

Hartshill Regulation 16 Submission Neighbourhood Development Plan

Paragraph 8 of Schedule 4b

‘Basic Conditions’ Statement

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1.0 Legal Requirements

The Submission Plan is being submitted by a qualifying body

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

What is being proposed is a neighbourhood development plan

The plan proposal 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.

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 the Plan being made (2016) up to 2029 (the same period as the North Warwickshire Borough Council Core Strategy).

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.

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 Hartshill Neighbourhood Area and to no other area. There are no other Neighbourhood Plans relating to that neighbourhood area.

2.0 Basic Conditions

A draft neighbourhood Plan must meet a set of basic conditions before it 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. How the Hartshill Neighbourhood Development Plan (NDP) meets these basic conditions is set out below.

Have Appropriate Regard to National Policy

The Hartshill NDP 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 planning policies of North Warwickshire Borough Council, 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 Hartshill NDP does not undermine the strategic policies of North Warwickshire Borough Council; the Plan aims to support these policies by protecting local built and natural heritage assets from inappropriate new development whilst at the same time seeking to support and manage future housing growth.

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

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

NPPF Core Planning Principle	Regard that the Hartshill NDP has to guidance
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	The Parish Council has produced the Submission Plan in line with this guidance. It will provide a framework to ensure that development is genuinely plan-led, and through involvement of the local community in shaping its policies and proposals, through both informal and formal consultation, the Hartshill NDP will empower local people to shape their surroundings. The vision, objectives, policies and proposals in the NDP have been developed with a thorough

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<p>practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.</p>	<p>approach to engaging all those who live, work and carry out business in the area. The Plan sets out a positive vision for the area up to 2029. The NDP sets out a number of development management policies (18 in total) to guide, control and promote future development.</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 offers the local community the opportunity to shape the future development of Hartshill Parish in a creative way, ensuring that the quality of the place is enhanced by including policies which protect green and open spaces (H1 and H2); seek to promote better design (H4); seek to influence housing mix (H6); protect wildlife (H8), heritage assets (H9), and community facilities (H11); seek to enhance local retail provision (H12); and includes a four policies to ensure that development at the largest site in the Parish (land at Hartshill Quarry) is carried out in a way that improves Hartshill as a place and the lives of people who will be affected by it (policies H14 to H18).</p>
<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>This Submission Neighbourhood Plan supports sustainable economic development and the strategic planning policies set out in the North Warwickshire Core Strategy. The Submission NDP supports development in Hartshill Retail Centre (H12) and development on the strategic development site at Hartshill Quarry (H14-H18);</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>The Submission NDP sets out policies to encourage high quality design in new development (Policies H4 and H15). These will ensure that amenity of existing and future residents is protected.</p>

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<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>The Submission NDP takes regard of this guidance fully in plan-making and decision- taking. The NDP includes policies to protect and enhance local green spaces (H1); open spaces (H2); and local wildlife and habitats (H8).</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>The Submission NDP design policy (H4) encourage use of sustainable construction methods and use of materials that minimise resource use and carbon emissions.</p>
<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>The Submission NDP is fully consistent with this principle.</p> <p>The Plan provides a policy framework for the protection and enhancement of the neighbourhood plan area and its key environmental assets whilst supporting the strategic development needs of the area by setting a policy framework for previously developed land at Hartshill Quarry.</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>The Submission NDP supports the strategic development needs of the area by setting a policy framework for previously developed land at Hartshill Quarry.</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>The Submission NDP seeks to protect a number of open land areas that perform a wide range of functions in the neighbourhood plan area. Policy H1 protects local green spaces and H2 local open spaces.</p> <p>Policy H8 seeks to protect and enhance local wildlife and habitats.</p>

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<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 NDP is fully in line with this principle and policy H9 identifies a number of non-designated heritage assets for conservation and enhancement.</p>
<p>Planning should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable</p>	<p>The Submission NDP seeks to promote sustainable use of transport in number of ways – through design (H4); car parking (H3); infrastructure provision (H5); traffic and transport in the village (H7); the Community Infrastructure Levy policy H10 that specifically identifies new bus shelters; policy H12 that seeks to promote the development of the retail centre; policy H13 “Health and Well-Being” seeks to promote healthier lifestyles, including through walking and cycling; and the development management policies for land at Hartshill Quarry also seek to promote more sustainable forms of transport.</p>
<p>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</p>	<p>The NDP is fully in accord with this principle. Policies in the plan seek to protect and enhance local community facilities (H11); Hartshill Retail Centre (H12); and policy H13 “Health and Well-Being” seeks to promote healthier lifestyles and promote a new health centre on the old School site, Church Road.</p>

Have Special Regard to the Desirability of Preserving any Listed Building or it’s Setting or any Features of Special Architectural or Historic Interest

The Submission NDP has special regard to the desirability of preserving features of architectural or historic interest within the Parish through Policy H9.

Have Special Regard to the Desirability of Preserving or Enhancing Character or Appearance of any Conservation Area

The Plan area has no Conservation Areas.

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).

The Neighbourhood Plan area does not include any European sites. Natural England have been consulted at the Strategic Environmental Assessment screening and have identified no issues on these matters.

Contribute to the Achievement of Sustainable Development

The Submission NDP 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.

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

Table 2 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 seeks to support wider economic development needs through its support of growth at Hartshill Quarry. The NDP also supports more local economic development through the policy for Hartshill Retail Centre (H12).
Social	<p>The plan protects local community facilities (Policy H11) and seeks to promote health and well-being (H13) and seeks to ensure land at Hartshill Quarry is developed in a way that integrates with the wider area (H18).</p> <p>The Plan also seeks to support a mix of new housing (Policy H6).</p>
Environmental	<p>The Submission NDP sets out a policy for local wildlife and habitats (H8).</p> <p>The NDP seeks to promote more sustainable transport patterns through walking and cycling (H13)</p> <p>The NDP seeks to promote sustainable design and use of renewable and low carbon energy (H4).</p> <p>Policies seek to promote the local distinctiveness of the area (H4), and recognise the significance of locally important natural and built heritage assets to local residents, and visitors, as an important aspect of the Parish’s identity (H9).</p>

Be in General Conformity with Strategic Local Planning Policy

The Submission NDP is in general conformity with strategic Local Plan policies contained in the North Warwickshire Core Strategy, and, where relevant, the saved policies of the 2006 Local Plan.

Planning Practice Guidance 2014 para 009 advises that “*Neighbourhood plans, when brought into force, become part of the development plan for the neighbourhood area. They can be developed before or at the same time as the local planning authority is producing its [Local Plan](#).*”

A draft neighbourhood plan or Order must be in general conformity with the strategic policies of the development plan in force if it is to meet the [basic condition](#). A draft Neighbourhood Plan or Order is not tested against the policies in an emerging Local Plan although the reasoning and evidence informing the Local Plan process may be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested.”

Table 3 below sets out the way that the Neighbourhood Plan conforms to the relevant strategic policies contained in the North Warwickshire Core Strategy, and, where relevant any saved 2006 Local Plan policies.

Table 3 Conformity with Local Strategic Policy

<i>Hartshill Neighbourhood Development Plan</i>	<i>North Warwickshire Strategic Planning Policy.</i>
<p>POLICY H1 – PROTECTING LOCAL GREEN SPACES The local green spaces listed below and shown on Figure 7 will be protected from inappropriate development. Development of these spaces will only be permitted in very special circumstances where harm to the local green space, and any other harm, is clearly outweighed by other considerations.</p> <ol style="list-style-type: none"> 1. Grange Road Recreation Ground 2. Nathaniel Newton Trust Allotments 3. Field next to the Nathaniel Newton allotments 	<p>The Core Strategy does not have a strategic policy covering local green spaces. Policy NW13 seeks to protect and enhance the natural environment. Policy NW16 seeks to maintain and enhance the network of Green Infrastructure. Policy H1 of the NDP supports these policies and is in general conformity.</p> <p>There are no relevant saved Local Plan policies in relation to NDP Policy H1.</p> <p>Policy H1 has been prepared to take into account emerging policy in the emerging North Warwickshire Site Allocations Plan, in particular section 7 open space.</p>
<p>POLICY H2 – PROTECTING OPEN SPACES</p> <p>The open spaces listed below and shown in Figure 8 should be protected:</p> <ol style="list-style-type: none"> 1. Land next to the Canal Wharf 2. Community Orchard, opposite Sarval 3. Sidings land, opposite Sarval 4. Land east of Apple Pie Lane 5. Land west of Apple Pie Lane 	<p>The Core Strategy does not have a strategic policy covering local open spaces. Policy NW13 seeks to protect and enhance the natural environment. Policy NW16 seeks to maintain and enhance the network of Green Infrastructure. Policy H2 of the NDP supports these policies and is in general conformity.</p> <p>There are no relevant saved Local Plan policies in relation to NDP Policy H2.</p> <p>Policy H2 has been prepared to take into account emerging policy in the emerging North Warwickshire Site Allocations Plan, in particular section 7 open space; and the three open space allocations in Appendix E.</p>

<ul style="list-style-type: none">6. Cherry Fields Green7. Cemetery8. Castle9. Stoneleigh Road green space10. Charnwood Drive green space11. The Hollows12. Hartshill Green13. The Hollows14. Hartshill Hayes15. Bottom Meadow, Oldbury Hills16. Blakemore’s Fields and ponds17. St Lawrence’s Wood18. The Top Meadow, Oldbury Hills19. Riding School, Oldbury20. Morewood21. Turning circle, Michael Drayton School22. Coleshill Road Flats open space23. Coleshill Road Flats open space24. Randalls Estate Green	
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<p>25. Amenity land adjacent to Saria</p> <p>Development of these areas will only be supported in the following circumstances:</p> <p>a) When it can be clearly demonstrated that the open space no longer performs at least one of the following functions:</p> <ul style="list-style-type: none">i. Provides opportunities for formal recreation;ii. Provides opportunities for informal recreation;iii. Has wildlife value;iv. Has landscape or scenic value;v. Affords, or is part of, a significant view;vi. Is an essential link to other open spaces or green infrastructure; orvii. Enhances the setting of an asset of designated or non-designated importance. <p>OR</p> <p>b) When the space performs at least one of the functions listed in (a) i to vii and development is proposed that development includes a proposal</p>	
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<p>to replace the space to be lost to an equivalent, or better standard in a location that can be suitably accessed by the local community within or adjoin the parish.</p>	
<p>POLICY H3 – CAR PARKING AND ACCESS AT SCHOOLS AND NURSERIES</p> <p>New development at local schools and nurseries should, where necessary, include suitable measures to reduce the need to travel by private car and improve access and car parking provision at the establishment by including:</p> <ul style="list-style-type: none"> a) The provision of new car parking where it would not adversely affect residential amenity; b) Improved access and drop-off points; and c) Incorporating measures to improve walking, cycling and public transport to and from the sites. 	<p>Policy NW10 of the Core Strategy “Development Considerations” seeks to promote accessible and local community services; promote healthier lifestyles; encourage sustainable forms of transport; and provide proper vehicular access, sufficient car parking, and manoeuvring for vehicles in accordance with adopted standards. Policy H3 of the NDP supports all of these criteria and is in general conformity with Policy NW10.</p> <p>Saved Policy TPT3 - Access and Sustainable Travel and Transport of the 2006 Local Plan states:</p> <p>“Development will not be permitted unless its siting, layout and design makes provision for safe and convenient pedestrian and vehicular access and circulation, and maximises practicable opportunities for the use of sustainable means of travel and transport including walking, cycling, bus and train.” Policy H3 of the NDP is in general conformity with this policy.</p> <p>Saved Policy TPT6 – Vehicle Parking – seeks on-site parking of vehicles – Policy H3 is in general conformity with this policy.</p>
<p>POLICY H4 – GOOD QUALITY DESIGN IN HARTSHILL</p> <p>All new development should respond positively to local character and distinctiveness by:</p>	<p>Policy NW12 of the Core Strategy seeks to secure high quality design. Policy H4 of the NDP adds more specific detail to this higher level strategic planning policy and, is, therefore, in general conformity.</p> <p>Saved Local Plan policies:</p> <p>ENV10 Energy Generation and Energy Conservation</p>

<p>a) Preserving and enhancing the locally distinctive built, historic and natural environment;</p> <p>b) Designing to take account of site characteristics and surroundings, including:</p> <ul style="list-style-type: none"> i. Layout – the predominantly green appearance of the area should be maintained and enhanced with appropriate green space and planting of trees and shrubs; ii. Siting; iii. Scale; iv. Height to be compatible with the surrounding area; v. Proportions and massing; vi. Reduced energy consumption that maximises passive solar gain and the potential to utilise solar energy; vii. Architectural detailing; viii. Landscaping; ix. Materials; and 	<p>ENV11 Neighbour Amenities</p> <p>ENV12 Urban Design</p> <p>ENV13 Building Design</p> <p>ENV14 Access Design</p> <p>Are all relevant to NDP Policy H4. Policy H4 adds more specific local detail to these policies and is in general conformity.</p>
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<p>x. Domestic extensions to be designed to appear to be an integral part of the original design of the house.</p> <p>c) They have no significant adverse impact on residential amenity for existing and future residents;</p> <p>d) They do not contribute to, or suffer from, adverse impacts arising from noise, light or air contamination, land instability or cause ground water pollution;</p> <p>e) They utilise sustainable construction methods, minimising the use of non-renewable resources and maximising the use of recycled and sustainably sourced materials;</p> <p>f) They minimise resource use towards zero carbon dioxide emissions;</p> <p>g) They provide easy access for all members of the community;</p> <p>h) They create safe environments that minimise opportunities for crime; and</p>	
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<p>i) They incorporate adaptable designs that can accommodate changing lifestyles/life stages and technologies.</p>	
<p>POLICY H5 – ENSURING NEW DEVELOPMENT PROVIDES APPROPRIATE INFRASTRUCTURE</p> <p>Any additional infrastructure needs generated by proposed new development should be taken in to consideration before planning approval is granted. Approvals will be conditioned so that necessary infrastructure is in place at appropriate times in the phasing of the development.</p> <p>In particular, the following will be taken in to account when assessing proposals:</p> <ul style="list-style-type: none"> a) Site access and the need for any additional road capacity, including on the A5, and public transport provision; b) New infrastructure to ensure the development is accessible by foot and by cycle; c) Surface water drainage by using, where appropriate, Sustainable Drainage Systems (SuDS); and 	<p>Policy NW10 of the Core Strategy sets criteria for certain types of infrastructure. Policy H5 of the NDP identifies and adds more specific detail to this strategic policy and is in general conformity with NW10.</p> <p>There are no relevant saved Local Plan policies in relation to Policy H5.</p>

<p>d) The need for any additional capacity in local services such as health and schools.</p>	
<p>POLICY H6 – HOUSING MIX</p> <p>All residential proposals will be expected to contain a suitable mix and variety of house types to meet the changing demands and needs of a changing and ageing population. This provision should include a proportion of bungalows, subject to site size, location and character of the surrounding residential area.</p>	<p>There is no relevant Core Strategy policy to H6.</p> <p>Saved Local Plan policies HSG2 Affordable Housing and HSG5 Special Needs Accommodation have been taken into account to ensure Policy H6 of the NDP is in general conformity with these.</p>
<p>POLICY H7 - TRAFFIC AND TRANSPORT IN THE VILLAGE</p> <p>Proposals to reduce vehicular traffic, improve the flow of traffic through the village and improve the overall provision of car parking in and around the village will be supported.</p>	<p>Policy NW10 of the Core Strategy “Development Considerations” seeks to promote accessible and local community services; promote healthier lifestyles; encourage sustainable forms of transport; and provide proper vehicular access, sufficient car parking, and manoeuvring for vehicles in accordance with adopted standards. Policy H7 of the NDP supports all of these criteria and is in general conformity with Policy NW10.</p> <p>Saved Policy TPT3 - Access and Sustainable Travel and Transport of the 2006 Local Plan states:</p> <p>“Development will not be permitted unless its siting, layout and design makes provision for safe and convenient pedestrian and vehicular access and circulation, and maximises practicable opportunities for the use of sustainable means of travel and transport including walking, cycling, bus and train.” Policy H7 of the NDP is in general conformity with this policy.</p> <p>Saved Policy TPT6 – Vehicle Parking – seeks on-site parking of vehicles – Policy H7 is in general conformity with this policy.</p>

<p>POLICY H8 – PRESERVING AND ENHANCING LOCAL WILDLIFE AND HABITATS</p> <p>Designated wildlife sites will be protected in accordance with their importance. Where significant harm to a designated wildlife site cannot be avoided without adequate mitigation measures, or offsetting contributions agreed, planning permission may be refused.</p> <p>To secure a net gain in biodiversity development proposals affecting local wildlife and habitat should, where possible, seek to retain and enhance such sites. To achieve this, proposals will be assessed against the following:</p> <ul style="list-style-type: none"> a) That any identified harm to a designated or non-designated natural environment asset can be suitably mitigated; b) That the proposal includes features that would lead to a net increase in biodiversity; c) That, where practicable, the proposal enhances and adds to ecological and habitat networks such as wildlife corridors and stepping stones; d) The creation of new habitats; 	<p>Policy NW13 seeks to protect and enhance the natural environment. Policy NW16 seeks to maintain and enhance the network of Green Infrastructure. Policy H8 of the NDP supports these policies and is in general conformity.</p> <p>Policy NW15 sets policy for designated sites, habitats and biodiversity. Policy H8 of the NDP seeks to protect sites in accordance with their importance and is in general conformity with Policy NW15.</p> <p>Policy ENV4 of the saved Local Plan policies seeks to protect trees, woodlands and hedgerows.</p> <p>In protecting sites and habitats Policy H8 of the NDP is in general conformity with this policy.</p>
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<p>e) The protection and recovery of priority species and other species populations; and</p> <p>f) The inclusion of features to support particular species, such as bat boxes.</p>	
<p>POLICY H9 – HERITAGE ASSETS</p> <p>All new development proposals should seek to conserve and enhance heritage assets and particularly those listed in Table 2, and shown in Figure 11 by ensuring that:</p> <p>a) Where proposals affect these heritage assets directly or indirectly, the harm or loss is out-weighed by the public benefit of this harm or loss; and</p> <p>b) New development affecting a heritage asset should enhance and reinforce the local distinctiveness and historic character of the area and proposals should show clearly how the general character, scale, mass and layout of the site, building or extension fits in with or enhances the heritage asset.</p>	<p>Policy NW14 of the Core Strategy seeks to conserve and enhance the historic environment, including non-designated assets as identified in the Hartshill NDP. The approach used in the Hartshill NDP adds neighbourhood plan specific detail to strategic planning policy and is in general conformity.</p> <p>Saved Local Plan Policy ENV16 seeks to protect non-listed buildings of local historic value:</p> <p>“Development will not be permitted if it would result in the demolition, loss or disfigurement of buildings that are of demonstrable local townscape, architectural or historic interest, unless:</p> <p>The building or structure is no longer capable of beneficial use, and its fabric is beyond repair; or</p> <p>The proposed replacement or altered building or structure would be of equal or greater townscape and architectural quality than the existing; and</p> <p>The proposed development cannot practicably be adapted to retain any historic interest that the building or structure possesses.</p> <p>In the event that demolition is permitted, a condition may be imposed requiring the existing building or structure to be fully recorded.”</p> <p>The approach set out in NDP Policy H9 is in general conformity with ENV16.</p>

<p>Policy H10 – COMMUNITY INFRASTRUCTURE LEVY</p> <p>The Community Infrastructure Levy raised in the area will be used to bring forward the following proposals:</p> <ul style="list-style-type: none"> a) A dedicated Youth Club; b) Redevelopment of Hartshill Wharf; c) Sport development at Snow Hill; d) Leisure related activities on land next to Saria; and e) Bus shelters. 	<p>Policy NW22 of the Core Strategy sets high level policy for infrastructure.</p> <p>Policy H10 of the NDP is in general conformity with Policy NW22. It identifies locally specific detail for the neighbourhood plan area should funding become available. The policy has given local people an opportunity to shape future development.</p> <p>There are no Saved Local Plan policies of relevance.</p>
<p>POLICY H11 – PROTECTING LOCAL COMMUNITY FACILITIES</p> <p>The following community facilities will be enhanced and protected:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Royal Oak Public House, Oldbury Road <input type="checkbox"/> Stag and Pheasant Inn, Hartshill Green <input type="checkbox"/> Malt Shovel Inn, Hartshill Green <input type="checkbox"/> The Chase Inn, Coleshill Road 	<p>Policy NW20 of the Core Strategy seeks to avoid the loss of existing services or facilities that contribute to the functioning of a settlement. Such loss would only be permitted if the facility is replaced elsewhere, or that its loss would not harm the vitality of the settlement.</p> <p>Policy H11 of the NDP is in general conformity with this policy and identifies the sites and properties to which it should be applied.</p> <p>Policy COM3 seeks to safeguard educational establishments. Policy H11 of the NDP identifies the relevant sites in Hartshill. The policy is in general conformity.</p>

<ul style="list-style-type: none">❑ The Conservative Club (now The Members Club), Victoria Road❑ The current Society of Friends Meeting House, Castle Road❑ The Methodist Chapel, Grange Road❑ The Community Hub and Library, Church Road❑ Links Nursery and Daycare Centre, Victoria Road❑ Nathaniel Newton Infant School, Victoria Road❑ Michael Drayton Junior School, Church Road❑ Hartshill Academy Senior School and Sports Hall, Church Road❑ Linden Care Home, Grange Road❑ The Stables Care Home, Castle Road❑ The Post Office, Oldbury Road	
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<p>The development or change of use of the identified community facilities to non-community uses will not be supported unless the following can be demonstrated:</p> <ul style="list-style-type: none"> a. The proposal includes alternative provision, on a site within the area, of an equivalent or enhanced facility. Such sites should be accessible by public transport, walking and cycling and have adequate car parking; or b. Satisfactory evidence is produced that there is no longer a need for the community facility. 	
<p>POLICY H12 – HARTSHILL RETAIL CENTRE</p> <p>To support and enhance the vitality of Hartshill Retail Centre (82-102 Coleshill Road) proposals to improve and expand retail uses (Class A1 in the Use Classes Order) will be supported.</p> <p>Within Hartshill Retail Centre, when planning permission is required, the loss of existing retail units to non-retail uses will only be supported when clear evidence is available justifying the loss and change of use of the retail unit and that the loss of the retail unit will have no adverse impact on the retail choice and overall viability of Hartshill Retail Centre.</p>	<p>Policy NW20 of the Core Strategy seeks to avoid the loss of existing services or facilities that contribute to the functioning of a settlement. Such loss would only be permitted if the facility is replaced elsewhere, or that its loss would not harm the vitality of the settlement.</p> <p>Policy H12 of the NDP is in general conformity with this policy and identifies the area to which it should be applied. It does not undermine strategic policy focus of town centres being the priority for retail development.</p> <p>The identified retail centre is the same as that identified in the emerging Site Allocations Plan – Proposal NC1 – Neighbourhood Centres. This is not a conformity issue. The NDP should carry out this allocation task rather than the Site Allocations Plan.</p> <p>There are no relevant saved Local Plan policies.</p>

<p>POLICY H13 – HEALTH AND WELL-BEING</p> <p>To promote healthier lifestyles new development, where appropriate, should seek to incorporate the following:</p> <ul style="list-style-type: none">a. Design features that promote walking and cycling, such as suitable siting of buildings and pedestrian and cyclist access points, including public transport;b. Clear signage to the existing cycle and footpath network;c. Provision of new links to the cycle and footpath network when these are necessary to make the development accessible to non-car users;d. A holistic approach, including co-operation and active involvement of the parish council in creating links to key open spaces, green infrastructure; schools, community facilities and public transport; ande. Provision of suitable information on footpaths, cycleways and public transport within the site and their maintenance.	<p>Policy H13 of the NDP is in general conformity with Core Strategy NW10 – Development Considerations – and, in particular, its aim of promoting healthier lifestyles.</p> <p>There are no relevant saved Local Plan policies.</p>
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<p>To support the health and well-being of the local community the Old School site, Church Road in Hartshill is identified as a suitable site for a new health centre. Such provision could be made as part of the wider redevelopment of the site.</p>	
<p>POLICY H14 – LAND AT HARTSHILL QUARRY - SITE DEVELOPMENT FRAMEWORK</p> <p>The long-term development of the land at Hartshill Quarry (Figure 13) should take place in accordance with the following overall site development framework set out below:</p> <p>a) Prior to any development commencing the developer(s) of the site should agree a Development Brief/Study, with the Borough Council and Parish Council, to show how the development of the site will be delivered and be in accordance with the agreed Brief/Study. Part of the Brief/Study should set out the necessary infrastructure provision needed to support, or mitigate the impact of development on the site. This should consider increased demand, on the adjoining secondary, infant, junior and nursery schools will be addressed. Together with any other adverse impacts on the wider area</p>	<p>Policy H14 of the NDP sets a detailed non-strategic planning framework for land at Hartshill Quarry and is in general conformity and fully supports the following Core Strategy policies:</p> <ul style="list-style-type: none"> - NW2 Settlement Hierarchy. This seeks to permit development in or adjacent to Hartshill Local Service centre. Policy H14 in identifying land at Hartshill Quarry is in general conformity with NW2; - NW3 Housing Development. Policy H14 will support the strategic policy aim of 3,650 new homes 2011-2029. - NW4 Split of Housing Numbers. Policy H14 will help deliver the 400 new homes Hartshill/Ansley Common, whilst giving local people the important opportunity to shape that development. <p>Land at Hartshill Quarry is identified in the emerging Site Allocations Plan – site HAR3. In accordance with guidance in the NPPG, the Parish Council have discussed the relationship of this policy with the emerging policies in the NDP. Policy H14 is the result of those discussions and formal comments received from North Warwickshire Borough Council at the Regulation 14 consultation stage. As can be seen in the accompanying Consultation Statement similar meetings have been held with the landowners.</p> <p>Policy H14 has given local people an opportunity to shape future development one of the key features of neighbourhood planning.</p> <p>There are no relevant Local Plan saved policies.</p>

<p>that need to be mitigated. The Brief/Study should include timescales for the implementation of this infrastructure;</p> <p>b) There is a fully funded transport and highway plan in place allowing for full vehicular movement west/east through the site. This should incorporate detailed proposals for site access at the west (Church Road) and east (Mancetter Road) entrances to the site, an east-west distributor road using these two access points, access to the schools, car parking and public transport improvements;</p> <p>c) The development is encouraged to adopt a phased approach, such that new housing development is not concentrated solely at either east or west access point to the exclusion of the other;</p> <p>d) Before any development commences an agreed plan of measures and mitigations should be in place to ensure designated and non-designated habitats are preserved and enhanced. Where this is not possible for non-</p>	
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<p>designated habitats, their loss should be offset elsewhere within the site, or in a suitable location within Hartshill parish;</p> <p>e) A design palette should be in place and agreed with the local planning authority and Parish Council. This will cover, amongst other things, overall design style and range of materials;</p> <p>f) The network of footpaths across the site should be retained, expanded and enhanced;</p> <p>g) The development should seek the retention and enhancement of existing sport and recreation facilities;</p> <p>h) An approved plan of measures will be sought before development commences to deal with sewerage and drainage, including off-site impacts. This plan should be reviewed regularly, and remedial measures identified and undertaken as the development progresses; and</p> <p>i) A full archaeological survey should be undertaken, if necessary, prior to</p>	
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<p>any development commencing. This should identify features for preservation <i>in situ</i>, with suitable measures to aid their interpretation by residents and visitors, and features suitable for preservation off-site or for recording.</p>	
<p>POLICY H15 - LAND AT HARTSHILL QUARRY - DESIGN</p> <p>The development at Hartshill Quarry should be of good quality design. To ensure this is achieved development on the site should take account of site characteristics and surroundings and meet the following criteria:</p> <p>a) Layout design should create a sense and appearance of incremental growth. Each phase should be comprised of a layout of legible streets that inter-connect with previous and subsequent phases. Typical, suburban estate type layouts with “loops and lollipops” should be avoided;</p> <p>b) Individual properties should be sited so as to provide strong, active frontages and to take advantage of the best position on the site to maximise</p>	<p>Policy H15 of the NDP sets a detailed non-strategic planning framework for land at Hartshill Quarry and is in general conformity and fully supports the following Core Strategy policies:</p> <ul style="list-style-type: none"> - NW2 Settlement Hierarchy. This seeks to permit development in or adjacent to Hartshill Local Service centre. Policy H15 in identifying land at Hartshill Quarry is in general conformity with NW2; - NW3 Housing Development. Policy H15 will support the strategic policy aim of 3,650 new homes 2011-2029. - NW4 Split of Housing Numbers. Policy H15 will help deliver the 400 new homes Hartshill/Ansley Common, whilst giving local people the important opportunity to shape that development. <p>Land at Hartshill Quarry is identified in the emerging Site Allocations Plan – site HAR3. In accordance with guidance in the NPPG, the Parish Council have discussed the relationship of this policy with the emerging policies in the NDP. Policy H15 is the result of those discussions and formal comments received from North Warwickshire Borough Council at the Regulation 14 consultation stage. As can be seen in the accompanying Consultation Statement similar meetings have been held with the landowners.</p> <p>Policy H15 has given local people an opportunity to shape future development one of the key features of neighbourhood planning.</p> <p>This policy is also in general conformity with Core Strategy policies on development principle san design; and the saved Local Plan policies on design.</p>

<p>environmental benefits and create opportunities for natural surveillance;</p> <p>c) Scale and height should vary across the site – with a maximum of two storeys to be the norm – with “landmark” buildings, sometimes being larger, occupying key positions on the site;</p> <p>d) Individual house designs, materials and architectural detailing should vary across the site, but have a coherence within each phase, and be consistent with the design palette set as part of the site development framework see Policy H1(d) above;</p> <p>e) Landscaping should be an integral part of the design, should take account of, and preserve, existing features and green areas on the site. Streets should include street trees, and other landscape features, and street furniture that create</p>	
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<p>green, walkable, multi-use thoroughfares; and</p> <p>f) The design should provide easy access for all members of the community and create a network of streets and other routes that allows significant movement around the site. Strong links should be created with the existing surrounding communities so that the site is fully integrated into the village.</p>	
<p>POLICY H16 – LAND AT HARTSHILL QUARRY - ACCESS AND CAR PARKING</p> <p>Car parking should be provided at a suitable level for each phase of development. Each dwelling should have a minimum of two off-road car parking spaces so that on-street parking by residents of the Quarry site is kept to an absolute minimum.</p>	<p>Policy H16 of the NDP sets a detailed non-strategic planning framework for land at Hartshill Quarry and is in general conformity and fully supports the following Core Strategy policies:</p> <ul style="list-style-type: none"> - NW2 Settlement Hierarchy. This seeks to permit development in or adjacent to Hartshill Local Service centre. Policy H16 in identifying land at Hartshill Quarry is in general conformity with NW2; - NW3 Housing Development. Policy H16 will support the strategic policy aim of 3,650 new homes 2011-2029. - NW4 Split of Housing Numbers. Policy H16 will help deliver the 400 new homes Hartshill/Ansley Common, whilst giving local people the important opportunity to shape that development. <p>Land at Hartshill Quarry is identified in the emerging Site Allocations Plan – site HAR3. In accordance with guidance in the NPPG, the Parish Council have discussed the relationship of this policy with the emerging policies in the NDP. Policy H16 is the result of those discussions and formal comments received from North Warwickshire Borough Council at the Regulation 14 consultation stage. As can be seen in the accompanying Consultation Statement similar meetings have been held with the landowners.</p>

	<p>Policy H16 has given local people an opportunity to shape future development one of the key features of neighbourhood planning.</p> <p>Policy H16 is also in general conformity with the Core Strategy transport policies and relevant Local Plan saved policies on these matters.</p>
<p>POLICY H17 – LAND AT HARTSHILL QUARRY - OPEN SPACES AND GREEN INFRASTRUCTURE</p> <p>Development of the Quarry site should take in to account the existing green infrastructure network on the site. In particular, where possible, the following should be incorporated in to the development of the site:</p> <ul style="list-style-type: none"> a) Inter-connecting networks of green infrastructure to act as wildlife corridors, footpaths, cycle and bridle routes; b) Preservation and enhancement of existing recreation and open spaces; c) Creation of a network of new, inter-connecting open spaces, including play areas. Play areas should have good natural surveillance and be within easily accessible distances by foot; and d) Use of the existing green infrastructure to provide screening 	<p>Policy H17 of the NDP sets a detailed non-strategic planning framework for land at Hartshill Quarry and is in general conformity and fully supports the following Core Strategy policies:</p> <ul style="list-style-type: none"> - NW2 Settlement Hierarchy. This seeks to permit development in or adjacent to Hartshill Local Service centre. Policy H15 in identifying land at Hartshill Quarry is in general conformity with NW2; - NW3 Housing Development. Policy H17 will support the strategic policy aim of 3,650 new homes 2011-2029. - NW4 Split of Housing Numbers. Policy H17 will help deliver the 400 new homes Hartshill/Ansley Common, whilst giving local people the important opportunity to shape that development. <p>Land at Hartshill Quarry is identified in the emerging Site Allocations Plan – site HAR3. In accordance with guidance in the NPPG, the Parish Council have discussed the relationship of this policy with the emerging policies in the NDP. Policy H17 is the result of those discussions and formal comments received from North Warwickshire Borough Council at the Regulation 14 consultation stage. As can be seen in the accompanying Consultation Statement similar meetings have been held with the landowners.</p> <p>Policy H17 has given local people an opportunity to shape future development one of the key features of neighbourhood planning.</p> <p>Policy H17 is also in general conformity with the Core Strategy natural environment and green infrastructure policies and relevant Local Plan saved policies on these matters.</p>

<p>opportunities between new development and existing communities and retention of the open space that protect the setting and views of the parish church.</p>	
<p>POLICY H18 – LAND AT HARTSHILL QUARRY – INTEGRATING WITH AND ENHANCING THE VITALITY OF THE WIDER AREA</p> <p>To ensure that the development of Hartshill Quarry is fully integrated and plays a full role in enhancing the vitality of Hartshill village the development should meet the following:</p> <ul style="list-style-type: none"> a) Use existing, or create new links to the surrounding community and adjoining development phases; b) Include measures such as cycleways, footpaths, bus routes and clear signage to promote the use of local services and facilities including the community centre, churches, shops, schools and pubs; and a) Include appropriate infrastructure for electronic communications networks, including 	<p>Policy H18 of the NDP sets a detailed non-strategic planning framework for land at Hartshill Quarry and is in general conformity and fully supports the following Core Strategy policies:</p> <ul style="list-style-type: none"> - NW2 Settlement Hierarchy. This seeks to permit development in or adjacent to Hartshill Local Service centre. Policy H15 in identifying land at Hartshill Quarry is in general conformity with NW2; - NW3 Housing Development. Policy H18 will support the strategic policy aim of 3,650 new homes 2011-2029. - NW4 Split of Housing Numbers. Policy H18 will help deliver the 400 new homes Hartshill/Ansley Common, whilst giving local people the important opportunity to shape that development. <p>Land at Hartshill Quarry is identified in the emerging Site Allocations Plan – site HAR3. In accordance with guidance in the NPPG, the Parish Council have discussed the relationship of this policy with the emerging policies in the NDP. Policy H18 is the result of those discussions and formal comments received from North Warwickshire Borough Council at the Regulation 14 consultation stage. As can be seen in the accompanying Consultation Statement similar meetings have been held with the landowners.</p> <p>Policy H18 has given local people an opportunity to shape future development one of the key features of neighbourhood planning.</p>

telecommunications and high speed broadband.	
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Be Compatible with EU Obligations

The Submission NDP is fully compatible with EU Obligations.

The NDP has been subjected to an SEA Screening Assessment undertaken by North Warwickshire Borough. This concluded that a full Strategic Environmental Assessment (Environmental Report) and Habitat Regulations Assessment was not required.

The Submission NDP 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 Group Parish Council has developed the policies and proposals within the Plan in full consultation with the

Hartshill Regulation 16 Submission Neighbourhood Development Plan – Basic Conditions Statement, April 2016

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.

