihull MBC Draft Local Plan Supplementary Consultation notes that “Some of the sites, in particular Barratt’s Farm, have multiple and potential complex land assembly issues. It is important that sites such as this are considered in a comprehensive manner to avoid piecemeal developments occurring.....Before being finally included in the plan, it will be necessary for the varied land interests to demonstrate to the Council that they are prepared to work on a collaborative and comprehensive basis to ensure a quality development is possible and can be satisfactorily delivered.” The related draft Concept Masterplan appears to have the land identified as having potential for “low density housing” whilst having a number of other sites identified for public open space.

This is only a Draft Concept Masterplan and that the final version of the Masterplan should take into account constraints such as LGS designation in layouts and designs.

The existing PROW footpath through the site will be an important pedestrian linkage between the proposed strategic site at Barratt's Farm and facilities in Balsall Common village centre. The retention of the site as an open space through LGS designation will help to enhance this pedestrian route by opening it out and offering an opportunity to design a high quality public space. However if the route becomes a narrow enclosed path lined by high walls or other boundary treatments of houses or private gardens it is likely to feel unsafe and unattractive to users. Overall then the LGCS designation would enhance the pedestrian route, opening it out and making it feel safer and more appealing to users than a narrow enclosed path fenced in by high walls or hedges.

Planning Practice Guidance says: “Designating any Local Green Space will need to be consistent with local planning for sustainable development in the area. In particular, plans must identify sufficient land in suitable locations to meet identified development needs and the Local Green Space designation should not be used in a way that undermines this aim of plan making” (Ref: 37-007-20140306). Given that the Neighbourhood Plan does not aim to allocate land for housing it cannot conclude that local needs are capable of being met, although I appreciate that its stated preference is for the reuse of brownfield land. Do you (and the Council) have comments on this issue in the light of the representations and the current consultation?

The January 2019 draft of the Local Plan identifies 1755 houses for Balsall Common of which about 1195 of which fall within Berkswell Parish (allowing 70 of the 220 Windmill Lane site to be within Berkswell Parish.). The Draft Local Plan estimates that the housing capacity of the Recreation ground (Blessed Robert Grissold field) site is 47 (page 103).

The SMBC response to the Berkswell Reg 16 consultation makes clear that a master plan would ensure that no landowner would lose out from overall site layout that set aside an area for public space. The community is asking that this piece of land rather than another piece of land is included as public greenspace under the SMBC Greenspace policy. The concept plan for Barrett's Farm provides for 5.9 hectares of land and the Recreation Ground/Blessed Robert Grissold field is only 1.87 hectares.

There is no evidence to suggest that the NDP and LGS allocation would lead to local housing needs not being met. There is no reason why the strategic site cannot deliver the proposed housing requirement; this could still be achieved by provision of built form on other parts of the site whilst protecting this much valued small area from development in line with the wishes of local residents.

The area clearly has local significance and is demonstrably special and this has been more than adequately demonstrated through the responses to the NDP public consultations. The area's protection from development is a key aspect of the NDP and its inclusion would help to demonstrate to local residents that they are being listened to and that their opinions are valued - in line with the spirit of the Localism Act. If the proposed LGS was deleted and subsumed into a strategic housing site allocation for new housing this would have a major impact on the NDP.

See paragraphs 1.13 – 1.16 of the Council's response to the Submission NDP. It is clear from the actions of the Archdiocese in fencing off the land, other than the public footpath, that the landowner no longer wishes to make this land available for public recreation. Designation as a LGS will therefore depend on the other justification relating to tranquillity and wildlife interest. Whilst it carries little weight at this stage of the Local Plan Review process, the emerging concept masterplan for the Draft Local Plan housing site 1 Barratt's Farm shows the current proposal, with the land proposed for low density housing. The concept masterplan also identifies areas that have been found to have significant ecological value, which do not include the land proposed for the LGS.

8. Protecting Berkswell Conservation Area

Policy B5: Berkswell Conservation Area

This whole section could do with numbering in a tiered manner as mentioned for another section.

New Buildings

I note that criterion 5 uses "traditional" twice but I doubt that this was intended?

Accepted - delete "*usually traditional ones*"

Extensions

In criterion 2 "fully justifiable" may more appropriately be worded as 'fully justified' since this requires the design solution to be explained?

Accepted.

Conversions

It is unclear what “conversions” means here – it would appear that it probably means sub-division rather than change of use (such as with barns in the Policy that follows)?
Do you have any comments on my lines of thought here?

No - Policy B5 refers to conversions of non residential buildings within the conservation area.

This policy section was included due to the recent conversion of the museum to a home. The scope is very limited, most conversions having already occurred, but there are 2 or 3 commercial/non agricultural buildings that could fall within this category including the Old Forge which was empty for a long time although it now is tenanted by a pottery.

However it could also be taken to refer to subdivision so a reference to subdivision could be added to improve clarification.

Policy B6 refers more to buildings in the wider rural area / Green Belt (and not in the Berkswell conservation area). This could be made more explicit in the Policy title or wording.

9. Conversion of Former Agricultural Buildings

Policy B6: Conversions of Former Agricultural Buildings

Policy paragraph numbering appears to have been abandoned here?

Accepted. Numbering could be added.

I am unclear what “Existing access arrangements should be used” is intended to imply. In context it is apparently not about the position of a front door but rather vehicular access.

Yes - correct.

Is the requirement that the existing access must be “suitable and adequate” before conversion will be supported or, if it is expected that accesses must be made “suitable and adequate” for connecting to the local road network, why can’t an altered access be appropriate?

The thinking was that existing farm tracks with access from the main highway should be used where possible in preference to new driveways which may have a suburbanising effect on the rural area. However it is recognised that existing routes may need to be improved to ensure suitable access is provided. The 2 sentences could be amended to something like:

" Existing access routes such as farm tracks should be used where possible, and where improvements are required such measures should be suitable and adequate for any proposed increases in traffic associated with the new uses."

I note that parking areas should ‘screened’ or ‘concealed’ depending on whether paragraph 4 or 5 is addressed; is this duplication?

Accepted - delete first reference " Landscaping should be provided to screen parking areas."

10. Accessibility and Infrastructure

Policy B7: Improving Car Parking Facilities at Berkswell Station

In their representation the Environment Agency “noted that in paragraph 10.7 [it says] that there is ‘a narrow strip of land in Flood Zone 3’ to the West side of the West Coast Main Line. Within the policy text, it states that ‘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’. Development within Flood Zone 3 should be avoided and the extension of the car park should take place within Flood Zone 1. We would recommend including this within the Policy wording.” Do you have any comments on such an addition?

Interestingly HS2 are proposing to build a car park extension so that they can route construction traffic down Hallmeadow Road thereby displacing 40 to 50 cars parked for the station. They have not landed on a spot yet but said it would be connected to the current car park.

The Council accepts any car park must be built outside a flood plain and the policy could be amended to steer such development away from any areas at risk of flooding.

Policy B8: Car Parking and Cycle Storage

Government policy on provision for car parking starts from a different place to that apparent in the Berkswell Plan. Whilst I am examining against the NPPF 2012 the most up-to-date indication of policy is provided by the NPPF 2018 which says (para 102) “patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places” and (para 105) “If setting local parking standards for residential and non-residential development, policies should take into account: a) the accessibility of the development; b) the type, mix and use of development; c) the availability of and opportunities for public transport; d) local car ownership levels; and e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles” and (para 106) “**Maximum** [my emphasis] parking standards for residential and non-residential development should only be set where there is a clear and compelling justification **that they are necessary for managing the local road network** [my emphasis] or for optimising the density of development in city and town centres and other locations that are well served by public transport”. The pre-ambule to Policy B8 is therefore confused and it certainly should not read as a rehearsed argument with the Local Planning Authority; current parking issues cannot be resolved via new development.

Whilst there may be a basis for requiring developers to address the criteria set down in the NPPF para 105 the Policy does not actually seem to require anything to be done with the “evaluation” (and the evaluation factors do not all seem to relate to the “number of spaces)? A representation comments: “The emerging Local Plan Policy P8 (Managing Travel Demand and Reducing Congestion) states that the Council will support development proposals which: ‘take 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’. It is considered that the evidence-based approach would be more appropriate than seeking to apply specific parking standards through the NP.”

I am not convinced that there is a basis for some of the more extreme measures:

☐ Requiring all roads, whatever their likely usage, to allow for on-street parking on both sides despite the thrust of the Policy to require off-street parking provision would have a significant impact on design/densities achievable.

☐ “1 additional car parking space per bedroom” excluding the garage whatever its size – surely no development could meet this standard **and** meet the requirements of Policy B3?

☒ “Unless the developer can demonstrate that the garage provision will actually be used for parking” – no indication is provided on how this might be achieved and it is surely a matter outside of the control of a developer?

Doesn't paragraph 8 summarise realistically what is being sought (although I believe the intended reference is to 'Secured by Design')?

The QB is confused by this. The Examiner writes “to allow for on street parking on both sides”. The NDP does not say that. The NDP says “the width of roads that would permit effective street parking without the need for residents to park on pavements and verges.”

The Examiner also suggests that the NDP may be seeking to resolve current car parking issues via new development. That simply cannot be the case as the proposed new development is nowhere near the current car parking issues.

We are however using the current car parking issues to demonstrate that there is a problem. A problem that blocks pavements and puts at a disadvantage the visually impaired, those with mobility issues and young people in pushchairs/prams.

However, the QB does accept that the policy must be confusing because the Examiner is confused. The QB's thinking is as follows

Our policy approach is intended to address the following issues:

1. It is the failure of current car parking provision that causes pavement blocking to the disadvantage of the visually impaired, those with mobility restrictions and the young in prams/push chairs. That is indirect discrimination and unlawful and councils have legal duty to address it.
2. That is demonstrated in 3 documents which show the results and then two which show that the cause is the high level of car ownership and poor public transport provision on our area
 - a. Report on pavement blocking
<https://www.berkswellparishcouncil.org.uk/sites/berkswellparishcouncil.org.uk/files/downloads/Report%20on%20road%20blocking%20and%20pavement%20parking.pdf>
 - b. Data on cars per household, house sizes etc
<https://www.berkswellparishcouncil.org.uk/sites/berkswellparishcouncil.org.uk/files/downloads/Analysis%20of%20Car%20versus%20household%20data%20from%202011%20and%20other%20data.pdf>
 - c. The Solihull connected report which shows on page 46 that 70% of residents in our area use their car for their daily activities compared to a borough average of 50% and states that public transport options in this area are limited
https://www.berkswellparishcouncil.org.uk/sites/berkswellparishcouncil.org.uk/files/downloads/Solihull_Connected_Transport_Strategy_2016.pdf
3. Given that 17.8% of households on our area have 3 or more cars/light vans compared with 9.9% average for the borough and Berkswell parish has almost 55% of homes with 4 or more bedrooms Vs 26% for the Borough as a whole there is an issue in Berkswell that is greater than the borough as a whole. The national comparison is even more stark. 64% of Berkswell households have 2 or more cars compared with 34% nationally.
4. The Council considers that the only way to cater for that, in the absence of effective communal parking, is to require one parking space per bedroom. Otherwise the result is

parking on the pavement. However, that is not the Council's preferred solution as the policy makes clear (or it should be clear)

5. The policy is intended to require developers to demonstrate that either
- a. They are going to provide one car parking space per bedroom

OR

- b. Developers demonstrate either of the 3 following alternatives
 - i. The residents of their developments will use cars less than the Berkswell norm and that consequent parking requirements will be less. That could be achieved by residency clauses limiting households to a maximum number of cars for example
 - ii. There is effective communal provision perhaps mixed with more limited parking on residents' property. That is likely to be a much more effective approach for the use of land than one car per bedroom. Given that not all houses will have more than two cars, then sharing communal space means that one does not need to have as many spaces overall.
 - iii. There are a number of ways that this can be done but all will require the developer to make such communal parking attractive and effective and thereby encouraging residents not to park on pavements. The draft NDP policy suggests ways
 1. Roads wide enough to allow parking and the passage of other vehicles. That is the approach on the Kemps Green estate in Balsall Common. That can include markings on the roads to show where to park and where not to park
 2. Dedicated communal parking areas close to residents' homes and secure in accordance with the Manual for Streets
- c. It is common practice that most garages are used in part or in full for storage given the limits of storage in modern housing and a general reluctance to get out of a car in the rain to open a garage door. Two questions are asked by the examiner
 - i. How can a developer show that a garage will be used for parking when its use it out of the developer's control?
 - ii. Is it assumed that whatever the size of the garage that it will not be used for parking the car?
- d. The answer to those questions is solved by the developer considering the design of the garage and storage provision of the new homes. Good design can encourage the use of a garage for parking a car and discourage its use for storage. For example
 - i. For example, a garage can be designed to discourage storage by having no doors or it is a car port. It is then unlikely to be used for storage because it would not be secure and it is easy for a driver to use because they do not need to get out to open the doors. That is not a new approach
 - ii. Similarly, if the home is provided with a specific storage annex/workshop and the garage has electrically operated doors then that will encourage usage as a garage. That is not a new approach.
 - iii. The Council can provide other solutions to this issue in use elsewhere. Some involve novel solutions but have been built for 30 years which provide communal parking with the minimum of roads space creating safe environments for children as well. In summary the developer can design for the use of garages to be used for parking cars rather than storage and in that way meet the requirement to demonstrate that the garage will be used for parking a car.

In summary, if the local plan dictates that significant housing will be built in an area of poor public transport with high car usage such as Balsall Common, then planning for the resultant number of cars that new residents will have must take place if the negative discriminatory impacts on the disabled and young are to be avoided.

Given that the planning policy was not clear to the examiner, the QB would like to suggest that the planning policy is modified to make the policy clearer. In particular that the one car space per bedroom is only a default position, most likely to be used on smaller developments, and requiring a more evidence-based approach on larger sites. Something like the following might be appropriate which leaves most wording unchanged but reorders it to improve clarity.

Policy B8: Car Parking and Cycle Storage

1. Default provision of car parking provision in new housing developments

- 1.1. *Given the high car dependence of the residents' of Berkswell Parish, developers of new housing schemes are required to provide adequate parking for residents' cars that will secure by design suitable and sufficient car/van parking and layout on new developments to deliver 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.*
- 1.2. *The default position is the provision of off-street car parking located on each new housing property that provides a minimum standard of 2 parking spaces per home for households of 1-2 bedrooms, and thereafter 1 additional car parking space per additional bedroom. It is recognised that this might result in an inefficient use of land for some developments and developers can propose alternative arrangements based on an evaluation of parking need and appropriate provision to meet that need using the following approach:-*

2. Evaluation of parking need

The evaluation will cover the following factors as a minimum

- 2.1. *Size of properties;*
- 2.2. *Proximity to local facilities and public transport provision;*
- 2.3. *The average number of cars per household currently in the parish;*
- 2.4. *The location of employment and the likely travel to work method and the data from any Transport Statement/Assessment required by the NPPF;*
- 2.5. *The opportunity to provide*
 - 2.5.1. *widths and design of roads that would permit effective on street parking without the need for residents to park on pavements or verges;*
 - 2.5.2. *suitable provision for visitors' car parking and space for delivery vehicles;*
 - 2.5.3. *communal parking which is close to residents' homes and "overlooked" for security purposes and in accordance with the provisions of the Manual for Streets and supporting the need for residents to charge their electric vehicles (recognising that the sale of new cars with petrol/diesel engines may be banned early in the life of new housing built under this NDP).*

3. Meeting the identified need

- 3.1. *Developers should seek, as far as is practical, to meet the need identified through the evaluation in a more land efficient manner than the default option through a mix of parking*

on individual properties and communal parking, that will be attractive and convenient for residents to use

- 3.2. *For the purposes of this policy, spaces within garages do not count towards the provision of car parking spaces unless the developer can demonstrate measures that are likely to result in the use of the garage for parking. For example, by the design of garage and storage provision or restrictive covenants on car parking. Spaces within car ports and garages without doors do count towards the provision of car parking spaces.*

4. Cycle parking and storage

All housing schemes should include high quality cycle parking and storage facilities.

See paragraphs 1.19 – 1.20 of the Council’s response to the Submission NDP. The policy on residential parking standards proposed in the Knowle Dorridge Bentley Heath NDP was deleted following the examination and is not included in the referendum version. See the Council’s comments in response to the Examiner’s enquiries in relation to Policy B1 criterion 2e.

Policy B9: Improving Accessibility for All

Whilst the purpose of this Policy is generally clear:

☒ Paragraph 1 applies to all “development proposals” but not all will be close or adjacent to the identified routes; therefore a “where applicable” needs to be included.

Accepted.

☒ I note that Secured by Design specifically discourages “segregated” footpaths but encourages “integrated” networks (paras 8.6 – 8.8); paragraph 2 would appear to be at odds with that advice?

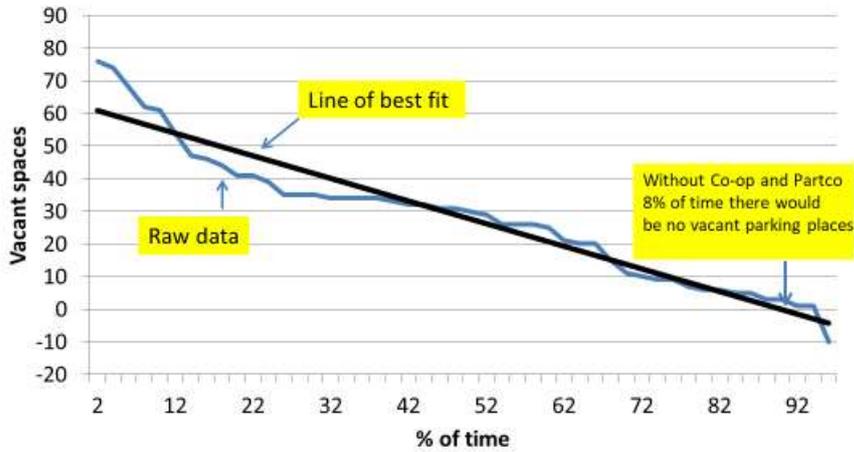
Not accepted. The QB would like to make the following points in support of the provision of segregated routes:

- 1. Parking in the centre of Balsall common is at or close to capacity at peak times. See attached chart which shows vacant car parking spaces assuming the coop car park can be used by those not visiting the coop.**
- 2. The 1st version of the Solihull plan scheduled an additional 1215 houses in Balsall Common with the 2nd draft showing 1755.**
- 3. As such more cars driving into Balsall Common will be not practical and hence encouraging people to walk or cycle is critical for people to be able to access the facilities in the centre**
- 4. The station car park is significantly over capacity. It has about 75 car parking spaces and about 70 park on a combination of Station Road and Hallmeadow Road on peak (midweek) days. The Station Road element is new in the last 12 months accounting for 20-25 per day.**
- 5. Again, it is unlikely that sufficient additional car parking will be provided. Hallmeadow Road is almost certain to become a haul route for HS2 with parking banned. Hence, encouraging people to walk/cycle to the station is important with the scale of development proposed.**
- 6. Similar issues surround parking and cars at the Heart of England Academy.**
- 7. Hence, policy P9 is about encouraging people not to use the car.**
- 8. The NDP (and Solihull draft plan) calls for housing to be accessed from purpose built new roads. These will tend to create a “long way around” to Balsall Common facilities in many cases. If foot/cycle access were only by those routes it would discourage people from leaving their cars at home.**

9. What policy P9 is encouraging is safe and accessible permeability from new development for pedestrians and cyclists to Balsall Common centre without encouraging vehicular traffic.
10. This approach works well on Riddings Hill where many people walk across the park into the village centre via Green Lane. Recently the parish council was instrumental in opening up access for mobility scooters to cater for a defined need using this park/Green Lane route.
11. Hence, paragraph 2 specifically addresses this need.
12. It could be modified to make it clear that its purpose is to enhance non vehicular access to the public facilities in Balsall Common.

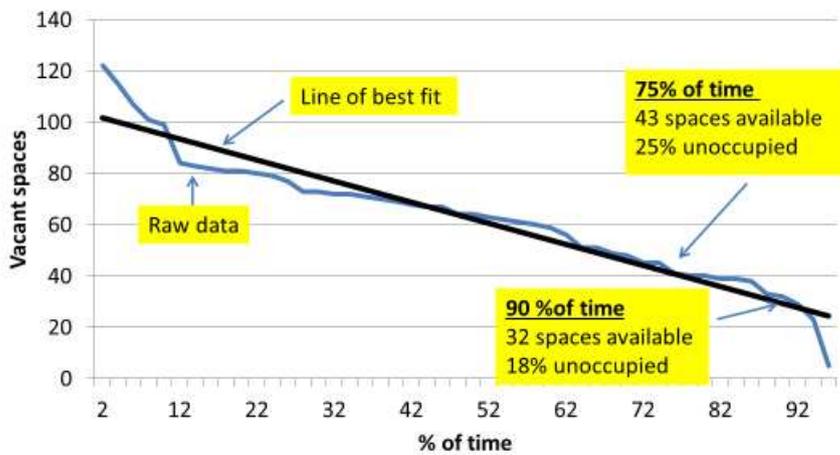
Vacant car parking spaces Balsall Common excluding Co-op

Excludes Co-op and assumes all Partco parking is distributed into Station Road/Library car park



Vacant car parking spaces – Balsall Common Centre

(assumes Partco not available and cars in Partco redistributed to legitimate spaces)
173 legitimate spaces in Library car park, Station Road, Coop, Barclays and Motorists shop.



Your comments on all these lines of thought are invited.

11 Business

Businesses in the Rural Area

Policy B10: Supporting Local Businesses

As written the three criteria for the first paragraph of the Policy read as 1 “and” (implicitly) 2 “and” (explicitly) 3 but the third element is surely not intended to be a requirement of every business proposal, particularly if the Policy is partly about supporting existing businesses?

Accepted. 3 could be a standalone paragraph eg something like " Where proposals are for the re-use or conversion of existing former agricultural buildings, workshops or previously used brownfield sites they should demonstrate how they have had regard to Policy B6."

Your comments on this line of thought are invited.

12 Next Steps

The content here is no longer relevant but might usefully be replaced with a commitment to keep the Plan under review? This point is also made within a representation.

Accepted – The QB commits to review within 3 years of the adoption of new Local Plan Review.

Appendices

A representation has commented: "As there is so much uncertainty over the likely housing allocations within Balsall Common the strategic sites referred to, and shown in Appendix A to the NP, should be removed from the Plan and it should be explicitly stated that the NP is not making any housing allocations". Whilst I appreciate that the Appendix will have been informative to many participating in the consultations, given that there is continuing uncertainty over the extent of allocations that will be made in the Local Plan I tend to agree that the detail of Appendix 1 will cause confusion once the Plan has become part of the Development Plan.

Accepted.

We agree to the deletion of appendix 1 showing sites. That supplements the deletion of appendix 2 on the affordable home definition already proposed and agreed

Appendices 3 & 4 are evidently not part of the land use Neighbourhood Plan. It would probably be clearer if these two Appendices and their related text were brought together to form an Appendix or Annex of the non-land use content. Planning Practice Guidance says: "Wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non land use matters should be clearly identifiable. For example, set out in a companion document or annex" (Paragraph: 004 Reference ID: 41-004-20170728).

Accepted. For appendices 3 and 4 we are content that they are renamed Annexes. I assume that the same will go for appendix 5 on CIL spending.