

Wyre Forest District Council

**Chaddesley Corbett Review
Neighbourhood Plan
2022 - 2036
(Modifications Proposal)**

**Independent Examiner's Report
on the Neighbourhood Plan Review**

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Summary

I have been appointed by Wyre Forest District Council to carry out the independent examination of the review of the Chaddesley Corbett Review Neighbourhood Plan.

Chaddesley Corbett lies about five miles east of Kidderminster and about five miles west of Bromsgrove. The Parish is washed over by the West Midlands Green Belt. It consists of the village of Chaddesley Corbett which is well served by a number of facilities and a number of hamlets. It has a population of 1422 according to the Census 2011. Farming remains important to the area. It also has a rich heritage with many important archaeological features and two Conservation Areas as well as listed buildings, two of which are classified as Grade 1.

I firstly determined that the Review Plan includes modifications that are significant or substantial as to change the nature of the neighbourhood development plan which the plan would replace. This meant that the examination of the Review Plan should proceed under the provisions of Schedule 4B to the Town and Country Planning Act 1990 (as amended). In turn, this means a referendum would be required.

The Review Plan covers many different issues including site allocations, Local Green Spaces, community facilities, green infrastructure and design. One of the biggest challenges facing the community is the provision of affordable housing. Many of the policies add a layer of local detail complementing District policies.

It is clear that the Review Plan has been the subject of careful thought in the light of changing circumstances which include the publication of a revised National Planning Policy Framework, a newly adopted Local Plan at District level, the results of a Parish Housing Needs Survey and a Residents Survey and the preparation of a Design Guide.

From my examination of the Review Plan, its supporting documentation and the representations made, and subject to a series of recommended modifications set out in this report, I have concluded that the Review Plan meets all the necessary legal requirements and the basic conditions and therefore can go forward to a referendum.

In considering whether the referendum area should be extended beyond the Neighbourhood Plan area I see no reason to alter or extend this area for the purpose of holding a referendum.

I consider the Review Plan reflects the aspirations and objectives of the local community and will help to guide the area's development in the future making a positive contribution to the future planning of the area.

Ann Skippers MRTPI
Ann Skippers Planning
24 October 2022



1.0 Introduction

This is the report of the independent examiner into the Chaddesley Corbett Review Neighbourhood Development Plan (the Review Plan).

I have been appointed by Wyre Forest District Council (WFDC) with the agreement of Chaddesley Corbett Parish Council to undertake this independent examination. I have been appointed through the Neighbourhood Planning Independent Examiner Referral Service (NPIERS).

I am independent of the qualifying body and the local authority. I have no interest in any land that may be affected by the Review Plan. I am a chartered town planner with over thirty years experience in planning and have worked in the public, private and academic sectors and am an experienced examiner of neighbourhood plans. I therefore have the appropriate qualifications and experience to carry out this independent examination.

2.0 The examination process and the role of the independent examiner

Determination under Paragraph 10(1) of Schedule A2 to the Planning and Compulsory Purchase Act 2004 (as amended) Procedural Matters

The Review Plan was submitted for examination to WFDC on 14 June 2022 on the basis that the Parish Council considered the proposed modifications were so significant or substantial as to change the nature of the Neighbourhood Plan made on 25 September 2014. WFDC also considered that the modifications fell into this category. Both parties had submitted statements regarding the proposed modifications.

My first task was therefore to make a determination under paragraph 10(1) of Schedule A2 to the Planning and Compulsory Purchase Act 2004 (as amended).

The purpose of this determination is to establish the appropriate examination process for the draft Plan which will, amongst other things, affect whether or not the draft Review Plan will need to be the subject of a referendum if it is to be made.

In this context, the Review Plan intends, amongst other things, to:

- Delete existing Policies CC3, CC6, CC11 and CC13 and site allocations CCSA1 and CCSA2
- Supersede existing Policies CC1, CC2, CC4, CC5, CC7, CC8, CC9, CC10, CC12 with updated/revised/new Policies H1, H3, H4, B1, C1, D1, D2, D3, D4, GI1, T1 covering similar topic areas
- Include new Policies CF1, CF2, B2 and D5 on new topic areas

- Include new site allocation Policy H2 which has three new site allocations
- Changed and new text throughout the Review Plan

The original Plan was made in September 2014. Since then WFDC has adopted a new Local Plan in April 2022 and there have been a number of changes to national policy. In addition, new surveys undertaken by the Parish Council revealed a need for updates to the Plan across a number of topic areas.

The Parish Council has submitted a comprehensive and very helpful and easy to use Statement of Modifications document that details the changes.

The Parish Council considers that some of the proposed modifications are so significant or substantial as to change the nature of the made Plan. The local planning authority, WFDC, consider that the proposed modifications to the draft Plan are so significant or substantial as to change the nature of the made Plan.

I have considered the proposed modifications, the views of the local planning authority and the Parish Council and the representations received as well as the advice on updating neighbourhood plans in Planning Practice Guidance (PPG). I also concluded that the modifications to the made Plan are so significant or substantial as to change the nature of the made Plan.

Accordingly, I requested the formal consent of the Parish Council for the examination to proceed. This consent was duly given on 30 September 2022.

The Examination Note I sent on these matters, Note E1, and dated 27 September 2022, is appended to this report as Appendix 2.

Scope of the Examination

It is important to recognise that the examination has considered the entirety of the Review Plan and not just those elements of the Review Plan that have been modified. Although my detailed comments focus on the changes to policies and text, I have considered the policies 'in the round'.

Role of the Examiner

The examiner must assess whether a neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

The basic conditions¹ are:

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

¹ Set out in paragraph 8 (2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended)

- The making of the neighbourhood plan contributes to the achievement of sustainable development
- The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area
- The making of the neighbourhood plan does not breach, and is otherwise compatible with, retained European Union (EU) obligations²
- Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out two additional basic conditions to those set out in primary legislation and referred to in the paragraph above. Only one is applicable to neighbourhood plans and was brought into effect on 28 December 2018.³ It states that:

- The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

The examiner is also required to check⁴ whether the neighbourhood plan:

- Has been prepared and submitted for examination by a qualifying body
- Has been prepared for an area that has been properly designated for such plan preparation
- Meets the requirements to i) specify the period to which it has effect; ii) not include provision about excluded development; and iii) not relate to more than one neighbourhood area and that
- Its policies relate to the development and use of land for a designated neighbourhood area.

The examiner must also consider whether the draft neighbourhood plan is compatible with Convention rights.⁵

The examiner must then make one of the following recommendations:

- The neighbourhood plan can proceed to a referendum on the basis it meets all the necessary legal requirements
- The neighbourhood plan can proceed to a referendum subject to modifications or
- The neighbourhood plan should not proceed to a referendum on the basis it does not meet the necessary legal requirements.

² Substituted by the Environmental Assessments and Miscellaneous Planning (Amendment) (EU Exit) Regulations 2018/1232 which came into force on 31 December 2020

³ Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018

⁴ Set out in sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act

⁵ The combined effect of the Town and Country Planning Act Schedule 4B para 8(6) and para 10 (3)(b) and the Human Rights Act 1998

If the plan can proceed to a referendum with or without modifications, the examiner must also consider whether the referendum area should be extended beyond the neighbourhood plan area to which it relates.

If the plan goes forward to referendum and more than 50% of those voting vote in favour of the plan then it is made by the relevant local authority, in this case WFDC. The plan then becomes part of the 'development plan' for the area and a statutory consideration in guiding future development and in the determination of planning applications within the plan area.

Examination Process

It is useful to bear in mind that the examiner's role is limited to testing whether or not the submitted neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended).⁶

PPG confirms that the examiner is not testing the soundness of a neighbourhood plan or examining other material considerations.⁷ Often representations suggest amendments to policies or additional policies. Where I find that policies do meet the basic conditions, it is not necessary for me to consider if further amendments or additions are required.

In addition, PPG is clear that neighbourhood plans are not obliged to include policies on all types of development.⁸

PPG⁹ explains that it is expected that the examination will not include a public hearing. Rather the examiner should reach a view by considering written representations. Where an examiner considers it necessary to ensure adequate examination of an issue or to ensure a person has a fair chance to put a case, then a hearing must be held.¹⁰

After consideration of all the documentation and the representations made, I decided that it was not necessary to hold a hearing.

In 2018, the Neighbourhood Planning Independent Examiner Referral Service (NPIERS) published guidance to service users and examiners. Amongst other matters, the guidance indicates that the qualifying body will normally be given an opportunity to comment upon any representations made by other parties at the Regulation 16 consultation stage should they wish to do so. There is no obligation for a qualifying body to make any comments; it is only if they wish to do so. The Parish Council did not make any comments.

⁶ PPG para 055 ref id 41-055-20180222

⁷ Ibid

⁸ Ibid para 040 ref id 41-040-20160211

⁹ Ibid para 056 ref id 41-056-20180222

¹⁰ Ibid

I made an unaccompanied site visit to familiarise myself with the Plan area on 4 October 2022.

I am very grateful to everyone for ensuring that the examination has run so smoothly and in particular Sally Horne at WFDC.

Modifications and how to read this report

Where modifications are recommended they appear in a bullet point list of **bold text**. Where I have suggested specific changes to the wording of the policies or new wording these appear in ***bold italics*** in the bullet point list of recommendations. Modifications will always appear in a bullet point list.

As a result of some modifications consequential amendments may be required. These can include changing policy numbering, section headings, amending the contents page, renumbering paragraphs or pages, ensuring that supporting appendices and other documents align with the final version of the Review Plan and so on.

I regard these as primarily matters of final presentation and do not specifically refer to such modifications, but have an expectation that a common sense approach will be taken and any such necessary editing will be carried out and the Review Plan's presentation made consistent.

3.0 Compliance with matters other than the basic conditions

Qualifying body

The Review Plan has been prepared and submitted by Chaddesley Corbett Parish Council which is the qualifying body able to lead preparation of a neighbourhood plan. This requirement is satisfactorily met.

Plan area

The Plan area covers all of the Parish and was designated by WFDC on 14 September 2012. The Plan relates to this area and does not relate to more than one neighbourhood area. It has not changed from the area covered by the made Plan. It is shown on page 8 of the Review Plan. It therefore complies with these requirements.

Plan period

The Review Plan period is 2022 – 2036. This is clearly stated in the Review Plan itself. This requirement is therefore satisfactorily met.

Excluded development

The Review Plan does not include policies that relate to any of the categories of excluded development. This is also helpfully confirmed in the Basic Conditions Statement. The Review Plan therefore meets this requirement.

Development and use of land

Policies in neighbourhood plans must relate to the development and use of land. Sometimes neighbourhood plans contain aspirational policies or projects that signal the community's priorities for the future of their local area, but are not related to the development and use of land. If I consider a policy or proposal to fall within this category, I will recommend it be clearly differentiated. This is because 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.¹¹ Subject to any such recommendations, this requirement can be satisfactorily met.

4.0 Neighbourhood plan preparation

A Consultation Statement has been submitted. This explains that the Parish Council decided that a review of the Plan would be undertaken in 2019. A Steering Group was established with sub groups looking at different issues.

A Housing Needs Survey was carried out in 2019 and sent to all households in the Parish. A Residents Survey was undertaken in late 2019. This survey work included a specific one for business and one for children and young people. Whilst the residents' survey attracted a response rate of 26%, both the business and children and young people surveys were not so successful in attracting responses.

A Call for Sites was issued in January 2020. Public consultation on the options was undertaken in Autumn 2020 and included an exhibition. This attracted a strong response.

Pre-submission (Regulation 14) consultation took place between 1 March – 22 April 2022; a period of seven weeks. Copies of the Review Plan were available online and in hard copy from the Clerk of the Parish Council and in two locations. A drop-in event was held.

The consultation and engagement undertaken is therefore satisfactory.

Submission (Regulation 16) consultation was carried out between 14 June – 27 July 2022.

¹¹ PPG para 004 ref id 41-004-20190509

The Regulation 16 stage resulted in representations from 11 individuals, organisations or companies which I have considered and taken into account in preparing my report.

5.0 The basic conditions

Regard to national policy and advice

The Government revised the National Planning Policy Framework (NPPF) on 20 July 2021. This revised Framework replaces the previous National Planning Policy Framework published in March 2012, revised in July 2018 and updated in February 2019.

The NPPF is the main document that sets out the Government's planning policies for England and how these are expected to be applied.

In particular it explains that the application of the presumption in favour of sustainable development will mean that neighbourhood plans should support the delivery of strategic policies in local plans or spatial development strategies and should shape and direct development outside of these strategic policies.¹²

Non-strategic policies are more detailed for specific areas, neighbourhoods or types of development.¹³ They can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment as well as set out other development management policies.¹⁴

The NPPF also makes it clear that neighbourhood plans should not promote less development than that set out in strategic policies or undermine those strategic policies.¹⁵

The NPPF states that all policies should be underpinned by relevant and up to date evidence; evidence should be adequate and proportionate, focused tightly on supporting and justifying policies and take into account relevant market signals.¹⁶

Policies should be clearly written and unambiguous so that it is evident how a decision maker should react to development proposals. They should serve a clear purpose and avoid unnecessary duplication of policies that apply to a particular area including those in the NPPF.¹⁷

¹² NPPF para 13

¹³ Ibid para 28

¹⁴ Ibid

¹⁵ Ibid para 29

¹⁶ Ibid para 31

¹⁷ Ibid para 16

On 6 March 2014, the Government published a suite of planning guidance referred to as Planning Practice Guidance (PPG). This is an online resource available at www.gov.uk/government/collections/planning-practice-guidance which is regularly updated. The planning guidance contains a wealth of information relating to neighbourhood planning. I have also had regard to PPG in preparing this report.

PPG indicates that a policy should be clear and unambiguous¹⁸ to enable a decision maker to apply it consistently and with confidence when determining planning applications. The guidance advises that policies should be concise, precise and supported by appropriate evidence, reflecting and responding to both the planning context and the characteristics of the area.¹⁹

PPG states there is no 'tick box' list of evidence required, but proportionate, robust evidence should support the choices made and the approach taken.²⁰ It continues that the evidence should be drawn upon to explain succinctly the intention and rationale of the policies.²¹

Whilst this has formed part of my own assessment, the Basic Conditions Statement contains a comprehensive assessment of how the Review Plan has responded to national policy and guidance.

Contribute to the achievement of sustainable development

A qualifying body must demonstrate how the making of a neighbourhood plan would contribute to the achievement of sustainable development.

The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development.²² This means that the planning system has three overarching and interdependent objectives which should be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each of the different objectives.²³ The three overarching objectives are:²⁴

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe

¹⁸ PPG para 041 ref id 41-041-20140306

¹⁹ Ibid

²⁰ Ibid para 040 ref id 41-040-20160211

²¹ Ibid

²² NPPF para 7

²³ Ibid para 8

²⁴ Ibid

places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

- c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The NPPF confirms that planning policies should play an active role in guiding development towards sustainable solutions, but should take local circumstances into account to reflect the character, needs and opportunities of each area.²⁵

Whilst this has formed part of my own assessment, the Basic Conditions Statement includes detailed information that helps demonstrate how the Review Plan contributes to meeting this basic condition.

General conformity with the strategic policies in the development plan

The development plan includes the Wyre Forest District Local Plan 2016 – 2036 (LP) adopted 26 April 2022. Part A is described as the strategic element and policies, and whilst I have focused on those policies in relation to the relevant basic condition, I have considered the whole document.

Other documents that comprise the development plan are the Waste Core Strategy, the Minerals Local Plan, the Local Transport Plan and the Churchill and Blakedown Neighbourhood Plan. The existing made Chaddesley Corbett Neighbourhood Plan also forms part of the current development plan.

Whilst this has formed part of my own assessment, the Basic Conditions Statement contains a detailed commentary on how the Review Plan's policies relate to the LP.

Retained European Union Obligations

A neighbourhood plan must be compatible with retained European Union (EU) obligations. A number of retained EU obligations may be of relevance for these purposes including those obligations in respect of Strategic Environmental Assessment, Environmental Impact Assessment, Habitats, Wild Birds, Waste, Air Quality and Water matters.

With reference to Strategic Environmental Assessment (SEA) requirements, PPG²⁶ confirms that it is the responsibility of the local planning authority, in this case WFDC, to ensure that all the regulations appropriate to the nature and scope of the draft neighbourhood plan have been met. It states that it is WFDC who must decide whether the draft plan is compatible with relevant retained EU obligations when it takes the

²⁵ NPPF para 9

²⁶ PPG para 031 ref id 11-031-20150209

decision on whether the plan should proceed to referendum and when it takes the decision on whether or not to make the plan.

Strategic Environmental Assessment and Habitats Regulations Assessment

The provisions of the Environmental Assessment of Plans and Programmes Regulations 2004 (the 'SEA Regulations') concerning the assessment of the effects of certain plans and programmes on the environment are relevant. The purpose of the SEA Regulations, which transposed into domestic law Directive 2001/42/EC ('SEA Directive'), are to provide a high level of protection of the environment by incorporating environmental considerations into the process of preparing plans and programmes.

The provisions of the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'), which transposed into domestic law Directive 92/43/EEC (the 'Habitats Directive'), are also of relevance to this examination.

Regulation 63 of the Habitats Regulations requires a Habitats Regulations Assessment (HRA) to be undertaken to determine whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans or projects. The HRA assessment determines whether the Review Plan is likely to have significant effects on a European site considering the potential effects both of the Review Plan itself and in combination with other plans or projects. Where the potential for likely significant effects cannot be excluded, an appropriate assessment of the implications of the Review Plan for that European Site, in view of the Site's conservation objectives, must be carried out.

In relation to both SEA and HRA, screening assessments, prepared by Kirkwells on behalf of the Parish Council, and reviewed by WFDC, have been prepared prior to the pre-submission stage. Both reports conclude that no further work is needed.

The statutory consultees were consulted and those making comments, agreed with the conclusions of each assessment. I note that Natural England agreed with the conclusion of no likely significant effects on the Lyppard Grange Ponds Special Area of Conservation (SAC) and the Fens Pools SAC. Both European Sites are within an approximate 13 – 20 km radius of the Plan area.

Both assessments have been updated for the submission stage. As no major changes have been made to the Review Plan, I agree that the assessments remain valid.

I have treated the SEA Screening Report to be the statement of reasons that the PPG advises must be prepared and submitted with the neighbourhood plan proposal and made available to the independent examiner where it is determined that the plan is unlikely to have significant environmental effects.²⁷

I consider that retained EU obligations in respect of SEA have been satisfied.

²⁷ PPG para 028 ref id 11-028-20150209

On 28 December 2018, the basic condition prescribed in Regulation 32 and Schedule 2 (Habitats) of the Neighbourhood Planning (General) Regulations 2012 (as amended) was substituted by a new basic condition brought into force by the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018 which provides that the making of the plan does not breach the requirements of Chapter 8 of Part 6 of the Habitats Regulations.

Given the distance, nature and characteristics of the nearest European sites and the nature and contents of this Review Plan, I agree with the conclusion of the HRA Screening Report that an appropriate assessment is not required and accordingly consider that the prescribed basic condition is complied with, namely that the making of the Plan does not breach the requirements of Chapter 8 of Part 6 of the Habitats Regulations.

Conclusion on retained EU obligations

National guidance establishes that the ultimate responsibility for determining whether a plan meets EU obligations lies with the local planning authority.²⁸ In reviewing the Screening Reports on SEA and HRA, WFDC has considered the compatibility of the Review Plan in regard to retained EU obligations and does not raise any concerns in this regard.

European Convention on Human Rights (ECHR)

The Basic Conditions Statement contains a statement in relation to human rights. Having regard to the Basic Conditions Statement, there is nothing in the Review Plan that leads me to conclude there is any breach or incompatibility with Convention rights.

6.0 Detailed comments on the Plan and its policies

In this section I consider the Review Plan and its policies against the basic conditions. Where modifications are recommended they appear in **bold or bold and italics text**.

Initial sections

The Plan begins with a helpful executive summary that explains the review. This is preceded by a useful contents page.

²⁸ PPG para 031 ref id 11-031-20150209

Part One – Setting the Context

1.0 Introduction and Background

This is a useful section full of information. It explains the review process, summarises a number of technical studies undertaken as part of the work on the review and sets out the context for the Review Plan. This section has been updated.

2.0 Planning Policy Context

This helpful section sets out the policy context for the Review Plan. This section has been updated.

3.0 Key Issues for Chaddesley Corbett in 2022

Taking its lead from the results of the Residents Survey carried out in 2019 and the Housing Needs Survey of the same year, this section identifies the key issues facing the Parish, updating those in the made Plan.

Part Two – Vision, Objectives and Planning Policies

4.0 Vision and Objectives

The vision for the Plan remains unchanged from the original document and reads:

“Our vision for Chaddesley Corbett is one of a strong and thriving community where our history and heritage are celebrated and sustained, and where our rural setting and character are preserved and enhanced for both residents and visitors.”

The clearly articulated vision is underpinned by six objectives. These have been updated from the made Plan. All are articulated well and relate to the development and use of land. They usefully cross-reference the relevant policies resulting in a clear link between the vision, objectives and policies.

5.0 Neighbourhood Plan Policies

There are two Policies Maps on pages 25 and 26 of the Review Plan. The first is an inset of Chaddesley Corbett Village and the second an inset of Harvington Area.

Community Facilities and Green Infrastructure

Policies CF1, CF2 and GI1

The NPPF supports the provision of social, recreational and cultural facilities and services needed by a community.²⁹ It promotes planning positively for such facilities and guarding against the loss of such facilities.³⁰ It refers to the importance of retaining accessible local services and facilities in supporting a prosperous rural economy.³¹

LP Policy SP.6 supports in principle developments that provide the rural community with essential facilities and services. It also safeguards the network of local groups of shops and public houses to support nearby settlements and reduce the need to travel.

LP Policy SP.16, health and wellbeing, indicates that development should help minimise negative health impacts and maximise opportunities to ensure that people lead healthy, active lifestyles and experience a high quality of life.

Non-strategic LP Policy DM.6 supports community facilities and resists their loss subject to various criteria.

Non-strategic LP Policy DM.15 supports local shops and safeguards existing retail and commercial units within Use Class E. It introduces a 12 month minimum period for marketing for change of use.

Policy CF1 is a new policy which seeks to support health and wellbeing. It has two elements to it. Firstly, it identifies three community facilities which it seeks to retain in community use unless their loss meets criteria in LP Policy DM.6 which the policy appropriately cross-references. The three facilities are the Village Hall at Brockencote, the Community Hall at Harvington and the Sports Club in Lower Chaddesley. All are appropriately identified and clearly shown on the Policies Maps.

Secondly, the policy supports new or enhanced facilities to support community-led health and social projects. The Parish has a village surgery and residents have undertaken a number of initiatives including the community orchard and the provision of play area and the Care Cafe to support the community.

Policy CF2 is a new policy that seeks to protect the local group of shops and public houses found in Chaddesley Corbett village. It defines the group on the Policies Maps and in more detail at Map 3 on page 35 of the Review Plan. I saw at my visit that the area has been logically defined although it does include many residential frontages.

The policy cross-references LP Policies SP.6 and DM.15. There is a potential conflict with LP Policy DM.15 which has a minimum 12 month marketing period rather than the

²⁹ NPPF para 93

³⁰ Ibid

³¹ Ibid para 84

18 month minimum period introduced in the policy. However, WFDC have confirmed their acceptance of this and it has been justified on the basis of Covid recovery times.

Policy GI1 is an updated policy concerned with green infrastructure and biodiversity. It also promotes walking and cycling and public rights of way. It has been informed by information from the Worcestershire Biological Records Centre. There are a number of important sites; for example Chaddesley Woods is an important site for biodiversity and is a National Nature Reserve.

The NPPF is clear that planning policies should contribute to and enhance the natural environment including through minimising impacts on and providing net gains for biodiversity through establishing environmental networks.³²

The NPPF defines green infrastructure as a network of multi-functional green and blue spaces and other natural features, capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity.³³ Green infrastructure can help to achieve a number of things; these include enabling and supporting healthy lifestyles,³⁴ and as an integral part of planning for climate change.³⁵

LP Policy SP.16 recognises this, seeking the provision of green infrastructure to support physical activity, healthy living and social cohesion. LP Policy SP.23 protects and enhances biodiversity. LP Policy SP.28 is a detailed policy on green infrastructure.

These multi-faceted purposes of green infrastructure are recognised in Policy GI1 which is now more detailed and precise in its support for wildlife corridors, biodiversity net gain and public rights of way amongst other things. It cross-references LP Policy SP.28. It maps wildlife sites and corridors on Map 4 on page 46 of the Review Plan.

Policies CF1, CF2 and GI1 have regard to the NPPF, are in general conformity with and add detail and a local layer to strategic policies at District Council, in particular LP Policies SP.6, SP.16, SP.23 and SP.28 as well as non-strategic development management Policy DM.15 and will help to achieve all of the objectives of sustainable development thereby meeting the basic conditions. No modifications are therefore recommended.

³² NPPF para 174

³³ Ibid Glossary

³⁴ Ibid para 92

³⁵ Ibid para 154

Housing

Policies H1 – H4 and C1

The NPPF states that the needs of groups with specific housing requirements should be addressed to support the Government's objective of significantly boosting housing supply.³⁶ PPG³⁷ is clear that the need to provide housing for older people is critical.

The NPPF explains that new buildings in the Green Belt are inappropriate, but there are some exceptions to this including limited infilling in villages, limited affordable housing for local community needs under policies set out in the development plan including rural exception sites and limited infilling or partial or complete redevelopment of previously developed land.³⁸

LP Policy SP.1 requires 5,520 net dwellings over the Local Plan period. LP Policy SP.2 sets out the settlement hierarchy for the District. Chaddesley Corbett is identified as a settlement washed over by the West Midlands Green Belt where suitable development includes housing to meet local needs via allocated and rural exception sites in appropriate circumstances and limited infilling. Neighbourhood plans are referred to in LP Policy SP.2 to give local communities more control over the location of development.

LP Policy SP.6 supports housing for local needs established through housing needs studies and Parish surveys.

LP Policy SP.7, Strategic Green Belt Review, supports limited affordable housing on rural exception sites if Policies SP.10 and SP.11 are met.

The LP establishes that Green Belt land is required to meet the District's housing needs including identified affordable housing needs. The need for housing in general and affordable housing in particular are given weight. This is reinforced by the NPPF³⁹ which confirms limited affordable housing can be regarded as an exception in Green Belts.

The LP explains that there are significant affordability issues relating to house purchase in all Parishes. Chaddesley Corbett is identified as one of the designated rural Parishes where this is most marked.

LP Policy SP.9 refers to housing density and mix. It requires new development to be well designed and address local housing needs incorporating a range of different types, tenures and sizes of housing to create mixed communities.

The Parish Housing Needs Survey carried out in 2019 showed 31 homes would be needed with 20 2-bed properties followed by six 3 bed and five 4 bed. The majority of

³⁶ NPPF para 60

³⁷ PPG para 001 ref id 63-001-20190626

³⁸ NPPF para 149

³⁹ Ibid para 149 f)

these, some 21 units, would be owner occupied followed by shared ownership (five units) and social rented (four units). However, this more locally based study does not correlate to earlier study work carried out at District level by WFDC in 2018.

Policy H1 is an updated policy that refers to house types, sizes and tenures. It seeks to rebalance the existing provision by prioritising smaller houses and housing suitable for older people, but firmly embeds this with proposals to have regard to the most up to date data on local housing needs. The LP identifies an ageing population as one of the social issues facing the District.

It also resists the conversion of smaller properties into larger ones as there has been a trend towards this. It does not support demolition unless the building is not capable of being redeveloped. WFDC makes the point that this element is contrary to LP Policy SP.11 which does allow replacement dwellings. The NPPF also lists replacement dwellings as part of the exceptions in the Green Belt. Whilst there is some anecdotal evidence to indicate this is a trend in the area, there is insufficient justification to go contrary to both national policy and a strategic policy in a recently adopted Local Plan. A modification is therefore made to ensure this part of the policy meets the basic conditions in respect of the NPPF and the relevant strategic policy.

It cross-references LP Policy SP.10 on affordable housing regarding the tenure split. Whilst WFDC have indicated the shared ownership and social rental split sought in the policy is narrower in scope than LP Policy SP.10, I see there is some justification for this through the work done on Parish Housing Needs Survey and that the tenure split in LP Policy SP.10 is indicative. Given the cross-reference to LP Policy SP.10 which says the split is to be determined on a site by site basis, a modification is made in the interests of clarity.

Finally, it supports the rural exception allocations subject of Policy H2 or as windfalls where these comply with LP Policy SP.11 Addressing Rural Housing Needs.

Policy H2 allocates three new sites for housing development. Having identified a need for affordable housing, a Call for Sites was undertaken. 18 sites, coming forward from the Call for Sites and site submitted through the WFDC Housing and Economic Land Availability Assessment, were independently assessed by AECOM, as part of the technical support programme. A 'traffic light' system was used. Although only one site scored 'green', eight sites were taken forward to public consultation.

The Report on Outcome of Call for Sites for Affordable Housing explains that the Parish Council decided to add a further site into the mix; NP02 (a) which had been assessed as 'red' by AECOM.

A Design Guide has also been prepared by AECOM. This identifies two character areas and then sets out the key elements of preparing and assessing proposals as well as setting out some design guidelines which are reproduced in Appendix 5 and reflected in later policies in the Review Plan. The Design Guide has also considered the three site allocation sites preparing site design guidelines and an illustrative diagram for each site.

These are included in Appendix 5.

Policy H2 allocates Site H2/1 Land off Bromsgrove Road, Lower Chaddesley and Site H2/2 The Old Quarry, Mustow Green for 100% affordable housing. Up to 10 units are allocated on Site H2/1 and up to three units on Site H2/2.

It is necessary to assess these two site allocations against the relevant policy background. Whilst it is unusual to allocate rural exception sites as by their very nature they are regarded as exceptions, I can see no reason why this cannot be done. This is particularly against the backdrop of the adopted LP which identifies the need for affordable housing, the fact that the Parish is washed over by the Green Belt and the detailed work carried out which might be expected to encourage these sites to come forward to help deliver this much needed housing.

At national level, the NPPF is clear that limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites) can be regarded as not inappropriate in the Green Belt.

The tests are therefore whether the sites provide limited affordable housing and whether that housing is for local community needs. There is no definition of “limited” and so this is a matter of judgement. I regard Sites H2/1 and H2/2 are limited in nature given the largest site allocation is for 10 units. I have also compared the site sizes and capacities to the nature, scale and size and character of the settlements in which they are located as well as their relationship to existing development to help me make this judgement.

In relation to the second issue, the whole premise of both sites is that they are for affordable housing for the local community and will help to meet those needs. However, there needs to be more specific wording in Policy H2 to ensure that it has regard to national policy. A modification is made to address this point.

At District level, LP Policy SP.11, Addressing Rural Housing Needs, contains a section on rural exception sites. This policy was adopted earlier this year. It states that WFDC will work with Parish Councils, amongst others, to identify appropriate sites for rural exception schemes. 100% affordable housing will be provided of a size, type and tenure that meets local housing needs. LP Policy SP.11 sets out a number of criteria.

The first criterion is that the affordable housing must remain so in perpetuity. This is a matter that can be dealt with at planning application stage, but I consider it important to lay down a marker in Policy H2 itself. A modification is duly made.

The second criterion is that the number, size, type, mix and tenure must not exceed the extent of local need. This is similar to the requirement in the NPPF and is addressed through a modification.

The third criterion is that the scale of the scheme should be appropriate to the size and character of the settlement and not damage the character of the settlement or

surrounding valued landscape. I have considered the sites in relation to the size and scale and character of the settlements concerned as part of my assessment in relation to the NPPF. In addition although the site assessment work carried out by AECOM indicates that development would not relate well to the settlement, the design work and illustrative diagrams in the Design Guide prepared by AECOM show that it is possible to develop the sites in an appropriate way.

The next criterion is that the site should be accessible to local services and facilities. For this, I turn to, and rely on, the site assessment work carried out by AECOM.

In relation to Site H2/1, the site assessment indicates there is good access to local facilities with 10 minutes walk to the village centre.

With regard to Site H2/2, Mustow Green is a small settlement and so the nearest services are in Chaddesley Corbett village. There is however a bus stop.

The last criterion relates to enabling market housing which does not apply to these sites.

Sites H2/1 and H2/2 are both allocated subject to various criteria including access, landscaping, design and pedestrian links. The specific criteria applicable to each site reflect the site design guidelines in the Design Guide.

Site H2/3 allocates Hewitts Site, Stourbridge Road, Harvington for a mix of market and affordable homes up to 10 units. This site is previously developed land. In principle then the redevelopment of this site would be considered as not inappropriate development in the Green Belt under the NPPF subject to impact on openness and meeting an identified local housing need.⁴⁰ These are considerations which could only be dealt with at planning application stage.

With regard to LP Policy SP.11, I note that Site H2/3 is allocated for a mix of market and affordable housing which would, in principle, be in general conformity with this LP policy. Detailed considerations and issues around viability would be a matter for the planning application stage as such matters can change over time.

I saw at my visit that the Hewitts site is considerably larger than the site identified in the Review Plan. A larger than allocated site has been assessed under reference WFR/CC/9. One of the criteria in the policy is that the part of the site that was in horticultural use should be returned to agricultural use. However, this land does not appear to fall within the proposed site allocation boundary, shown coloured brown. As a result, this criterion should be deleted as the policy cannot relate to land outside of the identified allocated site.

Point 7 of the policy reflects the site design guidelines in the Design Guide. One word is recommended for deletion in the interests of clarity so that the protected views, subject

⁴⁰ NPPF para 149 g)

of Policy D4 in the Review Plan, are referred to consistently.

Of course, these detailed considerations will be for determination at the planning application stage. The assessment I have carried out is simply to show that the site allocations, with modifications, have regard to national policy and guidance and are in general conformity with the relevant strategic policies. They are also compatible with existing Plan Policy CC1 which refers to rural exception sites.

Overall, for the reasons given above, I consider that the site allocations are appropriate.

Policy H3 is an updated policy that sets out criteria for assessing the suitability of potential housing sites. This cross-references LP Policy SP.11 and the criteria are appropriate.

The first part of new **Policy H4** deals with backland, rear and side garden development. It does not resist such development but sets out a number of criteria to ensure that any such development is appropriate with respect to local character and amenity. This is in line with the NPPF which permits this type of policy if such development would cause harm to the local area. It is a local expression of LP SP.20 which requires development to integrate effectively with its surroundings and seeks to create and reinforce local distinctiveness.

The second part of the policy relates to extensions. It refers to the Design Guide which sets out comprehensive guidelines on building modifications, extensions and plot infill adding local detail to non-strategic LP Policy DM.25.

Updated **Policy C1**, Conversion of Insubstantial Buildings, seeks to clarify the extent of works that might be regarded as not inappropriate in the Green Belt through the conversion of buildings. This is often a difficult and contentious area to tie down. However, I consider the policy sets a framework that is clear. It has regard to the NPPF's stance on the re-use of buildings provided that are of permanent and substantial construction.⁴¹ It adds a local layer of detail to non-strategic LP Policy DM.29 which deals with the re-use and adaption of rural buildings.

With these modifications, Policies H1 – H4 and C1 will meet the basic conditions by having regard to the NPPF, be in general conformity with, and add a layer of local detail, to strategic policies, particularly LP Policies SP.1, SP.2, SP.6, SP.7, SP.9, SP.10, SP.11, SP.20 and SP.29 and will help to achieve sustainable development.

- **Delete paragraph four of Policy H1 which starts “Demolition generally will not be supported...”**
- **Amend paragraph five of Policy H1 to read: “In terms of tenure mix, proposals for affordable housing *will* be sought in line with Local Plan Policy SP.10 – Affordable Housing Provision *with the exact split determined on a site by site***

⁴¹ NPPF para 150

basis taking into account the most up to date Parish housing needs assessment.”

- **Change the first paragraph of Policy H2 to read: “The following two sites (H2/1 and H2/2) are identified as *Rural Exception Sites for 100% affordable housing schemes which demonstrably meet local community needs, remain as affordable housing in perpetuity and are subject to all of the following criteria:*”**
- **Delete the word “strategic” from point 7 E. in Site H2/3 in Policy H2**
- **Delete the sentence “That part of the site that was in horticultural use should be returned to agricultural use.” found at the end of Site H2/3 in Policy H2**

Business

Policies B1 and B2

The NPPF places significant weight on the need to support economic growth and productivity, taking into account local needs and wider opportunities.⁴² In rural areas, it indicates that policies should enable the sustainable growth and expansion of all types of business through conversion and new build, the development and diversification of agricultural and other land-based rural businesses and sustainable tourism and leisure.⁴³

In the Green Belt, new buildings for certain facilities such as outdoor sport are supported provided they do preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.⁴⁴ Other forms of development are also not inappropriate if they preserve openness and the purposes of including land within the Green Belt. These include the re-use of buildings of a permanent and substantial construction.⁴⁵

LP Policy SP.2, Locating New Development, seeks to provide accessible, attractive employment sites and positive policies to deliver job opportunities. It encourages the effective use and re-use of accessible, available and environmentally acceptable brownfield land. It safeguards the open countryside. It seeks to maintain the openness of the Green Belt. With specific reference to Chaddesley Corbett, it indicates that local services and small scale rural employment including offices are suitable developments.

LP Policy SP.6 supports the rural economy and farm diversification. It supports the provision of workspace and live/work units as long as the proposals are small scale, they

⁴² NPPF para 81

⁴³ Ibid para 84

⁴⁴ Ibid para 148

⁴⁵ Ibid para 150

are appropriate to the character of the area and do not have an adverse impact on the Green Belt. Priority is also placed on the re-use or replacement of existing rural buildings.

LP Policy SP.17 supports a diverse local economy including small scale commercial, leisure and retail uses where appropriate and live/work units.

Although not a strategic policy, LP Policy DM.10 adds more detail about rural employment and in particular about farm diversification.

Policy B1, Small Scale Employment Proposals on Previously Developed Sites and Conversions of Former Agricultural Buildings for Business Use, is an updated policy. It supports small-scale employment related development on previously developed land and the re-use of buildings in accordance with the criteria set out in the NPPF summarised above. It caveats this with a set of criteria that proposals need to comply with. The criteria range from access to parking, amenity to openness. All are appropriate in this Parish.

The policy also refers to polytunnels and glasshouses requiring such proposals to show their visual impact.

Policy B2 is a new policy that supports home working both within dwellings and free standing buildings within residential curtilages. The policy includes a set of criteria that cover traffic and parking, impact and design.

Within the policy a reference is made to non-strategic LP Policy DM.11. This is a detailed policy which deals with live work units and refers to the Green Belt. This then is a useful way of incorporating live work units within Policy B2.

Policies B1 and B2 meet the basic conditions by having regard to national policy as set out above, being in general conformity with the LP policies referred to above and helping to achieve sustainable development, particularly the economic objective. Accordingly no modifications are made.

Protecting and Enhancing the Rural Character and Built Environment

Policies D1 – D5

The NPPF states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.⁴⁶ It continues that neighbourhood plans can play an important role in identifying the special qualities of an area and explaining how this should be reflected in development.⁴⁷

⁴⁶ NPPF para 126

⁴⁷ Ibid para 127

It refers to design guides and codes to help provide a framework for creating beautiful and distinctive places with a consistent and high quality standard of design.⁴⁸

The NPPF continues that planning policies should ensure developments function well and add to the overall quality of the area, are visually attractive, are sympathetic to local character and history whilst not preventing change or innovation, establish or maintain a strong sense of place and optimise site potential.⁴⁹

In addition the policies have regard to the NPPF's stance on the conservation and enhancement of the historic environment.⁵⁰

LP Policy SP.20 seeks a high quality design and creates and reinforces local distinctiveness. LP Policy SP.21 deals with the historic environment.

A number of non-strategic LP policies are of relevance including LP Policies DM.23, DM.24 and DM.26. They refer to the historic environment, quality design and local distinctiveness and landscaping and boundary treatment respectively.

A Design Guide has been undertaken as previously explained. The Review Plan is clear that the Design Guide does not form part of the statutory plan, but specific principles have been extracted and placed into policy giving them statutory status.

Policy D1 is a new policy which promotes high quality design. It is a long policy that refers to the Design Guide and requires proposals to show how they have responded to the principles within the Design Guide and in the policy itself. It also includes a section on lighting.

Of particular note is protection for important open spaces within, adjoining or close to the Chaddesley Corbett Conservation Area. These are shown on Map 5 on page 84 of the Review Plan as well as the Policies Maps. I saw these spaces at my site visit. I consider that they are appropriately identified. They are identified in the Conservation Area Character Appraisal for Chaddesley Corbett revised in December 2014 and produced by WFDC and so whilst there are minor differences, I consider they do have a foundation in evidence.

Furthermore, Policy CC8 in the made Plan identifies and retains important open spaces referencing the open space either side of Hockley Brook and Hemming Way and those identified in the Conservation Area Character Appraisal. Therefore this part of the policy which maps those areas giving more clarity in effect rolls forward an adopted policy. I consider this element continues to meet the basic conditions.

Some of the spaces do not adjoin the Conservation Area boundary and so a modification is made to clarify this point.

⁴⁸ NPPF para 128

⁴⁹ Ibid para 130

⁵⁰ Ibid Section 16

It would also be helpful to include a reference to the Policies Maps and Map 5 in this regard in the interests of clarity. A modification is made to address this point.

New **Policy D2** focuses on architectural details and materials. It refers specifically to the Design Guide reflecting some of the design principles identified in that document.

Policy D3 is an updated policy and refers to heritage. It covers all development including historic farmsteads and refers to the local heritage list.

Protected views and landmarks are subject of **Policy D4**. Ten views have been identified; some were already identified in the made Plan, but new ones have been added. Evidence and further information is given about each view in a supporting document and appended to the Review Plan as Appendix 2. They are also referred to in the Design Guide. The area is attractive countryside and I am satisfied from what I saw on my site visit, given the character and setting of the village, those selected are appropriate.

Policy D4 takes a common sense approach to development proposals which may have an impact on the identified views. It then refers to the Design Guide.

New **Policy D5** refers to Local Green Spaces (LGS). Eight areas are proposed for designation.

The NPPF explains that LGSs are green areas of particular importance to local communities.⁵¹ The designation of LGSs should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services.⁵² It is only possible to designate LGSs when a plan is prepared or updated and LGSs should be capable of enduring beyond the end of the plan period.⁵³ The NPPF sets out three criteria for green spaces.⁵⁴ Further guidance about LGSs is given in PPG.

The designations are supported by Appendix 4 which contains a map, photograph and description of how the space meets the criteria in the NPPF.

I viewed each area on my site visit. Taking each proposed LGS in turn:

D5/1 The Green, off Briar Hill is an irregular shaped area of grass used for informal recreation which adds to the setting of the surrounding housing development.

D5/2 Adjacent to Hunters Ride is a field. Appendix 4 indicates it is valued as a green link between Chaddesley village and Lower Chaddesley and helps to retain the villages' separate identities. It is described as attractive land which is tranquil and with some

⁵¹ NPPF para 99

⁵² Ibid

⁵³ Ibid

⁵⁴ Ibid para 100

historic significance as it adjoins the Conservation Area boundary. An objection to the proposed designation has been submitted.

D5/3 The Sports Field, Longmore, Lower Chaddesley is a sports field valued for its recreation and wildlife.

D5/4 Field adjacent to Fold Lane, Chaddesley Village Conservation Area is a small area of land valued for its recreation as a footpath runs close by and offers significant views of the Malvern Hills identified as Protected View 7. It falls within the Conservation Area. This site was included in AECOM's site assessment report.

D5/5 Field adjacent to Park Lane, Harvington Hall Lane and Harvington Hall, Harvington is located near to the Grade 1 listed Harvington Hall. It is valued for its recreation and is popular with fishermen as I saw at my visit. Appendix 4 also indicates wildlife and historic value.

D5/6 Field adjacent to Briar Hill is elevated land above the village and affords some pleasant views towards the village and the south. Appendix 4 indicates it is particularly valued for its recreation as a footpath runs close to the boundary, its beauty and historic significance. This site was included in AECOM's site assessment report. An objection to the proposed designation has been made.

D5/7 Field adjacent to Lodge Farm looking North towards the Holloway, Brockencote / Chaddesley is a green space that lies between Brockencote and Chaddesley village. It is described in Appendix 4 as beautiful and tranquil with historic and wildlife significance. It adjoins the Conservation Area. Part of the proposed LGS overlaps with an area of Important Open Space. An objection to the proposed designation has been made.

D5/8 Area adjacent to Woodthorne House, Tanwood Lane, Bluntington is valued as a wild, overgrown space enjoyed by the local community as they use the adjacent walkway. This site was assessed as part of the site assessment work by AECOM. An objection to the proposed designation has been made.

In my view, all except four of the proposed LGSs meet the criteria in the NPPF satisfactorily.

I want to address two points that arose in the representations before discussing the proposed LGSs further. The first issue is that objections have been received on the grounds that the areas concerned as extensive tracts of land.

PPG⁵⁵ explains that there are "no hard and fast rules" about how big a LGS can be. It explains places are different and a degree of judgment will inevitably be needed. However, the NPPF is clear that the area must be local in character and not an extensive tract of land.⁵⁶

⁵⁵ PPG para 015 ref id 37-015-20140306

⁵⁶ NPPF para 102

PPG continues that blanket designation of open countryside adjacent to settlements will not be appropriate and the designation should not be used to achieve new areas of Green Belt. Given the Parish is washed over by the Green Belt, this is not an issue for this Review Plan.

The second issue concerns NPPF paragraph 102 b) which sets out a number of different reasons that might distinguish a space. I do not regard this list as exhaustive because the wording used in the NPPF is “for example”.

Now turning to those proposed LGSs that, on balance, do not satisfactorily meet the criteria set out in the NPPF.

I do not consider that **D5/2 Adjacent to Hunters Ride** as proposed meets the criteria. This is because the reasons given for its designation are not robust enough. Whilst it could be argued that this field does help to separate Chaddesley Village from Lower Chaddesley, the proposed allocation on the adjoining land would bring the two settlements closer together. If separation was then an important issue, it could have been identified as a gap and a different site allocation put forward.

In addition, I can see nothing extraordinary about this field which distinguishes it from those around it. It is adjacent to a noisy and busy road and so was not particularly attractive land or tranquil. Whilst it does adjoin in part the Conservation Area boundary any associated historic significance has not been specified.

The second proposed LGS which does not meet the criteria satisfactorily is **D5/6 Field adjacent to Briar Hill**. This land is farmland. I saw nothing to particularly distinguish this field from those around it. Appendix 4 indicates that the land provides protection from ribbon development between properties on Briar Hill and Blunton but this is not a function of LGS. Appendix 4 states that a footpath runs close to its boundary so the land has recreational value. It therefore does not have recreational value itself, but the land is clearly enjoyed by nearby walkers. I saw that there are some very pleasant views from this elevated land towards the village. However, this view has not been identified as a Protected View. Finally, historic significance is referred to, but has not been robustly demonstrated.

The third area that I find does not satisfactorily meet the criteria is **D5/7 Field adjacent to Lodge Farm looking North towards the Holloway, Brockencote / Chaddesley**. Whilst I see this area as important to the setting of the village and as a space close to the Conservation Area, the area is farmland used as pasture; classified as Principal Timbered Farmlands on Worcestershire County Council’s website. On balance, I could not see how this area was especially distinguished from others around it in terms of its beauty or tranquility. Any historic significance has not robustly demonstrated. Policy GI1 will ensure that the wildlife corridor identified through the site will be protected.

The fourth space I consider does not meet the criteria satisfactorily is **D5/8 Area adjacent to Woodthorne House, Tanwood Lane, Blunton**. Little evidence has been submitted to confirm any wildlife value of this space. That is not to say it does not exist,

but that insufficient evidence has been provided. I saw at my visit that the space has an unkempt and rather abandoned appearance. The AECOM site assessment considers that the space has no sensitivity within the landscape and does not identify any particular wildlife or other demonstrably special characteristic.

Therefore these proposed LGSs should be deleted. In reaching this decision, I have also considered whether any additional local benefit would be gained by LGS designation given some of the proposed LGSs also fall within the Green Belt or a Conservation Area in line with PPG.⁵⁷ In general, I consider that different designations achieve different purposes and that the LGS designation can send a signal, recognising the particular importance spaces have for the local community. This is particularly true for a Parish which is entirely washed over by the Green Belt.

However, in line with PPG,⁵⁸ the additional local benefit that would be gained must be demonstrated. I do not consider, especially in relation to **D5/6 Field adjacent to Briar Hill** and **D5/7 Field adjacent to Lodge Farm looking North towards the Holloway, Brockencote / Chaddesley** that this has been achieved to a satisfactorily robust level.

I consider all the other proposed LGSs are demonstrably important to the local community, all are capable of enduring beyond the Review Plan period, all meet the criteria in paragraph 102 of the NPPF and their designation is consistent with the local planning of sustainable development and investment in sufficient homes, jobs and other essential services given other policies in the development plan and this Review Plan.

There are some discrepancies with the areas as shown on the different maps.

LGS D5/5 is shown differently in Appendix 4 to the Policies Map. I have taken this to be a simple mapping transposition issue. It is important that the areas shown in detail at a larger scale in Appendix 4 are mapped correctly on the Policies Maps. A modification is made to address this point. I do not consider any unfairness will arise from this modification given that the detail in Appendix 4 is part of the Review Plan and was consulted upon.

Turning now to the wording of the policy, in setting out how new development might be regarded, it should have regard to, and be consistent with, the NPPF which explains the management of development in LGSs should be consistent with that in the Green Belt.⁵⁹ Therefore the policy needs modification to ensure that it takes account of national policy and is clear.

In essence, Policies D1 – D5 seek to deliver locally distinctive development of a high quality that protects, reflects and enhances local character. With these modifications, they will meet the basic conditions by having regard to national policy, being in general

⁵⁷ PPG para 010 ref id 37-010-20140306

⁵⁸ Ibid

⁵⁹ NPPF para 103

conformity with the LP, particularly those policies referred to above adding a local layer of detail to the LP and helping to achieve sustainable development.

- **Add the words “*and shown on the Policies Maps and Map 5*” after “Important open spaces within and adjoining *and close to the Chaddesley Corbett Conservation Area...*” in point 2. G. of Policy D1**
- **Delete proposed LGSs D5/2 Adjacent to Hunters Ride, D5/6 Field adjacent to Briar Hill, D5/7 Field adjacent to Lodge Farm looking North towards the Holloway, Brockencote / Chaddesley and D5/8 Area adjacent to Woodthorne House, Tanwood Lane, Bluntington from Policy D5 and make all consequential amendments including deletion from the Policies Maps**
- **Delete the last paragraph of Policy D5 which begins “Development of the Local Green Spaces will not be supported...” and replace with a single paragraph at the end of the policy that reads: “*Development in the Local Green Spaces will be consistent with national policy for Green Belts.*”**
- **Correct the LGS areas for LGS D5/5 on the Policies Maps so that they accurately reflect the larger scale map in Appendix 4**

Traffic and Parking

Policy T1

Off street parking provision in Chaddesley village is safeguarded by new **Policy T1**. The centre of the village is congested as I saw at my visit with double yellow lines and onstreet parking making the road single track in places.

The policy meets the basic conditions, particularly helping to achieve sustainable development and no modifications are recommended.

6.0 Next Steps

This section will need updating as the Review Plan progresses or removed.

Appendices

This section contains a number of appendices.

Appendix 1 is a list of recent planning applications.

Appendix 2 is Protected Views.

Appendix 3 contains information about the Harvington Conservation Area. This has been reviewed as part of work on the Review Plan. The Review Plan puts forward a proposed extension to the Harvington Conservation Area which is shown on Map 7. The Review Plan recognises this as an aspiration, but I consider its inclusion as Appendix 3 and the Map numbered consecutively that this could lead to confusion. This then should be placed in a separate community aspiration section of the Review Plan.

Appendix 4 refers to Local Green Spaces.

Appendix 5 contains the design guidelines. Two of the sections have not been reproduced accurately. Modifications are therefore made to address this as it is important that the appendix contains all of the information in the Design Guide. It also contains illustrative diagrams for each of the site allocations using the design guidelines.

- **Move Appendix 3, including Map 7 to a separate section of the Review Plan which is clearly identified as Community Aspirations**
- **Renumber or rename Map 7 to avoid any confusion**
- **In section 4.4.4 on page 133 of the Review Plan, add criterion f) from the Design Guide**
- **In section 4.4.7 on page 136 of the Review Plan, add all of criterion e) from the Design Guide**
- **Consequential amendments will be needed**

7.0 Conclusions and recommendations

Other than the specific issues I have identified above, I have not found any further issues arising from other policies in the Review Plan which lead me to conclude any additional modifications are needed.

I am satisfied that the Chaddesley Corbett Review Neighbourhood Development Plan, subject to the modifications I have recommended, meets the basic conditions and the other statutory requirements outlined earlier in this report.

I am therefore pleased to recommend to WFDC that, subject to the modifications proposed in this report, the Chaddesley Corbett Review Neighbourhood Development Plan can proceed to a referendum.

Following on from that, I am required to consider whether the referendum area should be extended beyond the Chaddesley Corbett Review Neighbourhood Plan area. I see no

reason to alter or extend the Plan area for the purpose of holding a referendum and no representations have been made that would lead me to reach a different conclusion.

I therefore consider that the Review Plan should proceed to a referendum based on the Chaddesley Corbett Neighbourhood Plan area as approved by Wyre Forest District Council on 14 September 2012.

Ann Skippers MRTPI

Ann Skippers Planning

24 October 2022

Appendix 1 List of key documents specific to this examination

NP Review 2022 – 2036 Statement of Modifications (Kirkwells)

Basic Conditions Statement June 2022

Consultation Statement June 2022

Strategic Environmental Assessment (SEA) Screening Assessment Updated June 2022
(Kirkwells)

Habitats Regulations Assessment (HRA) Screening Assessment Updated June 2022
(Kirkwells)

Design Guide Final Report April 2021 (AECOM)

Housing Needs Survey 2019 (WFDC)

Site Options and Assessment Final Report August 2020 (AECOM)

Report on Outcome of Call for Sites for Affordable Housing November 2020 (PC)

Protected Views March 2021

Results of Residents Survey with Comments (Site Selection)

Residents and Business Survey 2019 Results December 2019 and Annexes (WCC)

Conservation Area Character Appraisal for Chaddesley Corbett Revised December 2014

Chaddesley Corbett Neighbourhood Plan 2014 – 2026 September 2014

Wyre Forest District Local Plan 2016 – 2036 adopted April 2022

List ends

Appendix 2 Note E1 to the Parish Council and WFDC 27 September 2022

Chaddesley Corbett Review Neighbourhood Plan Examination Procedural Matters – Formal Determination Examination Note 1

Following the submission of the Chaddesley Corbett Review Neighbourhood Plan 2022 – 2036 for examination, I write to advise you on initial procedural issues.

Initial matters

I confirm receipt of the submission draft revised Neighbourhood Plan (the Plan) and accompanying documents including the statements from the local planning authority, Wyre Forest District Council (WFDC) and the Parish Council regarding the proposed modifications and whether they are so significant or substantial as to change the nature of the neighbourhood development plan which the draft Plan would replace, giving reasons why, and the Regulation 16 consultation responses.

This has provided sufficient information to undertake my initial determination under paragraph 10(1) of Schedule A2 to the Planning and Compulsory Purchase Act 2004 (as amended).

Determination under Paragraph 10(1) of Schedule A2 to the Planning and Compulsory Purchase Act 2004 (as amended)

I am required to determine to whether the modifications contained in the draft Plan are so significant or substantial as to change the nature of the neighbourhood development plan which the draft Plan would replace. The purpose of this determination is to establish the appropriate examination process for the draft Plan which will, amongst other things, affect whether or not the draft Plan will need to be the subject of a referendum if it is to be made.

In this context, the draft revised Plan intends, amongst other things, to:

- Delete existing Policies CC3, CC6, CC11 and CC13 and site allocations CCSA1 and CCSA2
- Supersede existing Policies CC1, CC2, CC4, CC5, CC7, CC8, CC9, CC10, CC12 with updated/revised/new Policies H1, H3, H4, B1, C1, D1, D2, D3, D4, G11, T1 covering similar topic areas
- Include new Policies CF1, CF2, B2 and D5 on new topic areas
- Include new site allocation Policy H2 which has three new site allocations
- Changed and new text throughout the Plan

The original Plan was made in September 2014. Since then WFDC has adopted a new Local Plan in April 2022 and there have been a number of changes to national policy. In addition, new surveys undertaken by the Parish Council revealed a need for updates to the Plan across a number of topic areas.

The Parish Council has submitted a comprehensive and helpful Statement of Modifications document that details the changes.

The Parish Council considers that some of the proposed modifications are so significant or substantial as to change the nature of the made Plan. The local planning authority, WFDC,

consider that the proposed modifications to the draft Plan are so significant or substantial as to change the nature of the made Plan.

I have considered the proposed modifications, the views of the local planning authority and the Parish Council and the representations received as well as the advice on updating neighbourhood plans in Planning Practice Guidance. I have no reason to disagree with the views of the local planning authority and qualifying body. Therefore in my assessment, the modifications to the made Plan are so significant or substantial as to change the nature of the made Plan and I formally determine accordingly under paragraph 10(1) of Schedule A2.

Consequently, I consider the examination of the Chaddesley Corbett Review Neighbourhood Plan should proceed under the provisions of Schedule 4B to the Town and Country Planning Act 1990 (as amended). In turn, this means a referendum would be required.

Accordingly, I therefore request the formal consent of the qualifying body (in accordance with paragraph 10(5) of Schedule A2) for the examination to proceed under the provisions of Schedule 4B, as set out above.

Subject to receipt of the formal consent of the qualifying body for the examination of the Review Plan to proceed under the provisions of Schedule 4B, I will issue a further procedural letter concerning the arrangements for the examination as well as any questions of clarification or other matters that may arise.

If the local planning authority or Parish Council have any questions relating to the examination process at this stage, please do not hesitate to get in touch and I will do my best to answer any such queries.

Ann Skippers MRTPI
Independent examiner
27 September 2022