

# Public Document Pack

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Monday, 27 September 2021

Dear Sir/Madam

## CABINET

A meeting of the Cabinet has been arranged to take place on **TUESDAY, 5TH OCTOBER, 2021 at 6.00 PM IN THE COUNCIL CHAMBER** District Council House, Lichfield to consider the following business.

Access to the Council Chamber is via the Members' Entrance.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Christie Tims'.

Christie Tims  
**Head of Governance and Performance**

**To: Members of Cabinet**

Councillors Pullen (Chairman), Eadie (Vice-Chair), Cox, Lax, Smith, Strachan and A Yeates



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## AGENDA

1. Apologies for Absence
2. Declarations of Interest
3. Agreement to the Transfer of the Land Charges Register to HM Land Registry and Acceptance of Funding Support 3 - 6
4. Procurement of Agency Staffing Contracts 7 - 10
5. Decision Statement regarding Hammerwich Neighbourhood Plan proceeding to Referendum 11 - 94



# Agreement to the transfer of the Land Charges Register to HM Land Registry and acceptance of funding support



Cabinet Member for Regulatory, Housing and Health

Date: 5<sup>th</sup> October 2021  
 Agenda Item: 3  
 Contact Officer: David Darlington  
 Tel Number: 01543 308155  
 Email: david.darlington@lichfielddc.gov.uk  
 Key Decision? YES  
 Local Ward Not Applicable  
 Members

**CABINET**

## 1. Executive Summary

- 1.1 The Council will be in receipt of £75,000 (transitional payment scheme) and new burdens money following the transfer of the local land charges register. This is as a result of a national programme to transfer of all local land charges registers in England and Wales, creating a single on-line register.

## 2. Recommendations

- 2.1 Cabinet accepts a sum of £75,000 and subsequent new burdens money (estimated at £13,000) from HM Land Registry to facilitate the transfer of the LDC Land Charges register in accordance with the national programme.

## 3. Background

- 3.1 Every local authority in England and Wales, with the exception of County Councils, is required to hold a local land charges register. The register holds information relating to restrictions on land or property, for example, planning conditions, Listed Buildings, Conservation areas etc., and financial charges, for example, dangerous structure debts.
- 3.2 Under the Infrastructure Act 2015 the responsibility for those registers transferred to HM Land Registry and they have set in motion of programme of work to transfer each register. The first register was transferred in summer 2018
- 3.3 HM Land Registry are now working with the Land Charges Partnership to transfer both the Lichfield District Council and South Staffordshire Council registers, and as a result have made funding available to each Council.
- 3.4 The amount of funding being given to Lichfield District Council as part of this initial phase is £75,000. This is payable in two instalments, the first (£25K) following signing of a collaboration agreement, and the balance (£50K) will be paid on completion of the transfer.
- 3.5 The estimated new burdens payment is £13000 and is designed to cover LDC's costs in transferring the LDC register. HMLR have been asked to provide funding for LDC staff assisting with the South Staffs Council migration.
- 3.5 Whilst the Council is in the process of signing the [collaboration agreement](#), the transfer of the Lichfield register is not expected to take place until the first quarter of 2022/23 financial year.

- 3.6 An official search of the land charges register consists of two parts. The official register itself, and then additional questions, referred to as “CON29 questions”. A fee is charged to cover the cost of this service which in 2020/21 generated £229,681 across the partnership area (£134,427 LDC and £95,254 SSDC)
- 3.7 In addition to the official searches, the team facilitates personal searches of the register at no cost to the personal search company. This is a requirement of the law, and is approximately 50% of the workload.
- 3.8 Whilst this report relates to the £75,000 and new burdens money that LDC will receive, the search income for the entire service is paid to LDC, since it hosts the service (i.e. employees all staff). The transfer of the registers to HMLR will therefore mean a loss of income from both partnership areas which will equate to approximately £47,578 (£28,206 LDC and £19,372 SSDC)
- 3.9 The HMLR national programme will eventually split the official search function for all local authorities in England and Wales, and this poses a risk CON29 income because solicitors will need to separate their official search processes. This does not affect those that use personal search companies, therefore it could lead to solicitors that currently use the partnership to employ personal search companies instead resulting in a loss of CON29 income.
- 3.10 There are only 21 registers that have been transferred, and most of these transfers have only taken place in 2020 and 2021. Data analysis is further confused by the fact that most Land Charges teams have seen growth in search requests during 2020 and 2021. This has been attributed nationally to the ending of stamp duty tax relief that was extended from the end of March 2021 to September 2021, and higher savings caused by homeworking during lockdown in 2020/21.
- 3.11 Using contacts within some of those councils that have transferred their register it is evident that there is no clear picture of the impact on CON29 income. Competition from personal search companies usually leads to a reduction in market share at the rate of 2-3% per year. It is not unreasonable to assume that this rate will increase to say 5% in the short term, which equates to around £10,000 per year based on 2020/21 CON29 income for the partnership.
- 3.12 A mitigation for the loss of any income might be that the service investigates whether it’s possible to carry out a search of the new HM Land Registry land charges register on behalf of CON29 customers. Furthermore, without the distraction of personal search requests the team will have more time to focus on performance, delivering searches more quickly, whilst using a ‘cleaner’ database.
- 3.12 A benefit of the transfer of the register is that the workload attributable to personal searches, and therefore the cost, should shift to HMLR, although additional questions, the equivalent of the CON29 process, will continue to be answered by the partnership. There is currently a charge for this service.
- 3.13 A project team representing various services that provided data to the current register, will work with HMLR to ensure that the data that was created by LDC since 1977 is as accurate as possible, and that following transfer, any new data will also be created in a format that is acceptable to HMLR. Whilst HMLR will undertake the bulk of the work to correct any data errors, the payment, as well as any new burdens payment will cover LDC’s costs in working with HMLR to transfer the LDC register.

Alternative Options	1. There are no alternative options to the national programme. The decision to sign up to the programme at this stage was to ensure consistency across the partnership area, and to take advantage of the financial and practical support offered by HMLR, which may not be available later in the programme.
Consultation	Not Applicable
Financial Implications	1. The payment from HMLR will reduce the financial burden on the Council to fund tasks that benefit only the national programme

	<ol style="list-style-type: none"> <li>2. The programme has already led to HMLR digitising Planning microfiche data at no cost to the Council.</li> <li>3. The national programme will lead to the loss of all LLC1 income, which is approximately £47,578.</li> <li>4. There may need to be a review of the staffing resources as a result of the transfer so that fees charged for CON29 data reflects the cost of the new service.</li> <li>5. The need to maintain accurate data to 'feed' the national register will need to be funded by each council separately, and this will be reflected in a new partnership agreement with South Staffordshire Council. At this stage it is not understood what impact this will have on staff time, and therefore cost to LDC. New burdens payments will be paid to LDC to cover some additional costs.</li> <li>6. The loss of personal search work will provide significant efficiencies, however this has traditionally been a cost covered by the fee earning customers, not the two councils in the partnership.</li> </ol>
Approved by Section 151 Officer	Yes

Legal Implications	<ol style="list-style-type: none"> <li>1. The Land Charges Register, whether operated by LDC or HMLR is a statutory function, and data must therefore be registered in a specific way. Whilst there are no legal implications as such, incorrectly registered data could expose LDC to claims from customers of HMLR, therefore it is important to maintain adequate insurance cover.</li> </ol>
Approved by Monitoring Officer	Yes

Contribution to the Delivery of the Strategic Plan	Not Applicable
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Equality, Diversity and Human Rights Implications	There are no implications for equality, diversity or human rights since the Land Charges service is almost entirely 'business to business'. The programme to transfer the register simply shifts the data from one custodian to another. An advantage to the transfer would be data accessible 24/7, albeit that the whole process is now split between two providers.
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Crime & Safety Issues	Not Applicable
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Environmental Impact	In transferring the register it will shift to an online register, removing the need for personal search companies to physically visit offices, albeit the Lichfield staff chose to deliver this service via email prior to Covid.
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GDPR / Privacy Impact Assessment	<ol style="list-style-type: none"> <li>1. Personal data may be held on the current Land Charges Register, however it is not expected that this data will transfer directly to HMLR. Where personal data is transferred, it will only be for the statutory purpose of the register.</li> <li>2. There is a GDPR clause in the HMLR Collaboration Agreement to reflect the fact that raw data will be shared with HMLR in order for the transfer of the register to take place.</li> </ol>
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Risk Description & Risk	Original	How We Manage It	Current
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	Owner	Score (RYG)		Score (RYG)
A	HMLR Income not accepted	Red	No Mitigation - Work would need to be undertaken at LDC cost, and to HMLR project plan timescales	Red
B	HMLR expects LDC to undertake remediate of data at its own cost	Red	Mitigation - Engage with HMLR and make use of their skills and funding	Yellow
C	HMLR burden on staff time is excessive	Yellow	Mitigation - Use funding from HMLR to engage agency staff for temporary period, either to back fill existing staff, or to provide specific skill set e.g. GIS/Mapping work	Green
D	Transfer of register reduces CON29 income because service is now split between HMLR and LDC	Yellow	Mitigation - Ensure process are efficient and costs minimised, maximise use of HMLR to present joined up service. Investigate whether it is possible to buy LLC1 search on behalf of official search customer	Yellow
E	Personal Search companies continue to ask LDC to provide free access to data	Yellow	Mitigation - Redirect to HMLR website. Offer compiled search service for a fee based on cost recovery	Green

### Background documents

[Collaboration Agreement Template](#)

### Relevant web links

<https://landregistry.github.io/local-land-charges/>

## Procurement of Agency Staffing Contracts

Cabinet Member for Climate Change and Recycling



Date:	5/10/2021
Agenda Item:	4
Contact Officer:	Ben Percival/Clair Johnson
Tel Number:	07772 913 265/01543 308 026
Email:	Ben.percival@lichfielddc.gov.uk clair.johnson@lichfielddc.gov.uk
Key Decision?	YES
Local Ward Members	All

**CABINET**

### 1. Executive Summary

- 1.1 The Authority's contract for the provision of agency staff for Operational Services, including the Joint Waste Service, is due to expire at the end of March 2022 and a procurement exercise is needed in order to identify suitable suppliers and award new contracts.
- 1.2 Due to the potential contract value of this service, and the delivery model required, a multi-supplier framework agreement let under the Public Contract Regulations 2015 is preferred for a maximum term of 4 years.

### 2. Recommendations

- 2.1 That Cabinet approves the preferred procurement route and contracting model of a 2-supplier framework for an initial 3 years, with an option to extend for a fourth year.
- 2.2 That Cabinet delegates approval to award the resultant contracts following the procurement process, subject to being within approved budgets, to the Head of Operational Services in consultation with the Cabinet Member for Climate Change and Recycling.
- 2.3 That Cabinet delegates the decision to utilise the option to extend into a fourth year to the Head of Operational Services in consultation with the Cabinet Member for Climate Change and Recycling.

### 3. Background

- 3.1 Operational Services – specifically the Joint Waste Service, Grounds Maintenance and Streetscene teams – require a regular supply of agency staff to cover vacancies, holidays, sick leave and seasonal variations in workload and ensure business continuity.
- 3.2 A comprehensive agency solution is therefore essential for Operational Services. The service delivers front-line services vital to residents, requiring large numbers of trained staff. For example, completing waste collections is reliant on around 70 staff starting work promptly at 6am, five days a week. Having an established agency pathway provided important workforce resilience during the Covid pandemic, allowing Joint Waste to maintain full service throughout, where more than 90% of authorities could not.
- 3.3 Whilst there will always be a need for agency staffing to provide front-line cover for absence and vacancies, the unusually high levels of agency staffing within the Joint Waste Service were identified in

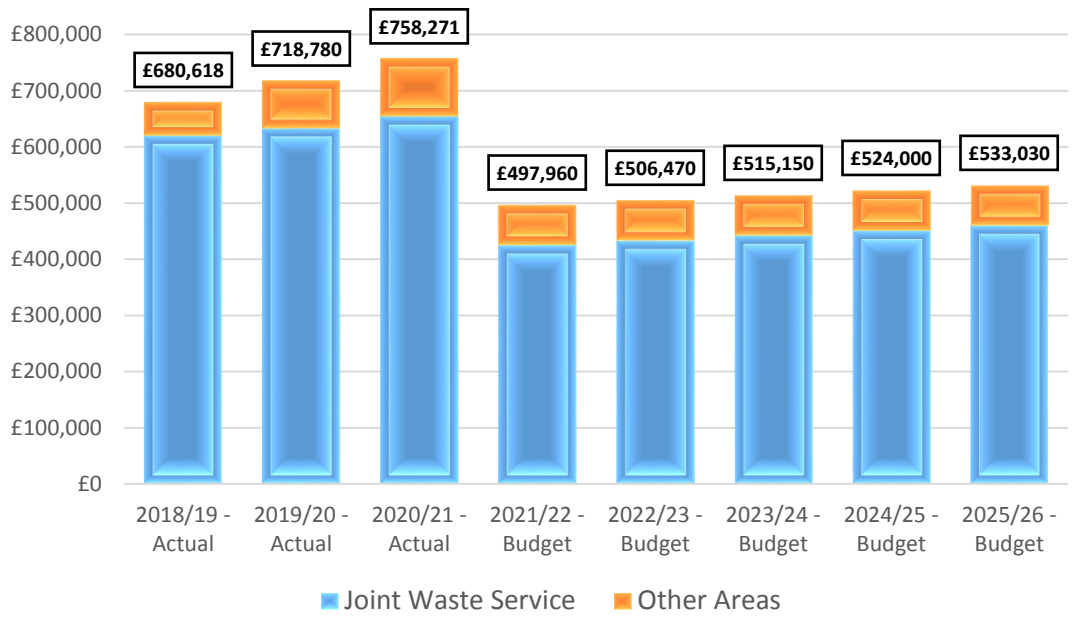
the 2019 service review. Covid-related absence and the ongoing national HGV driver shortage has meant agency staffing has remained high. There are however clear business and operational benefits to reducing agency usage to more appropriate levels. An officer task and finish group has been established to review recruitment, retention and attendance within the Joint Waste Service. Where appropriate, the findings of the task and finish group will be reported to members via Employment Committee.

- 3.4 To continue to meet the needs of the Joint Waste Service and Operational Services, a Framework Agreement is proposed, with 2 suppliers attached. Work will be allocated between the two providers on an approximate 50/50 basis, with outer limits of 60/40. This will ensure both providers are motivated to maintain the required resources, which is of particular importance given the current national shortage of qualified drivers.
- 3.5 The value of the Framework Agreement to achieve this regular supply of agency staff is approximately £2.1m over the 4 year term, based on current budgets and therefore has to be procured in accordance with the Authority’s Contract Procedures Rules as well as the Public Contract Regulations 2015 as the potential spend is above the EU threshold for goods & services of £189,330.
- 3.6 The maximum term for a Framework Agreement under the PCR2015 is 4 years, as such it is proposed this Framework Agreement be let for a period of 3 years with the option to extend for a further 1 year at the Authority’s discretion. The Framework Agreement will be established without a commitment to a minimum spend or volume over the term.

Alternative Options	<ol style="list-style-type: none"> <li>1. Do nothing – This would not meet the operational needs of the service and would result in repeated service failure.</li> <li>2. Further extend current contract – This would be in breach of CPR’s and PCR2015, potentially leaving the council at risk of legal challenge.</li> <li>3. Increase LDC employed staff to completely eliminate requirement for Agency Staff. This would be expensive and inefficient as the need for staffing varies with elements (sickness and vacancies) that cannot be planned. Agency staffing allows for a more flexible staffing resource.</li> </ol>
Consultation	<ol style="list-style-type: none"> <li>1. Leadership Team</li> </ol>
Financial Implications	<p>The actual spend on agency staffing in Operational Services over the previous three financial years 2018/19 to 2020/21 (with £56,000 related to COVID-19 in 2020/21) together with Approved Budgets from 2021/22 to 2025/26 is shown below:</p>



### Operational Services Agency Staffing



It is important to note:

- Tamworth Borough Council will reimburse the Council for a share of the Joint Waste Service costs and;
- Any additional spend on agency staffing in the Joint Waste Service is funded from vacancies in the establishment.

Approved by Section 151 Officer

Yes

Legal Implications

1. Resultant Framework Agreement will be PCR2015 compliant.
2. Agency staff will be engaged in line with current Agency Workers Regulations.

Approved by Monitoring Officer

Yes

Contribution to the Delivery of the Strategic Plan

1. Ensuring the Joint Waste Services and Operational Services have the necessary Agency Staffing provision helps them to deliver their services, which in turn support the Strategic aims of;
  - Shaping Place – to keep it green and safe
  - A Good Council that is – responsive and customer focussed

Equality, Diversity and Human Rights Implications

1. As part of the Invitation to Tender pack, suppliers will be required to confirm that they adhere to all relevant Equality, Diversity and Human Rights legislation, as well as answering questions on their recruitment processes to ensure they are non-discriminatory.
2. As part of the Invitation to Tender pack, suppliers will be required to answer questions and provide documentation in relation to Modern Slavery and Human Trafficking.

Crime & Safety Issues

None

Environmental Impact	None
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GDPR / Privacy Impact Assessment	None
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	Risk Description & Risk Owner	Original Score (RYG)	How We Manage It	Current Score (RYG)
A	Lack of contract/compliant contract in place Ben Percival	Likelihood: Yellow Impact: Red Severity of Risk: Red	Carry out procurement process and award compliant contract before expiry of current agreement.	Likelihood: Green Impact: Red Severity of Risk: Yellow
B	Insufficient temporary staff available with correct qualifications Ben Percival	Likelihood: Yellow Impact: Red Severity of Risk: Red	Carry out procurement process and award compliant contract before expiry of current agreement. Procurement process will include questions on sourcing of staff that meet our requirements. Current national difficulties with HGV drivers has been noted. Continue to develop in-house training capabilities. The option to use more than one staffing agency should help to reduce the risk of being unable to obtain appropriately qualified staff	Likelihood: Yellow Impact: Yellow Severity of Risk: Yellow
C	Agencies not motivated to maintain suitable resourcing. Ben Percival	Likelihood: Yellow Impact: Red Severity of Risk: Red	Establish 2 supplier framework with an estimated 50/50 work split over the contract term.	Likelihood: Yellow Impact: Yellow Severity of Risk: Yellow
D				
E				

None	<b>Background documents</b> Any previous reports or decisions linked to this item
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None	<b>Relevant web links</b> Any links for background information which may be useful to understand the context of the report
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# Decision Statement Regarding Hammerwich Neighbourhood Plan Proceeding to Referendum and Neighbourhood Plan Process



Report of the Cabinet Member for Economic Development, Leisure and Local Plan  
Councillor I. Eadie

Date:	5 October 2021
Agenda Item:	5
Contact Officer:	Patrick Jervis
Tel Number:	01543 308196
Email:	<a href="mailto:Patrick.jervis@lichfielddc.gov.uk">Patrick.jervis@lichfielddc.gov.uk</a>
Key Decision?	No
Local Ward Members	All Hammerwich ward councillors - Councillor Alastair Little, Councillor Janice Silvester-Hall

**CABINET**

## 1. Executive Summary

- 1.1 This report relates to the preparation of a Neighbourhood Plan covering Hammerwich which has recently been the subject of formal examination by an Independent examiner.
- 1.2 The examiner of the Hammerwich neighbourhood plan is recommending that subject to a number of modifications being made to the plan that it can proceed to referendum. The District Council now has to consider the examiner's report and recommendations and if it so wishes resolve to progress the Hammerwich Neighbourhood Plan to referendum by way of issuing a Decision Statement.
- 1.3 This report also details the specific legislative stages of the neighbourhood plan process where Lichfield District Council are required to make decisions, specifically to send a neighbourhood plan to referendum following successful examination and to adopt a neighbourhood plan following a successful referendum. The report proposes that these decisions be delegated to the Cabinet Member for Economic Development, Leisure and Local Plan in consultation with the Head of Economic Growth and Development.

## 2. Recommendations

- 2.1 That the Cabinet accepts and agrees to the making of modifications as set out in the 'Decision Statement regarding Hammerwich Neighbourhood Plan proceeding to referendum' hereby referred to as the Decision Statement (**Appendix A**). This will enable the Plan to be proceed to the referendum stage.
- 2.2 That the Cabinet approves the publication of the Decision Statement for the Hammerwich neighbourhood plan (**Appendix A**).
- 2.3 That the Cabinet agree that the publication of the decision statement to send a neighbourhood plan to referendum following a successful examination be delegated to the Cabinet Member for Economic Development, Leisure and Local Plan in consultation with the Head of Economic Growth and Development.
- 2.4 That the Cabinet agree that the decision to 'make' a neighbourhood plan following a majority 'yes' vote at a referendum be delegated to the Cabinet Member for Economic Development, Leisure and Local Plan in consultation with the Head of Economic Growth and Development.

## 3. Background

### Hammerwich neighbourhood plan decision statement

- 3.1 Neighbourhood planning is one of the provisions of the 2011 Localism Act allowing local communities to bring forward detailed policies and plans which can form part of the statutory planning process for an area and its residents.
- 3.2 The Neighbourhood Planning (General) Regulations 2012 require that Neighbourhood Plans are subject to independent examination. The appointed independent examiner must consider whether a Neighbourhood Plan meets the 'Basic Conditions' as set out within the [Independent Examiner's Report](#). Following the completion of an examination, the examiner must produce a report which can make one of three recommendations; 1) That the neighbourhood plan can proceed to referendum; 2) That subject to identified modifications the neighbourhood plan can proceed to referendum; 3) That the neighbourhood plan should not proceed to referendum.
- 3.3 The Hammerwich Neighbourhood Plan has been independently examined and it is recommended in the [examiners final report](#) that subject to the modifications outlined within the report the neighbourhood plan meets the 'basic conditions' and as such should proceed to referendum.
- 3.4 The Regulations require that upon receipt of the final report from an independent examination of a Neighbourhood Plan, the Local Planning Authority (Lichfield District Council) is required to consider the recommendations set out in the examiner's report. In addition there is a requirement to publish on our website a 'decision statement' which considers the recommendations of the independent examination within 5 weeks of receiving the report, or in line with a timescale agreed between the qualifying body (Hammerwich Parish Council) and Lichfield District Council.
- 3.5 The examiner's report and its proposed modifications have been considered by officers. On the basis of the assessment of the report and the proposed changes it is recommended that the District Council accepts the recommendations of the examiner and agrees all the modifications to the Hammerwich neighbourhood plan.
- 3.6 In line with the conclusions and recommendations of the examiner a proposed Decision Statement in respect of Hammerwich Neighbourhood Plan is attached at **Appendix A**. The Decision Statement includes all modifications recommended by the examiner and a number of further modifications suggested by officers to ensure consistency throughout the plan with the examiner's modifications. A modified version of the Neighbourhood Plan has been provided to clearly illustrate the proposed modifications (**Appendix B**). Hammerwich Parish Council have confirmed they wish for the neighbourhood plan to proceed to referendum subject to the modifications set out within the decision statement.
- 3.7 The Cabinet is asked to note the examiner's report for the Hammerwich Neighbourhood Plan, including the specific recommendations, and agree the Decision Statement allowing for the plans referendum to follow.
- 3.8 Following a decision to allow a Neighbourhood Plan to proceed to referendum, the District Council will need to publish the Decision Statement online and provide the decision statement to the Qualifying Body and any other stakeholder who has requested to be notified of the decision. Following this the referendum will need to be organised.

### Neighbourhood plan procedures

- 3.9 There are a number of statutory duties which the local authority is required to undertake with regards to the progression of neighbourhood plans. The regulations require the Local Planning Authority, upon receiving the report of an independent examiner following a Neighbourhood Plan examination, to consider the examiner's recommendations and publish a decision statement determining whether the plan should proceed to referendum within five weeks of receiving the examiner's report. The regulations also require a Neighbourhood Plan to be 'made' as part of the development plan for an

area within eight weeks of a successful referendum. These to statutory duties are procedural matters for the District Council to undertake as part of the statutory neighbourhood plan process.

3.10 In December 2016 Cabinet determined that delegated authority would be given to the Cabinet Member for Economic Development, Leisure and Local Plan in consultation with the Head of Economic Growth and Development to publish the decision statement both in respect of sending a neighbourhood plan to referendum and to 'make' the neighbourhood plan following a successful referendum where Cabinet timetable did not allow these decisions to be made in accordance with the timescales set out in legislation.

3.11 Following the progression of a number of neighbourhood plans within the District since that time it is proposed that all such decisions be delegated to the Cabinet Member for Economic Development, Leisure and Local Plan in consultation with the Head of Economic Growth in all instances. This will ensure that the District Council is able to publish the required decision statements and undertake its statutory duties in respect of the neighbourhood plan process and enable community's neighbourhood plans to proceed through the required process expediently. Additionally, by using such delegation this will in effect free-up time for Cabinet to focus on other matters which require more debate.

Alternative Options	<ol style="list-style-type: none"> <li>1. Lichfield District Council declines to send the Hammerwich Neighbourhood Plans to referendum. This would mean the Neighbourhood Plan would retreat to an earlier stage of development.</li> <li>2. The Qualifying Body withdraws the Neighbourhood Plan prior to Lichfield District Council making a formal decision as outlined within the Decision Statement. Again this would mean the Neighbourhood Plan would retreat to an earlier stage of development.</li> </ol>
Consultation	<ol style="list-style-type: none"> <li>1. In line with the Regulations the draft Hammerwich Neighbourhood Plans has been consulted upon for at least the minimum required 6 week period at both the pre-submission and local authority publicity stages prior to their submission for Independent Examination. Alongside the submission of the Plan the Qualifying Body (Hammerwich Parish Council) are required to submit a <a href="#">Consultation Statement</a> detailing the consultation undertaken throughout the Neighbourhood Plan process. These statements have been considered by the respective Independent Examiner along with all representations made at the Local Authority publicity period.</li> </ol>
Financial Implications	<ol style="list-style-type: none"> <li>1. The Government has made grant aid available to District Councils in recognition of the level of resourcing required in the administration of Neighbourhood Plans. Government guidance states that 'this money is to ensure LPAs receive sufficient funding to enable them to meet new legislative duties on neighbourhood planning. Specifically, it covers the neighbourhood planning duties in the Localism Act which are to provide advice and assistance; to hold an examination; and to make arrangements for a referendum'. However it should be noted that the level of grant aid has decreased over time.</li> <li>2. Upon the setting of the date for the referendum the District Council becomes eligible and can apply for a grant of £20,000.</li> <li>3. Communities with Neighbourhood Plans in place will also be entitled to 25% uncapped of the Community Infrastructure Levy (CIL) receipts generated by eligible development in their area. Communities with no Neighbourhood Plan will be entitled to 15% which is capped.</li> </ol>
Approved by Section 151 Officer	No.

Legal Implications	<ol style="list-style-type: none"> <li>1. The examiner's report has been prepared in accordance with planning guidance and law and concluded that subject to modifications the Hammerwich Neighbourhood Plan can proceed to referendum.</li> <li>2. Should the Hammerwich neighbourhood Plan be successful at referendum then the District Council will be required to formally adopt the plan as part of the development plan for the District. Upon adoption the Council will produce an adoption statement which details the opportunity for legal challenge of the adoption of the plan.</li> </ol>
Approved by Monitoring Officer	No.
Contribution to the Delivery of the Strategic Plan	<ol style="list-style-type: none"> <li>1. The Neighbourhood Plan demonstrates that it is in broad conformity with the Local Plan Strategy which conforms with the Strategic Plan.</li> </ol>
Equality, Diversity and Human Rights Implications	<ol style="list-style-type: none"> <li>1. The extensive consultation procedures provided for by the Planning and Compulsory Purchase Act 2004 ensure that consultation is undertaken with the wider community.</li> </ol>
Crime & Safety Issues	<ol style="list-style-type: none"> <li>1. Crime and Community safety issues may be considered as part of an emerging Neighbourhood Plan.</li> </ol>
Environmental Impact	<ol style="list-style-type: none"> <li>1. The Council is required to assess the environmental impacts of any plan which it produces. Accordingly, a <a href="#">Strategic Environmental Assessment and Habitat Regulations Assessment Scoping report</a> was undertaken on the Hammerwich Neighbourhood Plan.</li> <li>2. The independent examination of the Hammerwich Neighbourhood Plan considered evidence including the aforementioned scoping report and considered this compliant with European legislation.</li> </ol>
GDPR / Privacy Impact Assessment	<ol style="list-style-type: none"> <li>1. A privacy impact assessment has not been undertaken. There is no personal data involved in the decision statement process. All representations received, including contact details, will be passed onto the inspector. In addition, all comments will be made public on our website including the names of those who submitted them. All other personal information will remain confidential. All personal data has been collected in accordance with the Council's <a href="#">privacy notice</a>.</li> </ol>

	Risk Description & Risk Owner	Original Score (RYG)	How We Manage It	Current Score (RYG)
A	Plan received a 'no' vote in a referendum	Likelihood: Yellow Impact: Red Severity of Risk: Red	Have regular dialogue with the Parish Council to ensure consultation and engagement gains 'buy in' from the community at the earliest opportunity. However there are limited controls available because the purpose of the referendum is to enable residents to decide whether they want a plan.	Likelihood : Yellow Impact: Red Severity of Risk: Red
B	Parish decides to withdraw Neighbourhood Plan	Likelihood: Green Impact: Yellow	Have regular dialogue with the parish Council to ensure understanding of process moving forward and the implications of withdrawing the plan. Request confirmation from Parish as to views on	Likelihood : Green Impact: Green

		Severity of Risk: Green	whether to withdraw the plan. Hammerwich Parish Council have confirmed that they wish for the plan to proceed to referendum subject to the modifications set out within the decision statement.	Severity of Risk: Green
C	Introduction of revised planning system/policy at national level and/or adoption of new local plan	Likelihood: Red Impact: Yellow Severity of Risk: Yellow	Government have signalled their intent to introduce a new planning system through 'Planning for the Future' white paper in 2020 and planning bills. At present it is unknown what this new system will look like and when it will be implemented. Lichfield District Local Plan 2040 currently at an advanced stage.  Continue dialogue with Parishes with neighbourhood plans to advice of changes in national and local planning policy and whether this will necessitate subsequent reviews of neighbourhood plans. Role of the council to provide advice and guidance to continue.  However, limited controls available. Examiner report makes clear neighbourhood plan must be examined against current NPPF and adopted Local Plan.	Likelihood : Red Impact: Yellow Severity of Risk: Yellow
D	Council choose not to 'make' a neighbourhood plan following successful referendum	Likelihood: Green Impact: Red Severity of Risk: Green	The 'Neighbourhood Planning (General) and Development Management Procedures (Amendment) Regulations 2016 require the District Council to 'make' following a successful referendum. The Council does not have the ability under the legislation to not 'make' the plan at this stage.	Likelihood : Green Impact: Green Severity of Risk: Green

	<p><b>Background documents</b></p> <p><a href="#">Hammerwich Neighbourhood Plan (submission version)</a></p> <p><a href="#">Hammerwich Neighbourhood Plan Independent Examination Final Report</a></p> <p><a href="#">Neighbourhood Planning (General) Regulations 2012</a> (including amendments)</p> <p><a href="#">Neighbourhood Planning (Referendum) Regulations 2012</a> (including amendments)</p> <p><a href="#">Neighbourhood Planning (General) and Development Management Procedures (Amendment) Regulations 2016</a></p>
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	<p><b>Relevant web links</b></p> <p><a href="#">Lichfield District adopted Local Plan</a></p> <p><a href="#">Lichfield District Neighbourhood Plans</a></p> <p><a href="#">Hammerwich Neighbourhood Plan</a></p>
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## Decision statement regarding Hammerwich Neighbourhood Plan proceeding to referendum

### 1. Summary

- 1.1 Following an Independent Examination, Lichfield District Council has recommended that the Hammerwich Neighbourhood Plan proceeds to referendum subject to the modifications set out in tables 1 and 2 below. The decision statement was considered by Cabinet on 5/10/2021, where it was confirmed that the Hammerwich Neighbourhood Plan, as revised according to the modifications set out below, complies with the legal requirements and basic conditions set out in the Localism Act 2011, and with the provision made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004. The Plan can therefore proceed to referendum.

### 2. Background

- 2.1 Hammerwich Parish Council requested that the Hammerwich Neighbourhood Area be designated for the purposes of producing a neighbourhood development plan for the area. Following a six week consultation Lichfield District Council designated the Hammerwich Neighbourhood Area on 9 December 2014.
- 2.2 In 2019 Hammerwich Parish Council published the draft Hammerwich Neighbourhood Plan for a six week consultation, in line with regulation 14 of the Neighbourhood Planning (General) Regulations 2012.
- 2.3 The Hammerwich Neighbourhood Plan was submitted by the Parish Council to Lichfield District Council in March 2021 for assessment by an independent examiner. The Plan (and associated documents) was publicised for consultation by Lichfield District Council for six weeks between 24 March and 5 May 2019 (the Local Authority publicity consultation). John Slater BA (Hons), DMS, MRTPI was appointed as the Independent Examiner and all comments received at the Local Authority publicity consultation were passed on for his consideration.
- 2.4 He has concluded that, subject to modifications, the Hammerwich Neighbourhood Plan will meet the necessary basic conditions (as set out in Schedule 4b (8) of the Town and Country Planning Act 1990, as amended by the Localism Act 2011) and subject to these modifications being made may proceed to referendum.
- 2.5 Schedule 4B (12) of the Town and Country Planning Act 1990, as amended by the Localism Act 2011, requires that a local authority must consider each of the recommendations made in the Examiner's report and decide what action to take in response to each recommendation. If the authority is satisfied that, subject to the modifications being made, the draft Neighbourhood Plan meets the legal

requirements and basic conditions as set out in legislation, then the plan can proceed to referendum.

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3. Hammerwich Neighbourhood Plan recommended modifications and local authority’s response

- 3.1 The District Council considered the Examiner’s report and the recommendations/modification contained within. [Table 1](#) (below) sets out the Examiner’s recommendations (in the order they appear in the Examiner’s report) and Lichfield District Council’s consideration of these recommendations.
- 3.2 [Table 2](#) sets out additional modifications recommended by Lichfield District Council with the reasons for these recommendations.
- 3.3 The reasons set out below have in some cases been paraphrased from the examiner’s report to provide a more concise report. This document should be read in conjunction with the [Examiner’s Final report](#) which is available on the District Council’s website.

NB – Where modified text is recommended this will be shown in red with text to be deleted struck through (~~text to be deleted~~), and text to be added in bold type (**text to be added**).

TABLE 1

Section in Examined Document	Examiner’s Recommendation	Examiner’s Reason	Local Authority’s decision and reason
Policy CF1 – Protecting and Enhancing Local Facilities	<p><i>Retitle the policy and amend policy wording as follows:</i></p> <p>POLICY CF1 - PROTECTING AND ENHANCING LOCAL <b>COMMUNITY</b> FACILITIES</p> <p>Proposals which enhance or extend the <b>community</b> facilities within the Neighbourhood Plan Area will be supported where they are appropriate to their location, and do not conflict with other policies in this Plan or the Local Plan. Development proposals which would result in the loss of community facilities <b>including those within Use Class F2</b> will only be supported where it can be demonstrated that an equal or better facility in an appropriate location will be provided in compensation.</p>	<p>Policy covers wide range of facilities and services but does not differentiate between commercial businesses and more traditional community facilities and also includes community groups rather than facilities. Policy to be amended to take account of changes to the use class order to include use class F2 for local community use and permitted changes of use class. Policy cannot control specific use of premises which can change use without planning permission.</p>	<p>Yes – to meet the basic conditions.</p>

Section in Examined Document	Examiner's Recommendation	Examiner's Reason	Local Authority's decision and reason
<p>Policy H1 – New Housing Development – Siting and Mix of Housing Types</p>	<p><i>Modify the text of the policy as follows:</i></p> <p>Development on such sites should seek to provide, where appropriate, accommodation suitable for older people – such as bungalows, properties constructed to lifetime homes standard, supported housing or care homes. Where a site is large enough to support a mix of housing types, accommodation <b>suitable</b> for older people should form a part of the development, unless there are overriding viability reasons why this is not feasible.</p>	<p>For clarity.</p>	<p>Yes – for clarity and to meet the basic conditions.</p>
<p>Policy H2 – Housing Development Density</p>	<p><i>Modify the test of the policy as follows:</i></p> <p>POLICY H2 - HOUSING DEVELOPMENT DESIGN</p> <p><del>Due regard should be paid, in all development proposals, to adopted local design policy and supporting supplementary planning documents including the Sustainable Design SPD or any replacement document. In particular, the proposed development shall</del> <b>All new development will be expected to:</b></p> <ol style="list-style-type: none"> <li>1. complement adjoining land uses;</li> <li>2. have good access to sustainable forms of transport;</li> <li>3. define clearly public and private areas;</li> <li>4. maintain and/or improve footpaths and access points, and provide for easy access for people with disabilities into and around the site;</li> <li>5. provide sensitively designed, high quality, street furniture where this is necessary for the development;</li> <li>6. provide adequate storage for bins, recycling and cycles;</li> <li>7. incorporate additional roads (if these are needed) that are designed to reduce vehicle speeds;</li> </ol>	<p>Remove first part of policy as this requires applicants to comply with another development plan policy and SPD which will already apply to Hammerwich. 14 requirements of the policy to be set out in a single block rather than in two sections.</p> <p>Planning policy within the plan should indicate how a planning application is to be determined rather than how a planning application is to be prepared or processed. Acknowledge that NPPF makes clear it is good practice to seek views prior to the submission of planning application however, an acceptable development could not be refused even though local knowledge had not been sought.</p>	<p>Yes – for clarity and the meet the basic conditions.</p>

Section in Examined Document	Examiner's Recommendation	Examiner's Reason	Local Authority's decision and reason
	<p>8. provide for sustainable drainage methods where this is feasible and desirable; and</p> <p>9. incorporate charging points for electric vehicles convenient to the parking spaces.</p> <p><del>b) In addition to the SPD requirements, the development shall:</del></p> <p>10. relate well to surrounding land and buildings in style, scale and mass, and be landscaped and designed to minimise the impact on views from open countryside;</p> <p>11. not have a detrimental effect on local facilities such as public footpaths, playing fields and public open spaces unless adequate mitigation in the form of compensatory facilities is provided;</p> <p>12. make positive use of site characteristics e.g. topography, trees, hedges, natural habitats etc.;</p> <p>13. provide sufficient off-road parking for residents and visitors <del>(see Policy T2 below)</del>; and</p> <p>14. not give rise to an increased risk of localised flooding, and must not increase levels or rates of surface water run-off from the developed site. <del>Local knowledge should be sought on drainage patterns.</del></p> <p>c) Buildings with more than two storeys will only be permitted if the impact on surrounding properties is acceptable and there is no detrimental impact on key views across the Parish <del>(see also Policy LEnv2 below)</del>.</p> <p>d) Developments of suitable unused farm buildings for barn conversions etc. will be supported where these are modest and unobtrusive.</p>	<p>Cross references to other policies be removed as it is not necessary.</p>	

Hammerwich Neighbourhood Plan referendum decision statement

Section in Examined Document	Examiner's Recommendation	Examiner's Reason	Local Authority's decision and reason
	<del>See also Policy T1 below.</del>		
Policy T1 – Increased Traffic from New Development	<p><i>Modify text of policy as follows:</i></p> <p>POLICY T1 – INCREASED TRAFFIC FROM NEW DEVELOPMENTS</p> <p>The impact of any increase in traffic that new developments may generate should be assessed to ensure local roads can accommodate this traffic. For developments that result in a significant increase in traffic flow along the Village's narrow lane network, satisfactory traffic management solutions or other highway improvements will need to be provided to avoid safety and congestion problems. <del>Where the traffic flow generated is likely to have a significant impact, a Transport Statement will be required.</del></p>	Neighbourhood plan policy is to be used to determine how a planning application is to be decided. The documents which are required to be submitted with a planning application are set out in the Local Validation Checklist which covers the whole district.	Yes – to meet the basic conditions.
Policy T2 – Parking Standards for New Development	<p><i>Delete all text of the policy and associated explanatory text in paragraphs 8.3 to 8.5.</i></p>	Policy imposes higher parking standards than would apply in the rest of Lichfield District. Planning Practice Guidance requires neighbourhood plans to be supported by appropriate evidence. Lack of evidence within the plan to substantiate the higher standards.	Yes – to meet the basic conditions.
Policy T3 – New Cycle Routes and Improvements to Walking Routes	<p><i>Replace Map 6 within the document with map with more detailed map showing the canal route on OS-based map.</i></p> <p><i>Replacement map included at Appendix A of this decision statement.</i></p>	Map showing line of canal restoration should be replaced or supplemented by more detailed OS-based map showing the alignment of the canal route through Hammerwich Parish.	Yes – for clarity.

Section in Examined Document	Examiner's Recommendation	Examiner's Reason	Local Authority's decision and reason
<p>Policy LEnv2 – Protecting the Key Views across the Countryside and from Hammerwich</p>	<p><i>Modify the text of the policy as follows:</i></p> <p>POLICY LEnv 2 – PROTECTING THE KEY VIEWS ACROSS THE COUNTRYSIDE TO AND FROM HAMMERWICH VILLAGE</p> <p>All development should respect the visual amenity and sense of place afforded by the <del>two</del> views identified <del>above</del> in <del>and</del> Map 8. These are:</p> <p><del>(i) — The view between St John the Baptist Church, Hammerwich and Lichfield Cathedral; and</del></p> <p>(ii)(i) Views towards the Village incorporating both St John's Church and the Windmill.</p> <p>Developments which take account of these important local views will be supported where they do not conflict with other policies in this Plan or in the Local Plan (see also Policy H2(c) above).</p> <p><i>Modify Map 8 within the plan to remove view (i). Replacement map is included at Appendix B of this Decision Statement. See table 2 for further modification to map and text of policy for consistency of numbering.</i></p>	<p>Purpose of a viewpoint policy is that it allows a decision maker to assess the impact of development on a valued view. Where a view is not always present it raises questions as to how that view can be a material consideration in determining a planning application. Therefore unable to recommend the retention of this view within the plan.</p>	<p>Yes – to meet the basic conditions.</p>
<p>Policy LEnv3 – Local Heritage Assets</p>	<p><i>Modify the test of the policy as follows:</i></p> <p>POLICY LEnv 3 – <del>LOCAL</del> HERITAGE ASSETS</p> <p><del>All new development should take account of the impact on identified heritage assets, both designated and those non-designated Local Heritage Assets set out in paras 9.13 to 9.15 above, seeking to protect and, where appropriate, to enhance them. All new development that has an impact on identified heritage assets – both designated and</del></p>	<p>Rename policy to ensure it is clear it applies to all assets not just locally listed assets.</p> <p>Inappropriate to place a requirement that every development proposal should take account on the named heritage assets as some development will take far away from those identified.</p>	<p>Yes – for clarity and to meet the basic conditions.</p>

Section in Examined Document	Examiner's Recommendation	Examiner's Reason	Local Authority's decision and reason
	<p><b>non-designated local heritage assets – and their setting, should seek to protect and, where appropriate, enhance their significance.</b></p> <p><b>Hammerwich Hall Farm and its timber framed Barn and the Anglesey Branch of the Wyrley and Essington Canal Extension are added as non-designated heritage assets to the Burntwood, Hammerwich and Wall Local List.</b></p> <p>For proposals affecting an identified heritage asset, it should be demonstrated how the development would take account of its conservation, enhancement and its setting. The renovation or alteration of any Asset should be designed sensitively, taking into account its historical and architectural interest. <b>Proposals affecting a non-designated heritage asset will be expected to balance the scale of any loss or harm against the significance of the asset.</b></p> <p>Proposals that seek to ensure that Local Heritage Assets remain in active and viable use, and are maintained, in a sensitive manner will be supported, as will schemes that bring back an Asset into use in a manner sensitive to their heritage value. <b>The provisions of Local Plan Strategy Core Policy 14 (or its replacement in the Local Plan Review) should also be demonstrated.</b></p> <p><del>Applicants should consider the Historic Environment Record for the Asset if one has been prepared, and consult with the Historic Environment Record Officer at Staffordshire County Council.</del></p> <p>All new development must take account of known surface and sub-surface archaeology, and ensure previously unrecorded and potentially significant deposits are identified and appropriately assessed during development. Lack of current evidence of sub-surface archaeology must not be taken as proof of absence.</p>	<p>Policy should be restricted to proposals that directly affect the heritage asset or its setting.</p> <p>Remove canal bridge at Ogley Junction as this is outside of the plan area.</p> <p>Four assets listed in paragraph 9.16 have not been assessed as to their heritage significance and therefore at this stage cannot be treated as being non-designated heritage assets. I will recommend that they be omitted from the Local Heritage Assets section as their inclusion could by implication offer them an illusory “prospective non-designated heritage asset status” which could create issues for development management officers.</p> <p>The policy needs to be specific in differentiating between how designated heritage assets and non-designated heritage assets are to be treated and there are different tests set out in the NPPF and these should be recognised in the policy.</p> <p>86. The reference in the penultimate paragraph to the historic environment records is not a statement</p>	



Section in Examined Document	Examiner's Recommendation	Examiner's Reason	Local Authority's decision and reason
	<p><i>Modify the explanatory text at paragraphs 9.15 and 9.16 as follows:</i></p> <p>9.15 The following properties have been suggested as further additions to the Local List, and they are formally proposed within this Plan. If LDC agree, then they will be subject to Policy LEnv3 below. The Staffordshire Historic Environment Records for each proposal are reproduced in the Evidence Base Document.</p> <ul style="list-style-type: none"> <li>• Hammerwich Hall Farm and its timber framed Barn</li> <li>• Anglesey Branch of the Wyrley and Essington Canal Extension</li> <li>• <del>Canal Bridge, Ogley Junction, Wyrley and Essington Canal</del></li> </ul> <p><del>9.16 During consultation the following properties were suggested as contributing to the character of the Parish, but further investigation would need to be made as to their merit, since no Historic Environment Record currently exists for them. A study in accordance with Staffordshire County Council's methodology would need to be completed to provide evidence of their merit. The Parish Council will pursue this with the County Council.</del></p> <ul style="list-style-type: none"> <li>• <del>Cherry Cottage, Meerash Lane</del></li> <li>• <del>Apple Tree Farm, Hammerwich Road</del></li> <li>• <del>Old Smithy (Forge Close), Burntwood Road</del></li> <li>• <del>Mill House, Mill Lane</del></li> </ul> <p><b>9.16 Applicants should consider the Historic Environment Record for the Asset if one has been prepared, and consult with the Historic Environment Record Officer at Staffordshire County Council.</b></p>	<p>of policy and, although sound advice, it should be moved to the supporting text.</p>	
<p>Policy LEC1 – Support for Retail and</p>	<p><i>Replace all text within the policy as follows:</i></p> <p>POLICY LEC1 - SUPPORT FOR RETAIL AND COMMERCIAL USES</p>	<p>Remove unnecessary cross reference to other development plan policies.</p>	<p>Yes – for clarity and to meet the basic conditions.</p>

Hammerwich Neighbourhood Plan referendum decision statement

Section in Examined Document	Examiner's Recommendation	Examiner's Reason	Local Authority's decision and reason
Commercial Uses	<p><del>Proposals to improve existing, or provide new, retail and commercial facilities will be supported where these accord with other Policies in this Plan and in the Local Plan. Appropriate re-use of redundant farm buildings will be supported, subject to the Policies in this Plan, especially T1, LEnv2 and LEnv3, and the LDC Policies set out above at para. 9.9.</del></p> <p><b>Proposals which result in the loss of uses which fall within Use Class E will only be supported unless it can be shown through appropriate marketing evidence over a 12-month period, that the continuation of the current use is not viable. Proposals to improve existing, or provide new retail and commercial facilities, and appropriate reuse of redundant farm buildings will be supported where they accord with other policies in the development plan.</b></p>	<p>To introduce a presumption in favour of the retention of uses in Use Class E unless it is shown to be non-viable.</p>	

TABLE 2

Section in Examined Document	Lichfield District Council Recommendation	Lichfield District Council decision and reason
Title Page and whole plan	<p><i>Add text to the title page as follows to signify that the document is the version of plan being voted upon at referendum. “Referendum Version”.</i></p> <p><i>Change text of page header to “Referendum Version”.</i></p> <p><i>NB – if the Plan is made “Referendum Version should be replaced with the date on which the plan is ‘Made’.</i></p>	<p>Yes – to clearly illustrate that this version of the Neighbourhood Plan is the document to be considered at the referendum.</p>
Title page and whole plan	<p><i>Changes to formatting throughout document for accessibility purposes. Such changes ensure the document meets necessary accessibility requirements to enable the use of, for example, screen reading software. Such changes include – removal of background on all pages, uses of heading and table of content formatting, removal of unnecessary blank spaces and addition of alternative text and title to images, graphs and tables for screen reading software.</i></p>	<p>Yes – to ensure the neighbourhood plan document meets accessibility requirements.</p>
Whole Plan	<p><i>Policy and paragraph numbering following examiners modifications to delete paragraphs within the main body of the neighbourhood plan.</i></p>	<p>Yes – to ensure paragraph numbering is continuous.</p>
Whole Plan	<p><i>Amend references to National Planning Policy Framework 2019 to 2020 NPPF.</i></p>	<p>Yes – to ensure references are consistent with the latest version of the NPPF as suggested by the examiner.</p>
Whole Plan	<p><i>Amend references to Local Plan Review to Local Plan 2040.</i></p> <p><i>Amend reference’s to Local Plan Review policies, including policy numbering, to their relevant equivalent policies in the Local Plan 2040 document</i></p>	<p>Yes – to ensure references are consistent with the name of the Local Plan 2040 which was formerly known as the Local Plan Review.</p>

Section in Examined Document	Lichfield District Council Recommendation	Lichfield District Council decision and reason
Page 2	<p><i>Addition of new page 2 in document with following text only:</i></p> <p><b>If you need this in another format, such as large print, please call Lichfield District Council on 01543 308000 and ask to speak to the Spatial Policy and Delivery team or email developmentplans@lichfielddc.gov.uk.</b></p>	<p>Yes – to ensure the neighbourhood plan document meets accessibility requirements. Where the District Council requested will make the document available on alternative formats.</p>
Paragraph 2.1, text after map 6	<p><i>Delete text link and embed link into document for accessibility purposes.</i></p>	<p>Yes – to ensure the neighbourhood plan document meets accessibility requirements.</p>
Paragraph 3.2	<p><i>Insertion of the following footnote relating to the progression and current status of Lichfield District Council’s Local Plan 2040:</i></p> <p><b>At the date of the publication of the Hammerwich Neighbourhood Plane examination report (31 August 2021) consultation under regulation 19 on the Local Plan 2040 had concluded (30 August 2021) and the document had not yet been submitted for examination.</b></p>	<p>Yes – to provide a factual position as to the status and progression of the Local Plan 2040 at the date of the conclusion of the examination on the Hammerwich Neighbourhood Plan. This provides further context to paragraph 36 of the examiner report in relation to the status of the review of LDC’s local plan.</p>
Paragraph 3.8	<p><i>Modify penultimate sentence in paragraph 3.8 as follows:</i></p> <p>Biodiversity within the Parish needs protecting and enhancing in line with <del>Lichfield District Council’s Biodiversity Strategy and</del> the Staffordshire Biodiversity Action Plan.</p>	<p>Yes – remove reference to document which does not exist.</p>
Section 5 - Policy and objective Matrix	<p><i>Delete Policy T2 from Matric for consistency with examiner modification to remove Policy T2.</i></p> <p><i>Renumber Policy T3 and T4 to T2 and T3 respectively.</i></p>	<p>Yes – to ensure consistency with examiner modification to delete policy T2 and ensure policy numbering is consistent.</p>

Section in Examined Document	Lichfield District Council Recommendation	Lichfield District Council decision and reason
<p>Paragraph 6.2</p>	<p><i>Modify paragraph as follows:</i></p> <p>6.2 Hammerwich Parish has <del>the following</del> <b>a wide range of community</b> facilities and amenities available within easy walking distance of residents <b>throughout the Parish.</b></p> <p><del><i>FROM HAMMERWICH VILLAGE</i></del></p> <p><del><i>Bowling Green</i></del></p> <p><del><i>Church</i></del></p> <p><del><i>Youth &amp; Community Hall</i></del></p> <p><del><i>Hammerwich Cricket Club</i></del></p> <p><del><i>Women’s Institute Hall</i></del></p> <p><del><i>Football Club</i></del></p> <p><del><i>Care Home</i></del></p> <p><del><i>Leisure classes</i></del></p> <p><del><i>Environment group</i></del></p> <p><del><i>Street lighting in village and partially on lanes</i></del></p> <p><del><i>The following facilities and amenities are within easy walking distance—</i></del></p> <p><del><i>FROM OTHER PARTS OF THE PARISH (MAINLY TRIANGLE WARD):</i></del></p> <p><del><i>Chinese Takeaway</i></del></p> <p><del><i>Fish and Chip Shop</i></del></p> <p><del><i>Dog Kennels/Groomer</i></del></p>	<p>Yes – for consistency with examiner modification to modify Policy CF1.</p>

Section in Examined Document	Lichfield District Council Recommendation	Lichfield District Council decision and reason
	<p><i>GP Surgery</i></p> <p><i>Football Club</i></p> <p><i>Indian Restaurant</i></p> <p><i>Pharmacy</i></p> <p><i>Petrol Station</i></p> <p><i>Public House</i></p> <p><i>Post Office</i></p> <p><i>Vehicle Servicing</i></p> <p><i>Small Supermarket</i></p> <p><i>Leisure Classes</i></p> <p><i>Vet</i></p> <p><i>Butchers</i></p> <p><i>Dentist</i></p> <p><i>Church Funeral Service</i></p> <p><i>School</i></p> <p><i>Opticians</i></p>	
<p>Paragraph 7.1</p>	<p><i>Modify second sentence of paragraph 7.1 as follows:</i></p> <p>Clearly, there is little appetite for large-scale housing development. However, this Plan conforms with the strategic housing policies of both the <b>adopted</b> Local Plan Strategy and Local Plan Allocations <b>and is consistent with the draft policies within the Local Plan Review Local Plan 2040</b>, (see para 3.12 to 3.14 above) and it is</p>	<p>Yes – to reflect status of adopted plan and emerging plan for clarity.</p>

Hammerwich Neighbourhood Plan referendum decision statement

Section in Examined Document	Lichfield District Council Recommendation	Lichfield District Council decision and reason
	acknowledged that small-scale development within the village boundary defined in Policy VB1 below would be acceptable.	
Paragraph 7.10	<i>Delete the following sentence from paragraph 7.10:</i> <del>The main parts of the SPD that are pertinent to new development in the Parish are set out in the first part of Policy H2 below.</del>	Yes – to be consistent with examiner’s modification to policy H2.
Paragraph 8.1	<i>Modify second sentence of paragraph 8.1 as follows:</i> <i>Further concerns were expressed in respect of parking problems and the size of vehicles using narrow lanes and roads within the area. It is, therefore, reasonable to expect a Transport Statement to be prepared for proposed developments, where appropriate, to assist in the consideration of highway matters whenever there is likely to be a significant impact on the local roads.</i>	Yes – to be consistent with examiner’s modification to policy T1 in respect of Transport Statements being required in accordance with LDC’s planning application validation checklist.
Paragraph 8.2	<i>Modify final sentence of paragraph as follows:</i> Conversely, any highway measures that would improve the situation would be welcomed (see also Policy H2(a) point 7 above).	Yes – to be consistent with examiner modification to Policy H2.
Paragraphs 8.3 to 8.5 and paragraphs 8.6 to 8.11	<i>Delete all text of paragraphs 8.3 to 8.5.</i> <i>Renumber remaining paragraphs within section following above deletion.</i>	Yes - explanatory text to Policy T2 to be removed as the policy is suggested for deletion by the examiner.
Policies T3 and T4	<i>Renumber Policy T3 and T4 to T2 and T3 respectively.</i>	Yes – to ensure consistency with examiner modification to delete policy T2 and ensure policy numbering is consistent.
Table in section 9 (after paragraph 9.9)	<i>Update the policy numbering and naming of Local Plan 2040 policies within table.</i>	Yes – to ensure references are consistent with the name of the Local Plan 2040 which

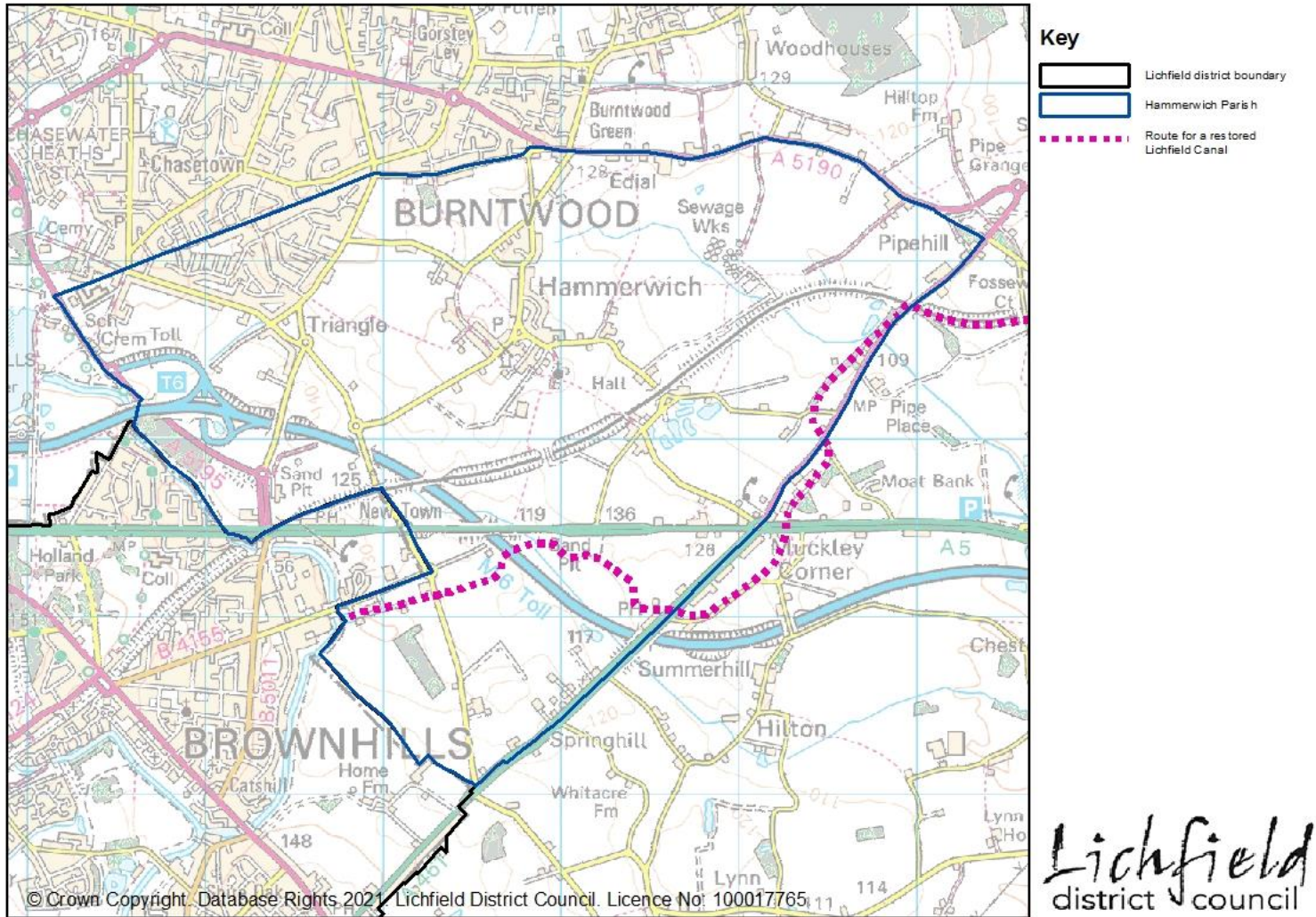
Section in Examined Document	Lichfield District Council Recommendation	Lichfield District Council decision and reason
		was formerly known as the Local Plan Review.
Image of View 1 in Key Views section (paragraph 9.11 onward)	<i>Delete image showing View 1.</i>	Yes – to be consistent with examiner’s modification to delete view 1 from Policy LEnv2.
Policy LEnv 1	<i>Change reference to map 6 in policy to map 7.</i>	Yes – to be consistent with other modifications
Paragraph 9.11	<p><i>Delete final section of paragraph as follows:</i></p> <p>Plan Allocations (adopted 2019) Policy BE2 and <del>Local Plan Review Policy OBHE4</del> <del>Local Plan 2040</del> Strategic policy 17 cover the subject of development proposals that would affect heritage assets. <del>Policy OBHE4 states:</del></p> <p><del>“Where a development proposal would affect the significance of a heritage asset (whether designated or non-designated) including any contribution made by its setting, it should be informed by proportionate historic environment assessments...that... explain the nature and degree of any impact on a heritage asset, in particular, on elements that contribute to their significance and demonstrate how, in order of preference, any harm will be avoided, minimised or mitigated. This may require an assessment of the impact of the proposal upon longer distance views and vistas of Lichfield Cathedral... or views identified in... neighbourhood plans...” [Parish Council’s underlining]</del></p>	Yes - this is not the up to date wording of the policy in the latest version of the Local Plan 2040. As the plan is not yet adopted and still subject to possible modification at its examination.
Policy LEnv2 – Protecting the Key Views across the	<p><i>Modify the text of the policy as follows:</i></p> <p><del>(ii)</del>(i) Views towards the Village incorporating both St John’s Church and the Windmill. <i>Modify Map 8 for consistency of numbering.</i></p>	Yes – to ensure consistency of numbering following examiners recommended modification.



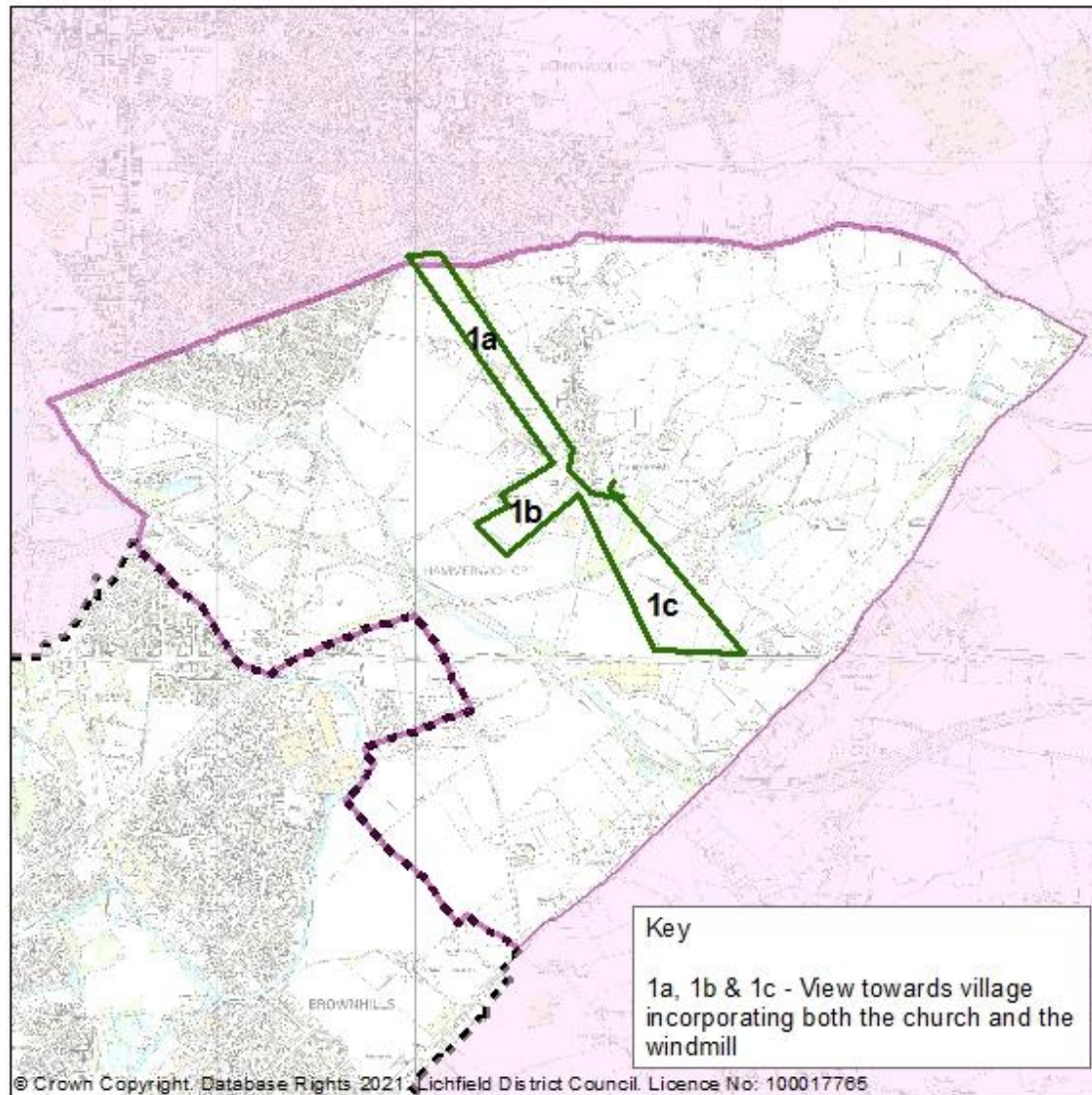
Hammerwich Neighbourhood Plan referendum decision statement

Section in Examined Document	Lichfield District Council Recommendation	Lichfield District Council decision and reason
Countryside and from Hammerwich	Developments which take account of these important local views will be supported where they do not conflict with other policies in this Plan or in the Local Plan (see also Policy H2 <del>(c) above</del> ).	
Section 13	<i>Delete all of section 13 'The Next Steps'.</i>	Yes – section to be deleted as this describes the stages of the neighbourhood plan process which the plan has progressed through.
Appendix 1	<p><i>Modify text of point 1 as follows:</i>            See Policy H2 <del>(a)(2) point 2</del> and para 8.63  <i>Modify text of point 2 as follows:</i>            See Policy H2 <del>(b)(14) point 14</del> and <b>para 7.9.</b>  <i>Renumber Policy T3 to Policy T2.</i></p>	Yes – to ensure consistency with examiner modification to delete policy T2 and ensure policy numbering is consistent.

Appendix A



Appendix B



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# HAMMERWICH NEIGHBOURHOOD PLAN



**2018-2040**

**March 2021 Referendum version**

If you need this in another format, such as large print, please call Lichfield District Council on 01543 308000 and ask to speak to the Spatial Policy and Delivery team or email [developmentplans@lichfielddc.gov.uk](mailto:developmentplans@lichfielddc.gov.uk).

## CONTENTS:

	<del>—PAGE</del>
<del>1</del> <b>Background to Plan</b>	<del>3</del>
<del>2</del> <b>Hammerwich's History and Context</b>	<del>5</del>
<del>3</del> <b>Planning Framework</b>	<del>8</del>
<del>4</del> <b>Consultation</b>	<del>15</del>
<del>5</del> <b>Objectives and Vision</b>	<del>16</del>
<b>THE POLICIES</b>	
<del>6</del> <b>Parish and Community Facilities</b>	<del>20</del>
<del>7</del> <b>Housing</b>	<del>24</del>
<del>8</del> <b>Traffic and Transport</b>	<del>33</del>
<del>9</del> <b>The Local Environment</b>	<del>41</del>
<del>10</del> <b>The Local Economy</b>	<del>51</del>
<del>11</del> <b>Education</b>	<del>52</del>
<del>12</del> <b>Monitoring and Reviewing the Neighbourhood Plan</b>	<del>53</del>
<del>13</del> <b>The Next Steps</b>	<del>54</del>
<b>Appendix 1.</b>	
<b>Projects Identified as Important to the Parish, to be Pursued by the Parish Council, Through Various Funding Sources Including Community Infrastructure Levy (CIL)</b>	<b>55</b>

## Contents

1. Background to the Plan.....	<u>54</u>
2. Hammerwich’s History and Context .....	<u>76</u>
3. Planning Frameowrk .....	<u>109</u>
4. Consultation .....	<u>1816</u>
5. Objectives and Vision for Hammerwich Parish.....	<u>1917</u>
The Policies .....	<u>2321</u>
6. Parish and Community Facilities .....	<u>2321</u>
7. Housing .....	<u>2725</u>
8. Traffic and Transport .....	<u>3533</u>
9. The Local Envirobment .....	<u>4240</u>
10. Local Economy .....	<u>5250</u>
11. Educations.....	<u>5351</u>
12. Monitoring and Reviewing the Neighbourhood Plan .....	<u>5452</u>
APPENDIX 1.....	<u>5654</u>

*Cover image: Part of the Anglo-Saxon ‘Staffordshire Hoard’ discovered in the Parish in 2009*



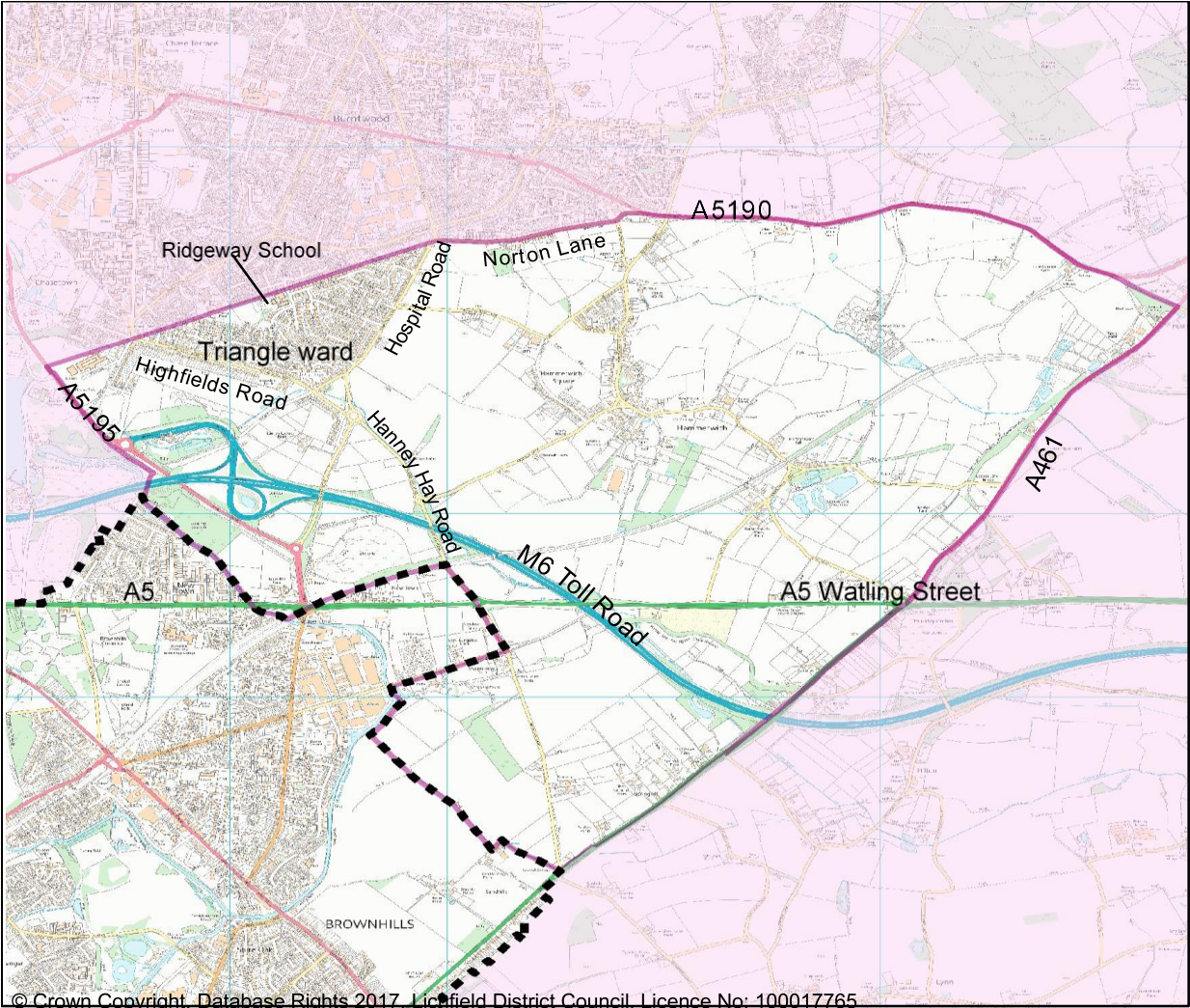
## 1. Background to the Plan

1.1 The Localism Act 2011 promoted neighbourhood engagement in the planning process. It introduced a new kind of Plan, called a Neighbourhood Development Plan (or Neighbourhood Plan, for short), that could be prepared by Parish Councils. One of the key aims of the legislation is to enable people to contribute to the long term development of their own community. A Neighbourhood Plan can make a real difference to how development is carried out in the Parish, because once it has been through all the stages of preparation and been “made” (adopted) by Lichfield District Council (LDC), it becomes part of the District’s Development Plan, alongside the LDC Local Plan. Its planning policies will therefore be used in the decision-making process when planning applications within the Parish are considered by the Local Planning Authority. This Neighbourhood Plan supports the delivery of strategic policies contained in the Lichfield District Local Plan in accordance with the National Planning Policy Framework ~~2019~~2021 para 13.

1.2 The Hammerwich Neighbourhood Area was designated by LDC on December 9<sup>th</sup> 2014 for the purposes of producing a Neighbourhood Plan. The Neighbourhood Area has exactly the same boundaries as the Parish area, so the term ‘Parish’ will be used throughout this Plan, to avoid confusion. This Plan has been prepared by a Neighbourhood Plan Steering Group, which reports to the Parish Council.

1.3 Whilst designation and a Parish Survey took place in 2014, there was then some delay in preparing this Neighbourhood Plan, as studies by LDC underpinning the work leading up to the publication of the Local Plan Allocations document suggested a significant housing development in the Green Belt off Highfields Road in the Parish was being considered. This would not have accorded with the Vision and Objectives of this Plan (see below), themselves drawn from what the people of the Parish said in the Parish Survey. However, the finally adopted Allocations document (July 2019) did not include this site as an allocation (see also para 3.11 below) and progress on the Neighbourhood Plan could then re-start. Further unavoidable delay was introduced by the Covid 19 pandemic lockdown period. The Parish Council was ready to consult on an updated Neighbourhood Plan (Section 14 consultation) when the lockdown started in March 2020.

MAP 1 – LOCATION MAP



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## 2. Hammerwich's History and Context

2.1 The discovery of the Anglo-Saxon Staffordshire Hoard in the Parish in 2009 has highlighted the fact that Hammerwich's history as a settlement goes back a very long time. *Wich* is derived from Old English *wic*, a settlement that was already old in Saxon times, i.e. dating back at least to the Roman era (Latin *vicus*). *Hamor* is derived from the Old English for 'hammer', which has led to the interpretation of *Hammerwich* as 'the old settlement with a smithy'. (see, for example, [David Parsons on the Staffordshire Hoard](https://finds.org.uk/staffsheardsymposium/papers/davidparsons), at:

<https://finds.org.uk/staffsheardsymposium/papers/davidparsons>).

2.2 Although no physical evidence has yet been recovered which proves Roman settlement in Hammerwich, the presence of a major Roman military highway, Watling Street, only  $\frac{3}{4}$ -mile from the village would tend to support the existence of Hammerwich in Roman times, and excavations near Crane Brook Cottage have revealed some Roman remains. *Domesday* indicates the existence of two hamlets named Hammerwich.

2.3 A desktop archaeological study by Birmingham University (in 2007), which predates the finding of the Staffordshire Hoard in Hammerwich, and which focused on land off Copsy Nook Lane, revealed that the study area has experienced little historical development, originating as heathland cleared from the Royal Cannock Forest, some of which passed into the ownership of the Bishop of Chester and Lichfield in the 13<sup>th</sup> century and to the Paget family (later the Marquess of Anglesey) in the 16<sup>th</sup> century following the Dissolution of the Monasteries.

2.4 Throughout its history the area appears to have remained common heathland with farmland and pasture.

2.5 Extensive urban development to the west, associated with the rise of coal mining in the later 19<sup>th</sup> century, has not encroached upon the Parish, which has retained its rural, agricultural aspect.

2.6 Today, the north-western corner of the Parish, Triangle Ward, has been built-up, providing a contrast to the village of Hammerwich which is surrounded by Green Belt land. The M6 Toll Road and A5 highways traverse the Parish's southernmost parts, from west to east, and the Chasewater Park leisure park lies immediately to the west.



2.7 The 2011 Census Neighbourhood Statistics, published by the Office for National Statistics, reveals some interesting facts about Hammerwich electoral ward. 3412 'usual' residents live in 1406 households but the percentage of people who are self-employed, work part-time or who are retired are higher in each case than the percentages for Lichfield District as a whole, the West Midlands percentage and the England percentage – see below:

	% of economically active in Hammerwich ward	% of economically active in Lichfield District	% of economically active in West Midlands	% of economically active in England
Self-employed	11.1	10.4	8.5	9.8
Part time employed	15.2	14.6	14.0	13.7
Retired	26.9	18.6	14.4	13.7
Unemployed	2.3	3.4	5.1	4.4
Full time employed	34.0	38.6	37.4	38.6

2.8 The age profile of the Parish mirrors the economic profile above. There are fewer young people, and more people who are older, in Hammerwich than elsewhere. Compared to the three areas above, Hammerwich's percentage of population in the age cohorts between 0 and 44 years is lower in every case. However, from 45 to 65, Hammerwich has more in these age cohorts than in Lichfield, West Midlands or England. Above 74, the percentages for all four areas are about the same. The greatest disparity occurs in the 65-74 range which accounts for 19.6% of Hammerwich's population, but only 11.9% of Lichfield's, 9.0% of the West Midlands' and 8.6% of England's.

2.9 The very high proportion of retired and older people points to the need for planning policy to ensure that there is suitable housing for those who are older, and highlights the importance of good local services accessible by public transport, particularly for those people who may no longer be able to drive a car (or who prefer not to). The poor public transport provision in the Parish is detailed below in para. 8.63.

2.10 As one would expect for a largely rural Parish, the percentage of households with no access to a car or van is very small – 7.8%, compared to 13.6% for Lichfield District, 24.7% for the West Midlands and 25.8% over England as a whole. The percentage of households with more than one car per household is higher than all the above areas, too.

(Source of all information in this section: ONS Neighbourhood Statistics – Economic Activity, Car and Van Availability, Age Structure - Hammerwich Ward – Census 2011)

### 3 Planning Framework

3.1 Neighbourhood Plans are prepared by identifying local community ambitions whilst also paying due regard to national and European legislation. This includes European law on environmentally sensitive sites such as Cannock Chase Special Area of Conservation (SAC), and national planning advice, such as the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).

3.2 Neighbourhood Plans must be in general conformity with the strategic policies of an adopted Local Plan, and they are examined against this adopted document. For Lichfield District this means the Local Plan Strategy 2008-2029, which was adopted in February 2015. A Local Plan Allocations document was adopted in July 2019. However, LDC is currently working on a ~~Local Plan Review~~Local Plan 2040 for the period 2018-2040. A significant driver for this ~~Review~~review is the District's commitment to investigate the options for providing part of the West Midlands conurbation's assessed housing need. The latter is unable to provide sufficient land within its boundaries to meet this need. LDC has reached an advanced stage in the preparation of the ~~Review~~review<sup>1</sup>, and so, in order that the Neighbourhood Plan remains up to date, the Parish Council has ensured that the Neighbourhood Plan's policies are in general conformity with the policies in the Review, as well as the 2015 adopted document. Whilst there is a risk that the Review policies could still change, the risk is mitigated by:

- (i) the likelihood of a major change in policy direction at this advanced stage being relatively small;
- (ii) close liaison with LDC at all stages of both the Neighbourhood Plan's and the Review's progress; and
- (iii) the much greater risk that this NP, upon being "made" or adopted, becoming almost immediately obsolete, as the new Local Plan's policies would have more weight. The new Local Plan also benefits from a more up to date Green Belt Review, published in 2019, and other relevant evidence base material, produced after the current Local Plan Strategy had been adopted. This new evidence material has also been cited in this Neighbourhood Plan.

3.3 The period covered by this Neighbourhood Plan is therefore 2018-2040, so that it aligns with the Local Plan Strategy Review. This will ensure that the LDC evidence base used is for the same time period as this Plan. The Basic Conditions Statement which accompanies this Plan sets out how each of this Neighbourhood Plan's policies conform with the relevant parts

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<sup>1</sup> At the date of the publication of the Hammerwich Neighbourhood Plan examination report (31 August 2021) consultation under regulation 19 on the Local Plan 2040 had concluded (30 August 2021) and the document had not yet been submitted for examination.

of both the current Local Plan Strategy and the ~~Local Plan Review~~Local Plan 2040 (as it stood at the time this Neighbourhood Plan was Submitted to LDC).

3.4 The process to develop a Parish Neighbourhood Plan began in March 2014 and a significant proportion of the population of Hammerwich has engaged with the process to provide an evidence base, which has been used to identify key issues and form the basis of the Plan policies. A Parish Survey was undertaken in summer 2014 and the results of this form a key part of the evidence base for this Plan. The key findings are set out below under “Consultation”, the full results of this Survey can be found in the Evidence Base Document accompanying the Plan, and details of how the Survey was undertaken are given in the Consultation Statement.

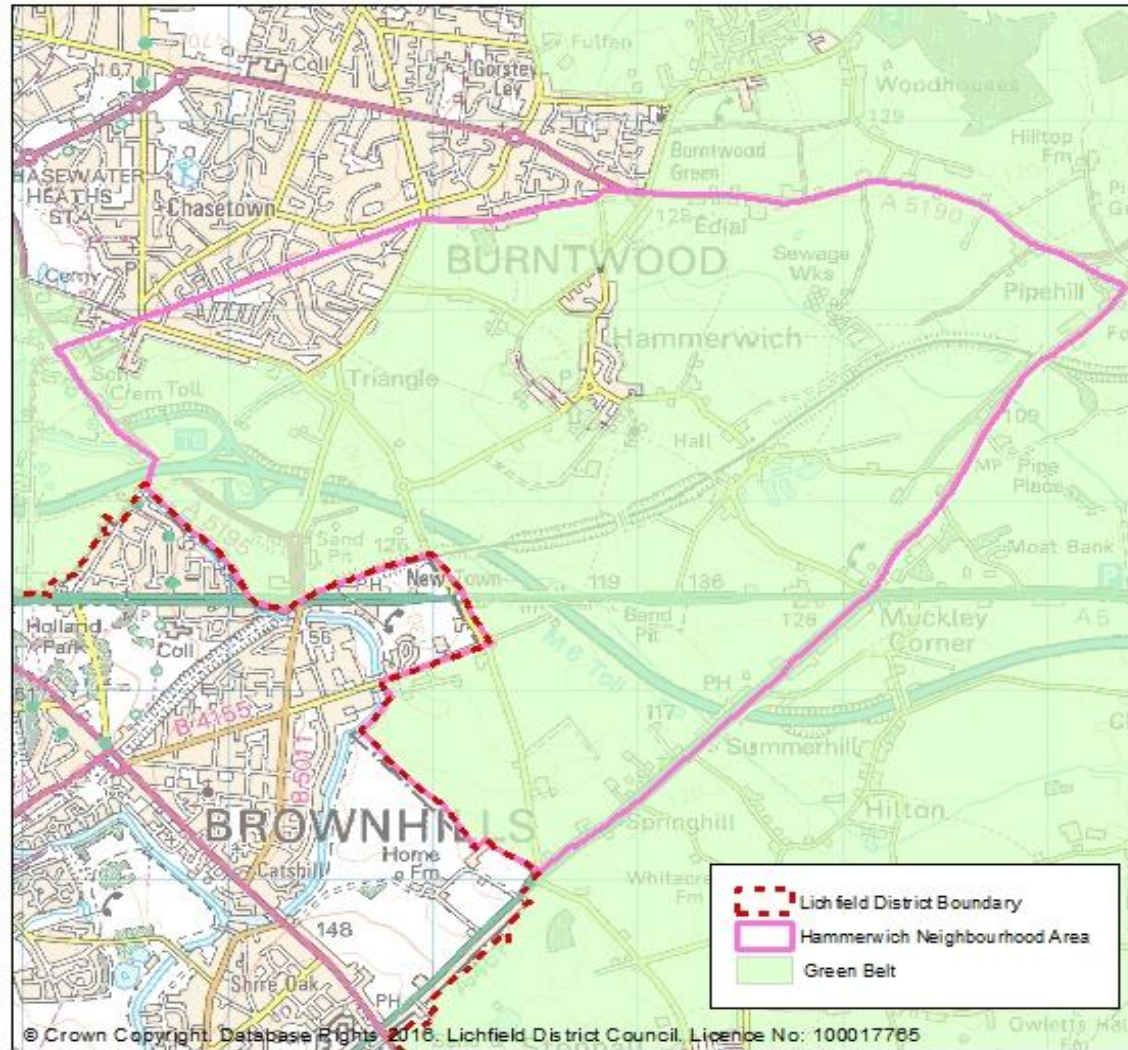
3.5 The Plan identifies local issues within the Parish and proposes policies which will be a material consideration when LDC determines planning applications.

3.6 The area of the Parish is approximately 9 km<sup>2</sup>. As can be seen from the Green Belt map (Map 2 below), much of the Parish lies in designated Green Belt, of which a significant proportion is farmland. Currently, the land use of the Parish is a mixture of farming, residential, retail and commercial.

3.7 Future development in the Parish will need to strike a delicate balance between identified constraints and the need to remain sustainable, in order to ensure that it meets the needs of local people in the future.

3.8 Unit 15 of the Chasewater and Southern Staffordshire Coalfield Heaths Site of Special Scientific Interest (SSSI) lies in Hammerwich Parish (see Map 3). It is nationally important for its wet and dry lowland heath with dwarf shrubs. It is a priority habitat for nature conservation and needs protection from development to ensure no further loss. The SSSI forms part of an ecological network between Cannock Chase to the west of the Parish and Sutton Park to the south and links between habitats are essential to allow the movement of species. Biodiversity within the Parish needs protecting and enhancing in line with ~~Lichfield District Council's Biodiversity Strategy and~~ the Staffordshire Biodiversity Action Plan. This is important not only for its intrinsic value but also for its role in promoting sustainable development and a sense of wellbeing.

## MAP 2 - THE EXTENT OF GREEN BELT DESIGNATION IN THE PARISH

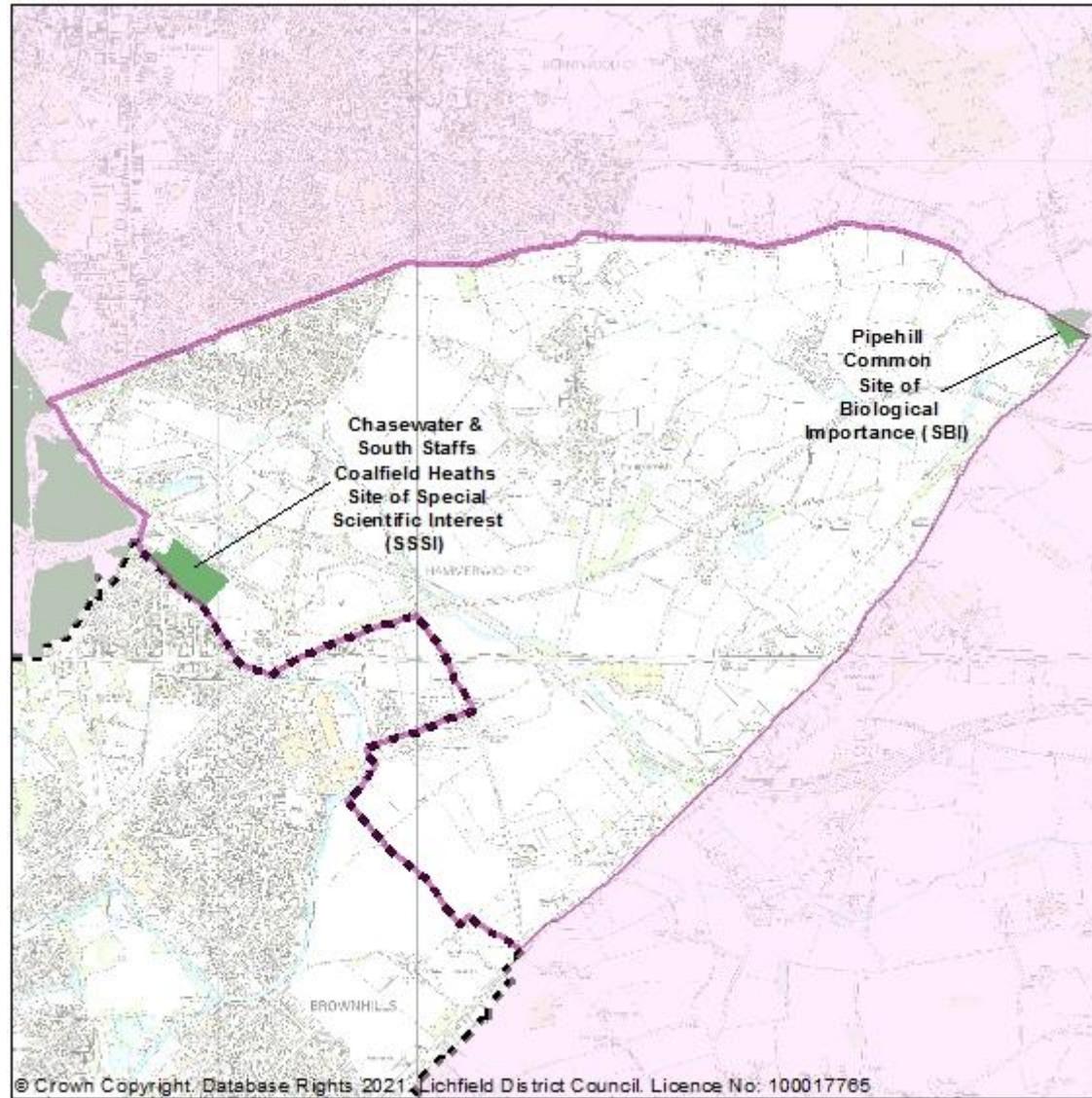




3.9 Pipe Hill Common Site of Biological Importance (SBI) is a small remnant of lowland heath, which is also classified for its biological importance. Lowland heath is rare across the world and 80% of the UK's habitat has been lost. Some areas were destroyed locally for the construction of the M6 Toll Road.

3.10 The Parish also lies within the Forest of Mercia area, and a substantial length of the Lichfield Canal traverses the Parish too. The re-opened towpath, towpath hedgerow, and restored canal channel of the Lichfield Canal contributes to the biological value of the area. Work progresses to improve this further, through the work of the Lichfield & Hatherton Canals Restoration Trust, whilst work has already been undertaken at Muckley Corner and the towpath leading westwards from the north side of the Boat Inn, over the Crane Brook, and to the M6 toll aqueduct. Local Plan Strategy Core Policy 13 – Our Natural Resources -states: “The District Council will support the safeguarding of our ecological networks, including... the Forest of Mercia... [and] the project associated with the restoration of the Lichfield Canal...” The Local Plan Allocations document (adopted July 2019) Policy IP2 safeguards the line of the Lichfield Canal. This is reiterated in [Local Plan Review Local Plan 2040 Strategic Policy ONR48](#). The Forest of Mercia and the Lichfield Canal both provide connected corridors for wildlife (see paras 9.7 and 9.8 below) and are identified as areas where there is “connectivity stress” (factors or features that work against the easy movement of wildlife).

### MAP 3 - THE SITE OF BIOLOGICAL IMPORTANCE AND THE SITE OF SPECIAL SCIENTIFIC INTEREST IN THE PARISH



3.11 Neither the Local Plan Strategy nor the [Local Plan Review Local Plan 2040](#) propose any growth areas or large-scale development within the Parish. Hammerwich Village is regarded as one of the non-specified rural villages in the Local Plan Strategy and a ‘Smaller Rural Village’ in the [Local Plan Review Local Plan 2040](#). The Local Plan Strategy - Vision for Rural Areas – states: “In smaller villages flexibility will be given to local communities to allow small scale development to meet local needs through locally prepared plans” and [Local Plan Review Local Plan 2040](#) Local Policy [OR1-SSV1](#) is similar in its wording.

3.12 In the Parish Survey, maintaining the extent of the Green Belt was identified frequently in responses. National Planning Policy Framework (NPPF) paras [145](#) [149](#) and [146–150](#) set out the limited range of developments that may be permissible in the Green Belt.

The [Local Plan Review Local Plan 2040](#) is supported by the Green Belt Review (September 2019). (The current Local Plan Strategy is underpinned by an older Green Belt Review, now superseded.) The Green Belt Review assesses various parcels of Green Belt land in the District against the functions of Green Belt. These functions are set out in para [134–138](#) of NPPF, and are:

- a) To check the unrestricted sprawl of large built-up areas;
- b) To prevent neighbouring towns merging into one another;
- c) To assist in safeguarding the countryside from encroachment;
- d) To preserve the setting and special character of historic towns; and
- e) To assist in urban regeneration, by encouraging the recycling of derelict land and other urban land.



3.13 The Local Plan Review Local Plan 2040 does not propose that any land is taken out of the Green Belt in the Parish. Now that the Green Belt Review has taken place, as part of the preparation of the Local Plan Review Local Plan 2040, the Green Belt boundaries must now remain permanent in the long term. This is in accordance with para 136-140 of the NPPF:

*“Strategic policies should establish the need for any changes to the Green Belt boundaries, having regard to their intended permanence in the long term, so that they can endure beyond the plan period.”*

On this understanding, the Neighbourhood Plan’s policies have been prepared to be in general conformity with the Local Plan Review Local Plan 2040’s strategic policy as it, in turn, conforms to the NPPF.

3.14 The Local Plan Strategy makes no new housing allocations in the unnamed rural villages, but Policy OR1 of the Local Plan Review Local Plan 2040 makes it clear that Lichfield District Council is seeking, over the duration of the Local Plan period, provision for 566 new dwellings in the ‘smaller rural villages’ and wider rural areas. This 566 is made up of 366 existing commitments (developments that already have planning permission) with a further 200 to come forward as neighbourhood plan allocations. Given the large number of ‘smaller rural villages’ in the District – over 20 of which have a neighbourhood plan either in preparation, like Hammerwich, or already “made” (adopted by LDC) - each settlement would only need to supply a very small number of new homes over the Plan period for this requirement to be met.

3.15 Local Plan Strategy Core Policy 6 – Housing Delivery – and Local Plan Review Local Plan 2040 Strategic Policy OHF1 12 both state that in the “Smaller Rural Villages” only the following residential development will be permitted:

- Infill development within defined village settlement boundaries [a defined boundary for Hammerwich is formally established by Policy VB1 below];
- Affordable housing delivered through rural exceptions (these are explained in Local Plan Strategy Policy OHF4H2: Affordable Housing);
- Changes of use and conversion schemes;
- Development supported by local communities identified through neighbourhood plans or through the subsequent Allocations document [this is currently the July 2019 document];
- Dwellings for agricultural, forestry and other occupational workers within the rural areas.

3.16 Given this policy context, it is considered that the right approach for this Neighbourhood Plan should be to be positive and recognise the need for appropriate housing development in the Parish, but because of the constraints to development

outlined above (Green Belt, SSSI site, SBI site, etc.) these developments should be within the settlement boundaries, subject to meeting criteria that prevent harm to the amenity of the residents and which also take into account other planning considerations such as the impact on local infrastructure.

## 4. Consultation

4.1 The activities the Steering Group undertook to engage the groups and individuals in the Parish are set out in more detail in the Consultation Statement which accompanies this Plan. Of fundamental importance to this work was the sending out of a Parish survey questionnaire in summer 2014, the analysis of which forms a primary evidence base document for this Plan. Key findings are set out in the following sections, linked to the Policies which flow from them. The Evidence Base Document (published alongside this Plan) also includes summaries of comments from the Survey's questions, which capture more precisely the concerns of local residents, albeit that not all refer to planning matters. Other evidence base sources are acknowledged within the text – mainly documents produced by Lichfield District Council as evidence base for their Local Plan Strategy 2015 and the current ~~Local Plan Review~~Local Plan 2040 - and are reproduced in more detail in the Evidence Base Document where necessary.

## 5. Objectives and Vision for Hammerwich Parish

### KEY POINTS FROM THE PARISH SURVEY

- Protection of the Green Belt, public open spaces, parks and the openness of the countryside, of the buildings that help to give the Parish its character, and of key views across the landscape.
- Maintaining local facilities – especially as some of these had recently been lost – and, if possible, improving provision;
- Being able to influence the amount of housing development in the Parish, the types of housing within the developments, their location and their design;
- Concerns on even small developments causing traffic difficulties, given the narrowness of some lanes in the Parish;
- Poor public transport;
- Support for local recreational projects

5.1 These can be turned into 6 OBJECTIVES for this Neighbourhood Plan:

## **THE OBJECTIVES**

- 1) To maintain local facilities, encourage the replacement of lost facilities, and the provision of new ones.**
- 2) To influence the size of new developments, particularly housing, its location in the Parish, and the types of housing built.**
- 3) To ensure that the very narrow lanes of the rural part of the Parish are not subjected to levels of traffic that will cause safety and congestion problems.**
- 4) To improve public transport provision.**
- 5) To protect the openness of the Parish, particularly the Green Belt, public open spaces, parks, the identified Special Views across the Parish, and buildings that help to give the Parish its character.**
- 6) To support local recreational projects.**



5.2 From the main issues that came out of the Parish Survey, the Steering Group has tried to distil a Vision of how the community would want to see Hammerwich Parish at the end of the Plan period:

**THE VISION**

**By 2040, Hammerwich Parish will continue to be extensively covered by the Green Belt designation. New developments within the development boundary of Hammerwich Village will have been well-designed and well integrated into the Village, and will not have taken the narrow road network beyond its capacity. In Triangle Ward, new development will have contributed to enhancing the area and the facilities available to local residents. Existing features such as parks, footpaths, and the Lichfield Canal will have been enhanced for recreational use, and the Lichfield-Walsall line reinstated as a transport link. Any development permitted in the Green Belt will have been small-scale, supportive of local rural businesses, and will not have adversely affected the openness of the countryside, or key views across the Parish to Lichfield Cathedral.**

The following matrix shows how these six Objectives have underpinned the Policies of the Plan:

	OBJECTIVE					
	1 Local Facilities	2 Type, Size and Location of Development	3 Traffic	4 Public Transport	5 Openness and Green Belt	6 Local Recreational Projects
POLICY						
CF1	●					
VB1					●	
H1		●				
H2		●				
T1			●	See para 8.6 and Appendix 1		
<del>T2</del>			●			
<del>T2</del> <del>T3</del>						●
<del>T4</del> <del>T3</del>						●
LEnv 1					●	
LEnv 2					●	
LEnv 3					●	
LEc1		●				
Ed1	●					

5.3 Having noted the main Issues the people of the Parish have identified, the rest of the Plan puts forward realistic development planning **POLICIES** that work together with the District Council’s policies to help achieve the Vision above.

# The Policies

## 6. Parish and Community Facilities

6.1 The Parish Survey responses clearly showed residents' desire to preserve and develop, where possible, local services and facilities to ensure that the Parish is a thriving and sustainable community.

6.2 Hammerwich Parish has ~~the following~~ a wide range of community facilities and amenities available within easy walking distance of residents throughout the Parish.

### ~~FROM HAMMERWICH VILLAGE~~

- |                                       |  |
|---------------------------------------|--|
| <del>Bowling Green</del>              | <del>Church</del>  |
| <del>Youth &amp; Community Hall</del> | <del>Hammerwich Cricket Club</del>                           |
| <del>Women's Institute Hall</del>     | <del>Football Club</del>                                     |
| <del>Care Home</del>                  | <del>Leisure classes</del>                                   |
| <del>Environment group</del>          | <del>Street lighting in village and partially on lanes</del> |

~~The following facilities and amenities are within easy walking distance~~

### ~~FROM OTHER PARTS OF THE PARISH (MAINLY TRIANGLE WARD):~~

- |                                |                               |
|--------------------------------|-------------------------------|
| <del>Chinese Takeaway</del>    | <del>Fish and Chip Shop</del> |
| <del>Dog Kennels/Groomer</del> | <del>GP Surgery</del>         |
| <del>Football Club</del>       | <del>Indian Restaurant</del>  |
| <del>Pharmacy</del>            | <del>Petrol Station</del>     |
| <del>Public House</del>        | <del>Post Office</del>        |

~~Chinese Takeaway~~

~~Vehicle Servicing~~

~~Leisure Classes~~

~~Butchers~~

~~Church~~

~~School~~

~~Fish and Chip Shop~~

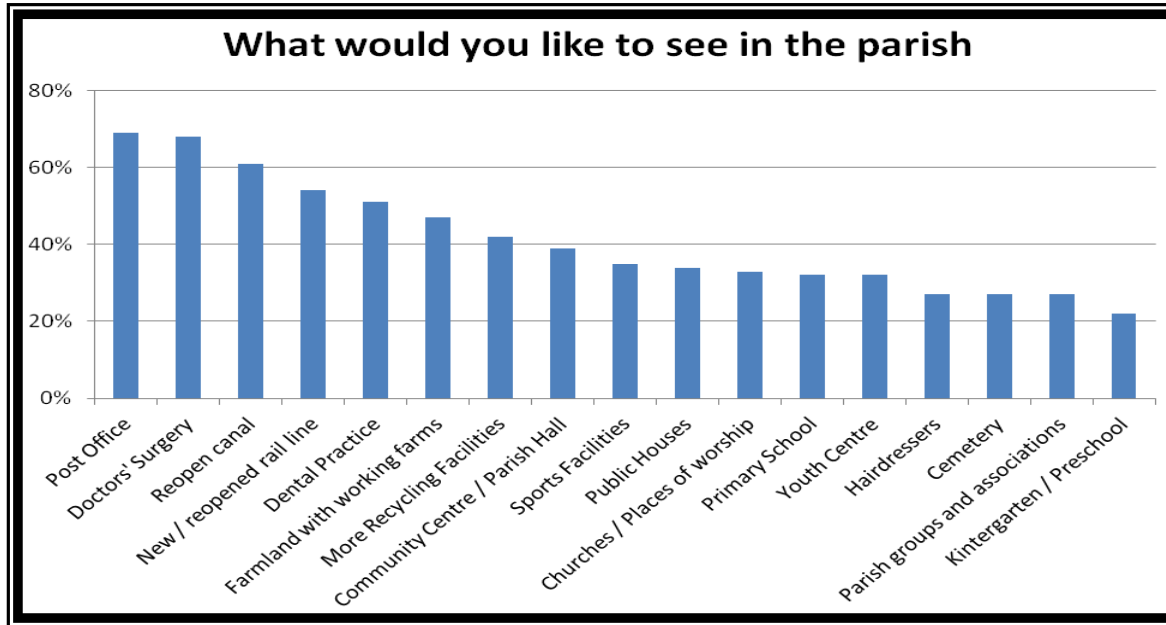
~~Small Supermarket~~

~~Vet~~

~~Dentist~~

~~Funeral Service~~

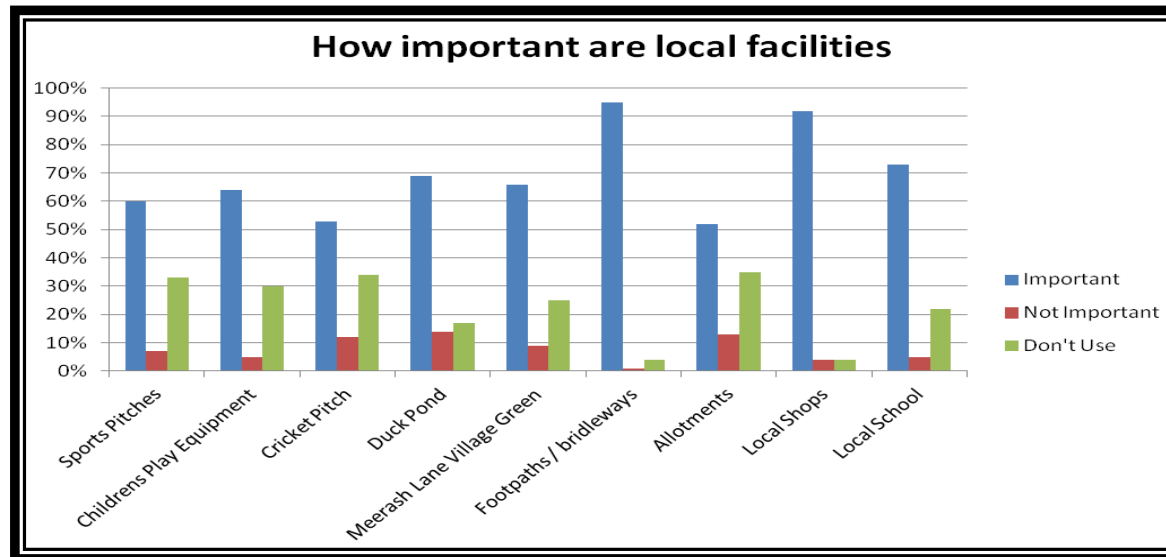
~~Opticians~~



**Fig 1: What would you like you see in the Parish**

6.3 Residents support retaining and enhancing existing facilities but have identified some extra facilities they would like to see. The two charts opposite show what facilities people want in the Parish (both those that currently exist and those that do not) and which local facilities are important to most. (Source: Parish Survey.)

6.4 Hammerwich is not well served in terms of accessible dental services but already has most of the other items noted. The community response is that these are valued facilities and should be retained.



**Fig 2: How important are local facilities**

6.5 The range of established facilities was identified as one of the attractions of living in Hammerwich and retaining/enhancing or providing these services must be embedded in this Plan.

6.6 Village/community halls are owned and operated by the Women's Institute and charitable/voluntary groups including Hammerwich Youth and Community Centre.

6.7 For younger children there are several groups in the village. However, with no youth club, there is limited provision of activities for teenagers. Village groups endeavour to include teenagers as much as possible.

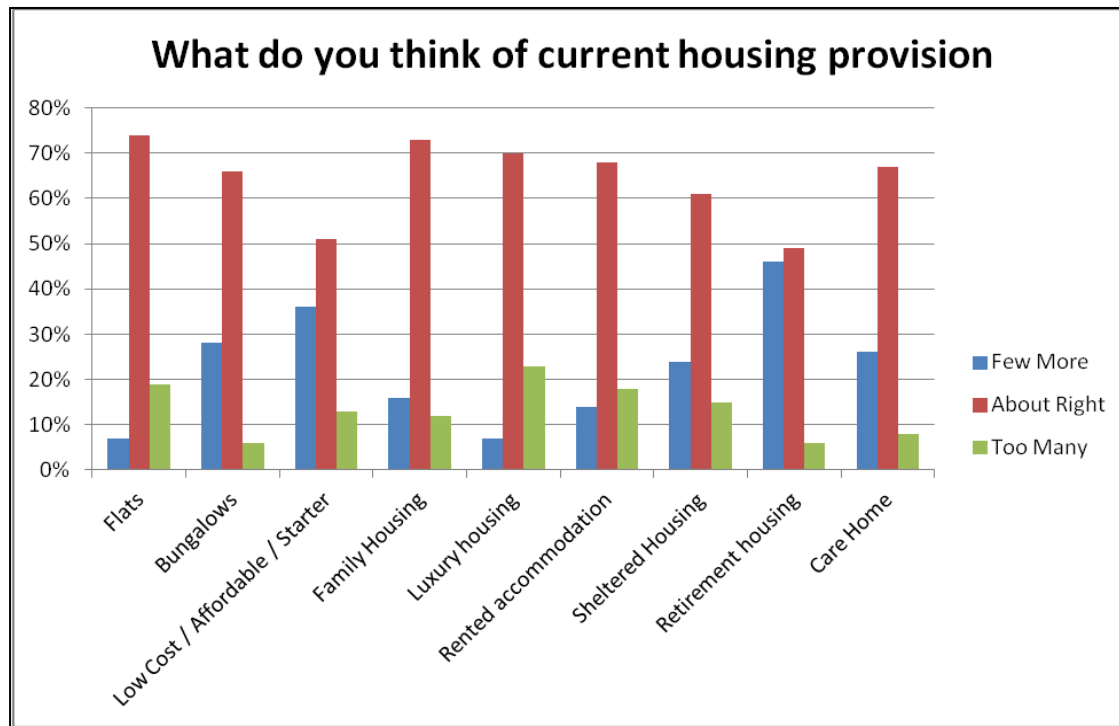
6.8 New facilities will clearly be welcomed as much as the retention of existing ones. It is appreciated that changes of use from some of these valued facilities to other uses can be achieved without the need for planning permission (from one type of shop to another, for example), but where an application is required, the following Policy should be applied.

**POLICY CF1 - PROTECTING AND ENHANCING LOCAL COMMUNITY FACILITIES**

Proposals which enhance or extend the community facilities within the Neighbourhood Plan Area will be supported where they are appropriate to their location, and do not conflict with other policies in this Plan or the Local Plan.

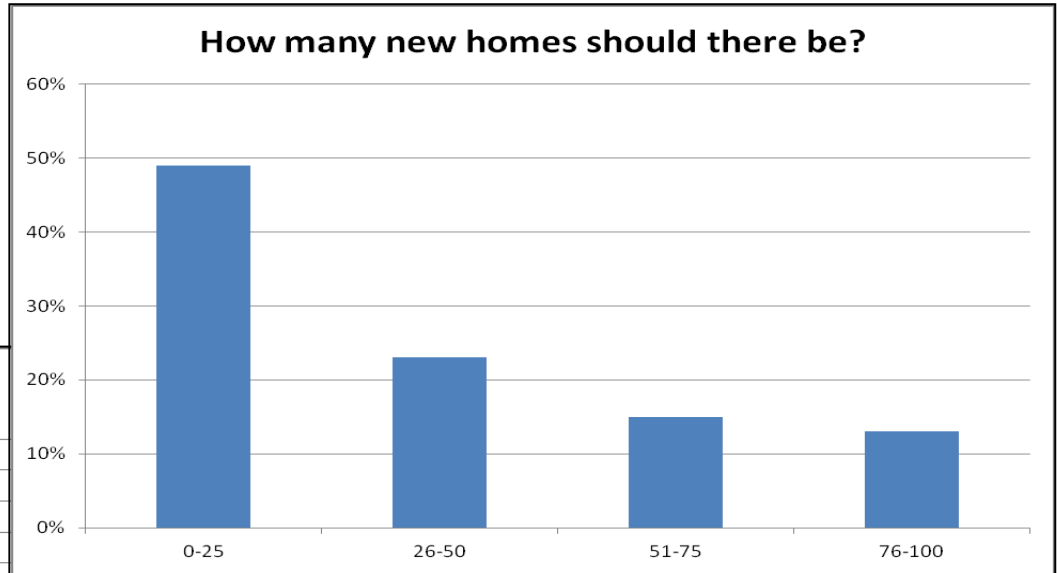
Development proposals which would result in the loss of community facilities including those within Use Class F2 will only be supported where it can be demonstrated that an equal or better facility in an appropriate location will be provided in compensation.

## 7. Housing

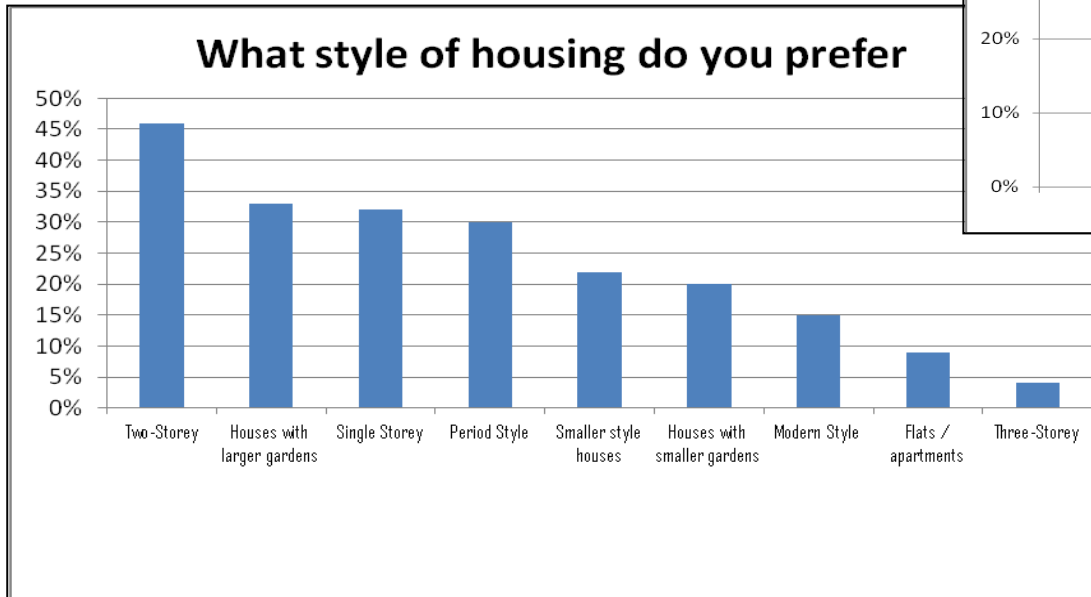


**Fig. 3 Views on the numbers needed in the Parish in the future of each type of housing.**

**Fig 4 - % of respondents in support of each range of numbers of new homes.**



**Fig.5 - Types of new homes preferred**





7.1 As can be seen from the above charts drawn from the Parish Survey, there was a variety of responses regarding the scale of house building and the style and size of accommodation that Parishioners felt would be appropriate in the future. Clearly, there is little appetite for large-scale housing development. However, this Plan conforms with the strategic housing policies of both the [adopted Local Plan Strategy](#) and [Local Plan Allocations and is consistent with the draft policies within the Local Plan Review Local Plan 2040](#), (see para 3.12 to 3.14 above) and it is acknowledged that small-scale development within the village boundary defined in Policy VB1 below would be acceptable. The results of the Survey did not give a clear indication that there was a need for one type of housing more than another, although retirement housing and low-cost/affordable/starter housing recorded the highest scorings under the “a few more” category.

7.2 Policy [OHF2-H1](#) of the [Local Plan Review Local Plan 2040](#) is based on evidence from the Housing and Economic Development Need Assessment (HEDNA – prepared by GL Hearn for Lichfield District Council and Tamworth Borough Council September 2019) and since this updates the earlier work that underpinned the Local Plan Strategy, it is this later evidence base document and [Local Plan Review Local Plan 2040](#) policy that is referenced here. Local Plan Strategy Policy H1 is similar (see Basic Conditions Statement).

7.3 Policy OHF2 makes it clear that the aim of the Council is to deliver new residential developments with an integrated mix of dwelling types, sizes and tenures in order to deliver a balanced housing market. According to LDC’s evidence, there is currently an imbalance of dwelling types within the District and so to redress this, they are actively promoting the delivery of smaller properties, particularly two and three bed dwellings. They are also promoting the delivery of supported housing and care homes to reflect the needs of the changing demographic profile of the District’s population over the Plan period, as well as ensuring new homes are built to the latest environmental standards. Given the higher-than-average percentage of older people in the Parish (see para 2.8) this is especially relevant to Hammerwich. The provision of units which allow for home-working will also be supported, particularly in the rural communities. Given the higher-than-average number in the Parish who are self-employed (see para 2.7 above), this support is welcomed in Hammerwich Parish.

7.4 The [Local Plan Review Local Plan 2040](#) sets out the housing mix that will be required to meet the forecast demand to 2040, based on the evidence from HEDNA 2019:

	One Bed	Two Bed	Three Bed	Four Bed+
Market Housing	5-10%	30-35%	45-55%	5-15%
Affordable (Owned)	10-20%	40-45%	30-40%	5-15%

	One Bed	Two Bed	Three Bed	Four Bed+
Affordable (Rented)	20-30%	25-35%	35-40%	5-10%

7.5 The Lichfield Rural Housing Needs Survey (2015) identified that size of dwelling was the main reason given in relation to residents finding their property unsuitable for their needs. The Rural Housing Needs Survey results also demonstrated that there was greatest demand for two and three bed properties, particularly by newly forming households. Given the evidence from both the Parish Survey and from LDC's own evidence base, Policy H1 below sets out the Parish's position on housing provision in the Parish.

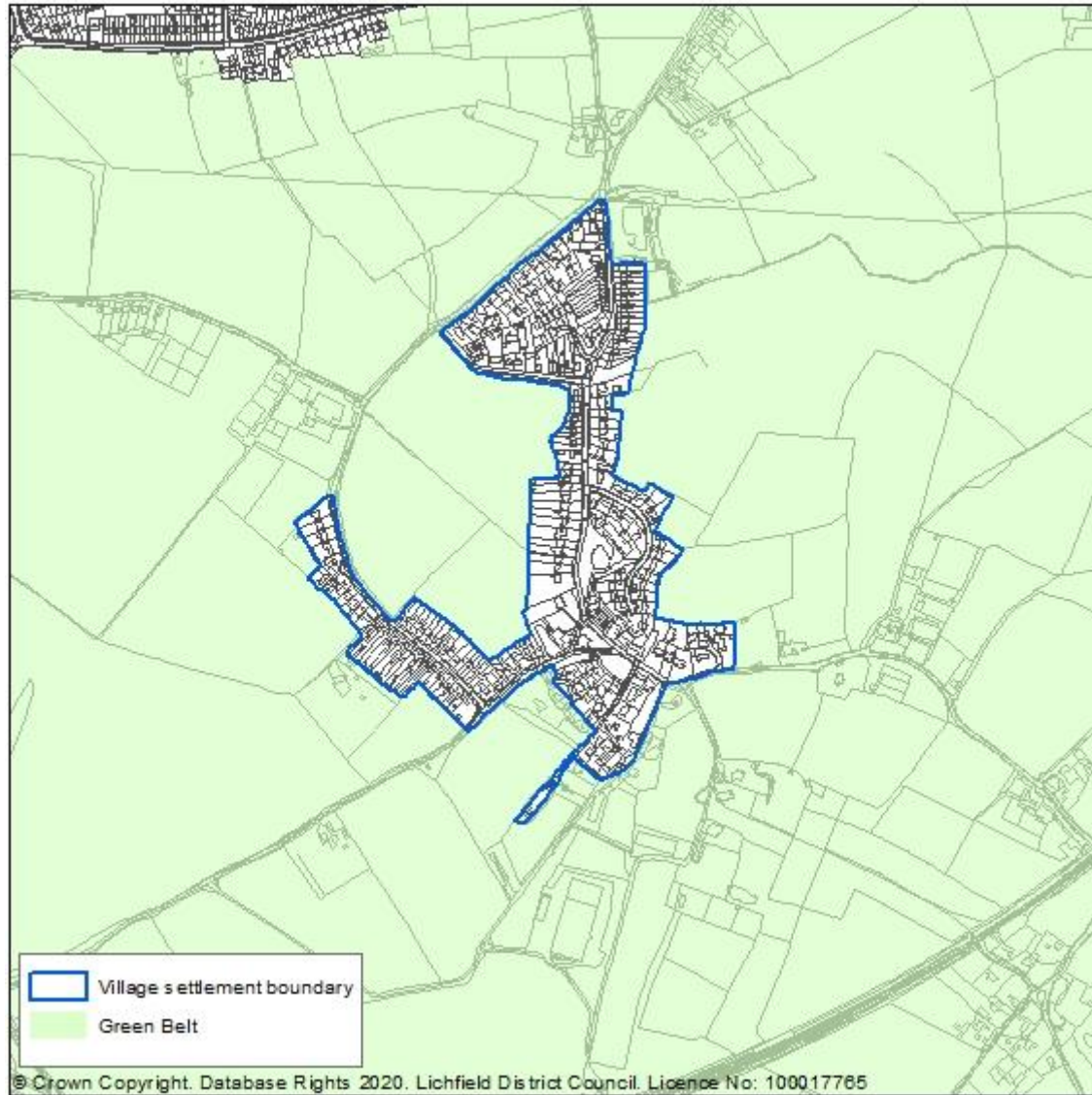
7.6 Unlike some areas where there is a strong unifying style or character to the local buildings, perhaps due to the widespread use of a locally occurring building material, this is less the case in Hammerwich. Therefore, rather than trying to match a settlement-wide style of new development, it is more important that any new housing development respects the style and scale of its neighbours.

7.7 Clearly, the design, location and impact of any development is critical if the Green Belt setting and rural nature of much of the Parish is not to be compromised. The policies in this section and in subsequent sections are designed to achieve this.

7.8 The extent to which sites in Hammerwich Village could be considered for development (as long as they meet the provisions of this Neighbourhood Plan and those of the Local Plan) is currently reliant upon the Green Belt boundary that surrounds it. It allows infill sites within the Village (and outside the Green Belt) to be developed in the future. The Parish feels that this extent is the right area to meet the needs of the future without overwhelming local roads and changing the character of the Village. In order to formalise this, and to separate the Village's definition from that of the Green Belt, the designation of a Village Boundary is formally established by Policy VB1 and Map 4 below. This will help to avoid confusion over where Village-specific policies within this Neighbourhood Plan (such as H1, T1 etc. below), and Local Plan Strategy Core Policy 6/~~Local Plan Review~~Local Plan 2040 Strategic Policy ~~OHF1-12~~ and Local Plan Strategy Policy Rural 2/~~Local Plan Review~~Local Plan 2040 Local Policy ~~OR1-SSV1~~ should be applied.

#### **POLICY VB1 - VILLAGE BOUNDARY OF HAMMERWICH VILLAGE**

**The village boundary of Hammerwich Village shall be as shown on Map 4 below.**



**MAP 4 VILLAGE SETTLEMENT BOUNDARY**

7.9 Whilst the Parish does not lie in an area of major flood risk (see Southern Staffordshire Councils Level 1 Strategic Flood Risk Assessment Final Report October 2019 - within LDC evidence base) a problem has been identified by the Parish, particularly in Hammerwich Village, of surface run-off from the surrounding land causing localised flooding. Hall Lane was one location mentioned in the Public Consultation events held in 2018 on the First Draft of this Plan. There is concern that new development, even individual new residential properties, can alter local drainage patterns. Dealing with the existing problem locations is an aim of the Parish, through negotiation, and through the use of funds such as the Community Infrastructure Levy (CIL). Meanwhile, it is important that any new development (housing or other use) incorporates measures – preferably Sustainable Drainage Systems (SuDS) - so as not to exacerbate the problem for other properties, whilst protecting the development itself from flooding. Local knowledge on drainage patterns should be sought in assessing what mitigation measures might be required. The Parish Council can often be a useful “first point of contact” for this.

7.10 New housing development should meet the standards set out on LDC’s “Sustainable Design Supplementary Planning Document” (SPD). ~~The main parts of the SPD that are pertinent to new development in the Parish are set out in the first part of Policy H2 below.~~ In the light of the sensitivity of sites bordering onto Green Belt land, and the narrow lanes in the rural parts of the Parish (see Transport section below), additional considerations are set out in the second part of the Policy.

#### **POLICY H1 - NEW HOUSING DEVELOPMENT – SITING AND MIX OF HOUSING TYPES**

**New small-scale infill housing development and conversions will be supported on suitable sites within Triangle Ward and within the Hammerwich Village designated village boundary (see Policy VB1 above).**

**Development on such sites should seek to provide, where appropriate, accommodation suitable for older people – such as bungalows, properties constructed to lifetime homes standard, supported housing or care homes. Where a site is large enough to support a mix of housing types, accommodation **suitable** for older people should form a part of the development, unless there are overriding viability reasons why this is not feasible.**

**Affordable housing should be provided in accordance with Lichfield Local Plan Strategy Policy H2 (or its replacement in the ~~Local Plan Review~~Local Plan 2040). These should be predominantly 2 or 3 bedroom houses, unless local need evidence suggests other types of home are required.**

## POLICY H2 - HOUSING DEVELOPMENT DESIGN

~~Due regard should be paid, in all development proposals, to adopted local design policy and supporting supplementary planning documents including the Sustainable Design SPD or any replacement document. In particular, the proposed development shall~~ **All new development will be expected to:**

1. complement adjoining land uses;
2. have good access to sustainable forms of transport;
3. define clearly public and private areas;
4. maintain and/or improve footpaths and access points, and provide for easy access for people with disabilities into and around the site;
5. provide sensitively designed, high quality, street furniture where this is necessary for the development;
6. provide adequate storage for bins, recycling and cycles;
7. incorporate additional roads (if these are needed) that are designed to reduce vehicle speeds;
8. provide for sustainable drainage methods where this is feasible and desirable; and
9. incorporate charging points for electric vehicles convenient to the parking spaces.

**(Policy H2 continued overleaf)**

### **POLICY H2 continued**

**b) In addition to the SPD requirements, the development shall:**

10. relate well to surrounding land and buildings in style, scale and mass, and be landscaped and designed to minimise the impact on views from open countryside;
11. not have a detrimental effect on local facilities such as public footpaths, playing fields and public open spaces unless adequate mitigation in the form of compensatory facilities is provided;
12. make positive use of site characteristics e.g. topography, trees, hedges, natural habitats etc;
13. provide sufficient off-road parking for residents and visitors **(see Policy T2 below)**; and

14. not give rise to an increased risk of localised flooding, and must not increase levels or rates of surface water run-off from the developed site. **Local knowledge should be sought on drainage patterns.**

**e)** Buildings with more than two storeys will only be permitted if the impact on surrounding properties is acceptable and there is no detrimental impact on key views across the Parish **(see also Policy LEnv2 below).**

**d)** Developments of suitable unused farm buildings for barn conversions etc. will be supported where these are modest and unobtrusive.

**See also Policy T1 below.**

## 8. Traffic and Transport

### *Development and Traffic Levels*

8.1 In the Parish Survey, respondents raised concerns about speeding vehicles and the volume of vehicles that travel within the Parish. Further concerns were expressed in respect of parking problems and the size of vehicles using narrow lanes and roads within the area. It is, therefore, reasonable to expect a Transport Statement to be prepared for proposed developments, where appropriate, to assist in the consideration of highway matters whenever there is likely to be a significant impact on the local roads. Bearing in mind some lanes in the Parish are single track or of sub-standard width, even a relatively small development might have a disproportionate impact on highway safety and traffic flow. (See Planning Practice Guidance “Travel plans, transport assessments and statements in decision-taking” para 013, reproduced in the Evidence Base Document accompanying this Plan). The Transport Statement will enable the Highways Authority (Staffordshire County Council) to make a decision as to whether the applicant will be required to fund highway improvements or not, and make a recommendation to Lichfield District Council who, as Local Planning Authority, will decide the application. A Transport Statement is a simpler version of a full Transport Assessment, and it is likely to be more appropriate for the smaller-scale developments envisaged in the Parish.

8.2 A County Council traffic survey, undertaken in early 2014, suggested that any speeding problem is perceived as being greater than in reality but, given the response from residents, it is important that the Neighbourhood Plan acknowledges this perception, and provides policies to ensure that future development does not add to the problem. Conversely, any highway measures that would improve the situation would be welcomed (see also Policy H2(a) point 7 above).

### *~~Vehicle Parking~~*

~~8.3 — Parking is also an issue in parts of the Parish with narrow local roads and properties which have no off-street parking facility. Whilst there is little that can be done to improve the arrangement within existing residential areas, it is a consideration for future development within the Plan area. Whilst Lichfield District Council has parking standards in its Sustainable Design Supplementary Planning Document these date from December 2015, and do not necessarily make provision for the much higher car ownership rates in rural areas like Hammerwich Village which has no public transport provision. The LDC Rural Settlement Sustainability Study 2016 (table 4.11) (reproduced in Evidence Base Document accompanying this Plan) states that the average number of vehicles per household in the Village is just under 2. In addition, there have been other social trends emerging in recent years that have resulted in higher numbers of vehicles per household and the need to accommodate them off-street. These trends include: more home working (so cars are parked at home for greater periods of time); and the phenomenon of working siblings still living at home due to a lack of~~

affordable property (see para 7.4 above and the results of LDC's Rural Housing Needs Survey 2015) and having to own a car where public transport is poor.

8.4— Because of the higher levels of car ownership necessary in the Village, where there is no public transport at all, and the trend towards higher ownership elsewhere in the Parish in many existing residential areas, higher parking standards than those in the LDC are set out in Policy T2 below. The same LDC standards cover a wide range of circumstances in the District, from dense town centres to isolated villages, and so standards better tailored to the mainly rural, and partly suburban, nature of the Parish are necessary. There is flexibility built-in to the Policy, allowing higher or lower standards to be applied, if necessary, according to the local highway capacity at each location where a planning application is made. For residential care homes, the LDC standards should be applied.

8.5— General practice around the country\* tends to permit garage spaces to be considered as part of the off-road provision of parking space (though many are used by households for storage) as long as there is adequate space for a vehicle and a small area of storage (for cycles, for example). This means a minimum floor area of 7m by 3m measured internally.

#### **POLICY T1 – INCREASED TRAFFIC FROM NEW DEVELOPMENTS**

The impact of any increase in traffic that new developments may generate should be assessed to ensure local roads can accommodate this traffic. For developments that result in a significant increase in traffic flow along the Village's narrow lane network, satisfactory traffic management solutions or other highway improvements will need to be provided to avoid safety and congestion problems. **Where the traffic flow generated is likely to have a significant impact, a Transport Statement will be required.**

#### **POLICY T2 – PARKING STANDARDS FOR NEW DEVELOPMENTS**

**Off-street parking provision should be provided for all new housing development to the following standards:**

**1 bed home – 1 off road parking space plus 1 space per two dwellings for visitor parking where there is communal parking**

**2 bed home – 2 off road parking spaces**

**3 bed home – 3 off road parking spaces**

**4 bed home – at least 3 off road parking spaces**

**5 bed home – at least 4 off road parking spaces**

**Garage spaces will only be regarded as counting towards this off-road provision if they are a minimum of 7 metres by 3 metres, measured internally.**

**Where it can be satisfactorily demonstrated to the Local Planning Authority that there are exceptional circumstances that require the provision of more, or fewer, spaces than the above standards, permission may be granted as long as there would be no unacceptable harm to highway safety or the free flow of traffic on the highway.**



## **Public Transport**

8.63 Public transport provision is perceived to be inadequate, with 64% of those responding to the Parish Survey saying they were greatly or slightly concerned by this, at a time when the Village had a bus service, albeit an infrequent one (Route 15). In October 2016, the 15 was withdrawn, replaced by a demand responsive service – the Lichfield and Rugeley Villages Connect. Subsequently, this service was also withdrawn, so the Village is now completely unserved by bus. The 10A bus serves Highfields Road, The Triangle and Ogle Hay Road, linking to Lichfield, Burntwood, Brownhills and Walsall. With the size of development envisaged in the Parish, it is unlikely that Community Infrastructure Levy (CIL) contributions could be sought for new services. However, the Parish Council will seek to negotiate improvements to any type of public transport, as appropriate to the scale of need expressed by parishioners. This will be achieved by using sources of funding, including accumulated CIL funds available to the Parish Council, and this is recorded in Appendix 1, along with other matters for which the Parish Council will investigate funding.

## **Walking, Cycling, the Lichfield Canal and Walsall-Lichfield Railway Line**

8.7—4 Ninety-five percent of those responding to the Parish Survey said that access to footpaths and bridleways was important to them. The N5 National Cycle Route lies close to Triangle Ward and gives access to Chasewater Country Park. The Route passes through the middle of Burntwood before taking a rural lane route to the A51 Lichfield Western Bypass and on into central Lichfield.

8.8— The Parish supports a cycle link from Route N5 at its junction with the A5, north of Brownhills High School, to Lichfield via the A5 to Muckley Corner and then the A461 Walsall Road via Pipehill / Three Tuns roundabout (and thence outside the Parish to Lichfield). This would require the footpath along these roads to be marked for dual use of pedestrians and cyclists, new junction mouth markings and possibly the widening of the existing path in places. Whilst this is a longer route than if the old railway line route were to be made available for cycle use, the presence of adjacent traffic would make this route more secure (particularly at night) for all users. Improvements along the A5190 Lichfield Road from its junction at Farewell Lane to Pipehill would also be supported, connecting to the existing link to Route N5 along the A5190 Bridge Cross Road/Cannock road (see Map 5 below). The Parish Council is aware that alternatives to these proposals are being debated, and the Parish Council will consider these against the policies of this Neighbourhood Plan if they come forward.

8.9—6 Whilst the creation of any of these links, or parts of them, (and any other suitable improvements to cycle ways) through the development process is formally supported in Policy ~~T3~~T2 below, the Parish Council will also pursue other funding sources for achieving them (see Appendix 1).

~~8.10~~<sup>7</sup> The Inland Waterways Association and the Lichfield & Hatherton Canals Restoration Trust are working on proposals to re-open the Lichfield Canal, from Ogle Junction near Brownhills to Huddlesford on the Coventry Canal, with its towpath open for pedestrians and cyclists, subject to safety considerations. It is crucial that the course of the Lichfield Canal is protected, as it can potentially provide leisure and health opportunities as well as being an alternative transport facility. Local Plan Strategy Core Policy 13 - Our Natural Resources, Local Plan Allocations (adopted July 2019) Policy IP2, and ~~Local Plan Review~~Local Plan 2040 Strategic Policy ONR4 set out the District's support of safeguarding the route of the Lichfield Canal. LDC also supports the reinstatement of the Lichfield-Walsall railway line, and the Parish Council concurs with this position. The latter is likely to be a longer-term goal, and in the meantime, given the local support for countryside walking and cycling, improvements to allow interim use of sections of the line for these activities would be appropriate.

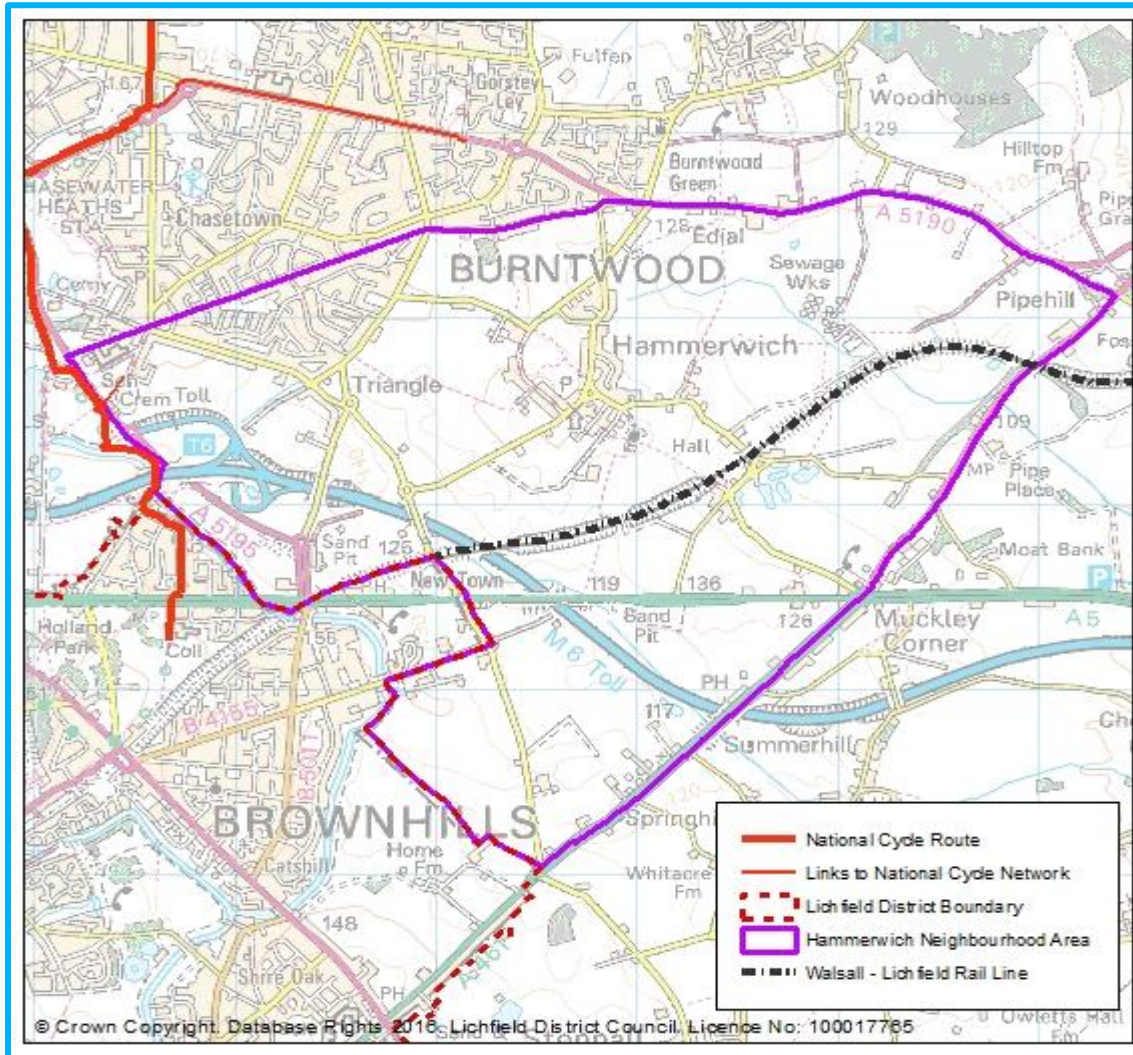
8.148 Developments should ensure disabled access where reasonably possible. (NPPF para. ~~127~~130(f)) (see Policy H2(a)(4) above).

**POLICY ~~T3~~T2 – NEW CYCLE ROUTES AND IMPROVEMENTS TO WALKING ROUTES**

The creation of new cycle and walking routes, and improvements to existing ones within the Parish will be supported, in particular those cycle paths that link to National Cycle Network Route N5. Improvements to the Lichfield Canal towpath will be supported for walkers and cyclists where this can be accommodated without harm to other recreational uses or to wildlife.

**POLICY ~~T4~~T3 – REINSTATEMENT OF THE LICHFIELD TO WALSALL RAILWAY LINE**

The Parish Council supports the reopening and reinstatement of passenger services on the Lichfield to Walsall railway line, with the provision of a new station in the Parish. In the interim, proposals for the use of appropriate sections of railway land for walking and cycling will be supported, as long as these do not prejudice the longer-term reinstatement of the line.



**MAP 5 - NATIONAL CYCLE ROUTE N5 IN THE HAMMERWICH AREA, AND THE ROUTE OF THE CURRENTLY DISUSED WALSALL-LICHFIELD RAILWAY LINE THROUGH THE PARISH**

**Photo of Towpath from Wharf Lane Bridge towards the A5**

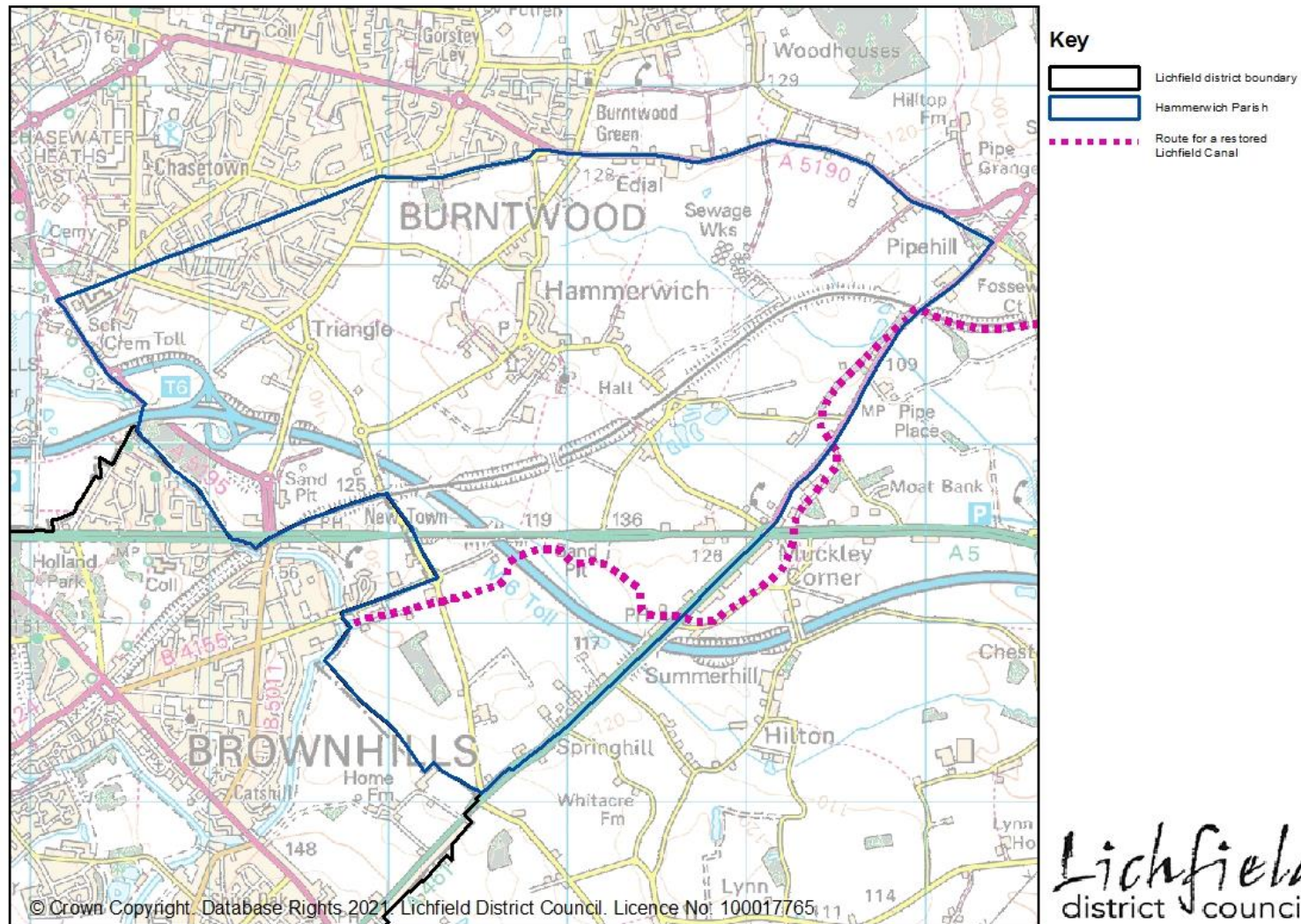


Page 76



**Photo taken showing the rail track still in situ and looking towards Hammerwich. The line closed to passengers in 1965 as a result of the Beeching cuts.**

MAP 6 - THE LICHFIELD CANAL (image courtesy of Lichfield & Hatherton Canals Restoration Trust)



For more information, see: [Lichfield Canal Restoration Feasibility Study Final Report - July 2009, prepared by Atkins;](https://www.lichfielddc.gov.uk/downloads/file/640/lichfield-canal-restoration-feasibility-study-2009)  
<https://www.lichfielddc.gov.uk/downloads/file/640/lichfield-canal-restoration-feasibility-study-2009>

## 9. The Local Environment

### *Parks and Public Open Spaces*

9.1 Overwhelmingly the community wants to retain its parks and public open space. In the Parish Survey of 2014, children's play areas were important to 64% of those responding, or their families, sports pitches to 60%, and a cricket pitch to 53%.

9.2 Thanks in part to the construction of the M6 Toll and the requirement for any open space lost to be replaced, the Parish Council owns or leases a number of accessible public open space areas. It also has sports pitches managed by other organisations such as the Cricket Club in Hammerwich.

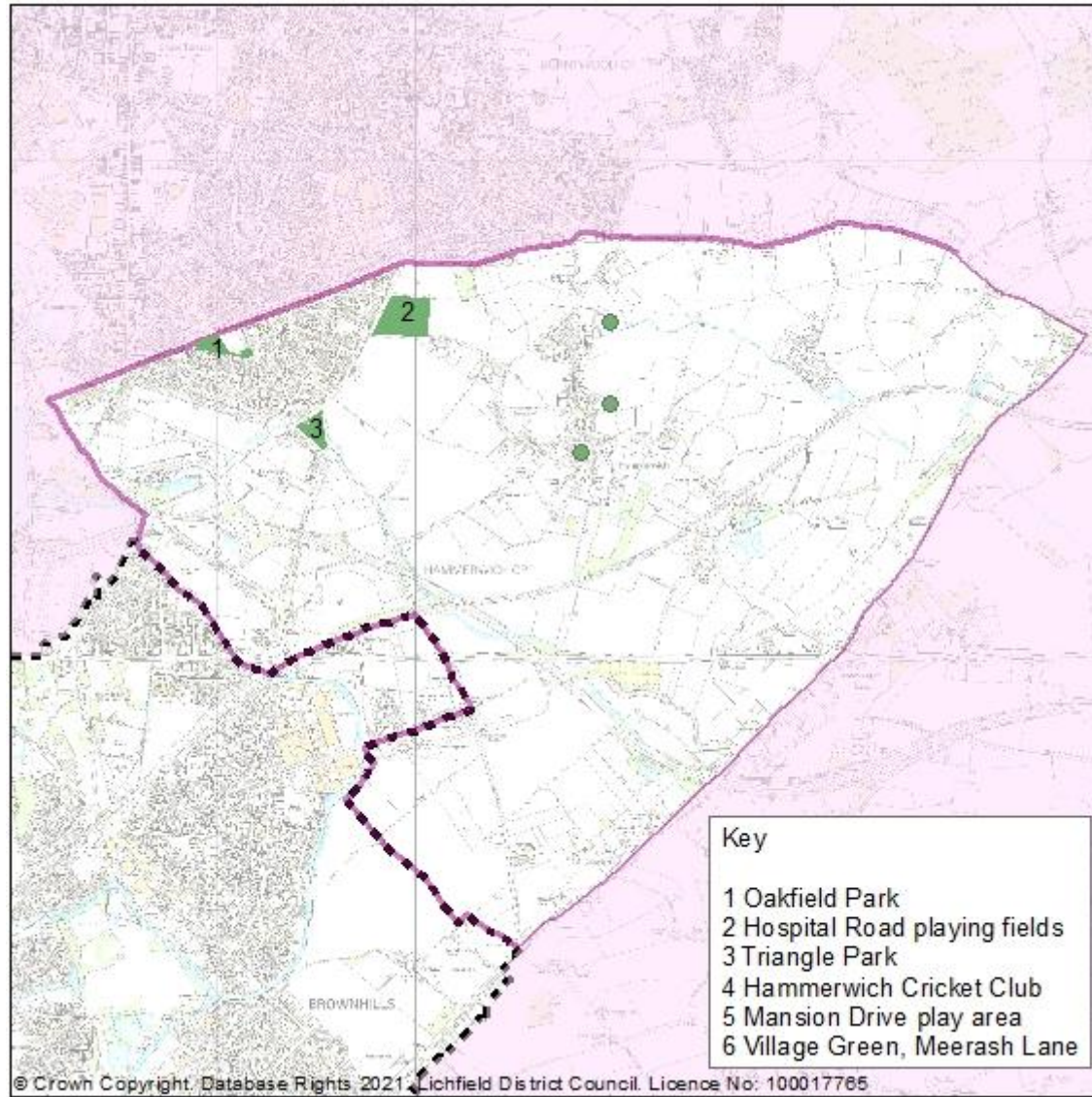
9.3 In addition to the parks identified on Map 6 below, the Parish Council leases open space from LDC at Hospital Road which is now sub-let to Burntwood Dragons & Phoenix Football Club. It owns a children's play area at Mansion Drive in Hammerwich Village and a small village green on Meerash Lane, again, in Hammerwich village. The Parish Council will investigate funding sources for improving facilities (see Appendix 1)

9.4 The Lichfield District Council Open Space Assessment (November 2016) found that the Parish – both the Village and Triangle Ward – were reasonably well served by open spaces and sports/play facilities (see extract in Evidence Base Document). The focus of Policy LEnv1 below, therefore, is their retention and maintenance as such, rather than the creation of new space, and permitting only small-scale developments that improve facilities without harming the overall openness of the space.

#### **POLICY LEnv 1 PARKS AND PUBLIC OPEN SPACES**

**In the public open spaces identified on Map [6-7](#) below, proposals of an appropriate scale that enhance the facilities for sport and recreation will be supported, provided that the openness of the space is not harmed.**

# MAP 7 - PARKS AND PUBLIC OPEN SPACES IN THE PARISH



## Open Countryside Spaces



9.5 In the Parish Survey of 2014, open spaces and countryside scored 94% and 91% respectively in the question “Which of the following do you think should be preserved as they form an intrinsic part of the Parish’s character?” The Green Belt coverage in the Parish is strongly supported, and developments which have in the past threatened the openness of Green Belt have been vigorously opposed by residents and the Parish Council.

9.6 Open spaces are vital to help relax and provide stress-free areas for local residents. Parish residents have planted 3.2 hectares of new woodlands and more are envisaged. The community has also helped to plant approximately 2.5 kilometres of new hedgerow. – (see photo opposite)

9.7 This work supports LDC’s biodiversity targets, which encourage the planting of new woodland and hedgerow, helping to provide wildlife corridors (Local Plan Strategy Core Policy 13 – Our Natural Resources/ [Local Plan Review](#)[Local Plan 2040](#) Strategic Policy [ONR415](#)).

9.8 Work is continuing on developing and strengthening the green corridor that has been created linking Hammerwich with its neighbouring Parishes. As a result, wildlife can now move between Cannock Chase, Gentleshaw Common, Chasewater Country Park, Lichfield Canal and Anglesey Branch Canal, woodlands in Hammerwich around the top of Coppice Lane, Pipe Hill Heathland, Beacon Park and through to the National Memorial Arboretum at Alrewas and the National Forest at Barton under Needwood. The local community supports the maintenance and improvement of these wildlife “stepping stones”.



9.9 With the protection afforded all these open spaces through national and local designations, it is not considered necessary to insert a Policy in this Plan that would merely duplicate existing policies and guidance. Instead, those seeking to apply for planning permission should refer to the relevant Lichfield Local Plan Strategy/~~Local Plan Review~~Local Plan 2040 Strategic Policies:

<b>Local Plan Strategy Policy</b>	<b>Equivalent <del>Local Plan Review</del>Local Plan 2040 Policy</b>
Core Policy 1 – Spatial Strategy	<del>OSS2 Strategic policy 1: The Spatial</del> <u>spatial Strategy</u> <del>strategy</del>
Core Policy 3: Delivering Sustainable Development	<del>OSC5 Flood Risk, Sustainable Drainage and Water Quality</del> <u>Strategic policy 8: Blue infrastructure, watercourses and flood risk &amp; Strategic policy 9: Water quality</u>
Core Policy 10: Healthy & Safe Lifestyles	<del>OHSC1 Healthy and Safe Communities</del> <u>Strategic policy 6: Infrastructure and services that support healthy communities &amp; Strategic policy 7: Participation in sport and physical activity</u>
Policy HSC1: Open Space Standards Policy HSC2 Playing Pitch & Sport Facility Standards	<del>OSR2 Open Space and Recreation</del> <u>Local policy INF4: Green infrastructure, open space and playing pitches &amp; Local policy INF5: New open space provision</u>
Policy NR2: Development in the Green Belt	<del>ONR1 Green Belt</del> <u>Strategic policy 11: Protecting green belt land</u>
Policy NR3: Biodiversity, Protected Species & their Habitats	<del>ONR2</del> <u>Local policy NR2: Habitats and Biodiversity</u>
Policy NR7: Cannock Chase Special Area of Conservation	<del>ONR3</del> <u>Local policy NR5: Cannock Chase Special Area of Conservation</u>
Policy NR6: Linked Habitat Corridors & Multi-functional Greenspaces	<del>ONR4 Green Infrastructure and Connectivity</del> <u>Local policy NR4: Linked Habitats, connectivity and green infrastructure</u>
Policy NR5: Natural & Historic Landscapes	<del>ONR5 Natural and Historic Landscapes</del> <u>Strategic policy 16: Natural and historic landscapes</u>

9.10 Unlike other communities, the Parish has very little allotment provision but there seems to be no identified pressure to provide such an amenity. This is possibly because the Parish has access to locally produced food and the support for working farms indicates that this is highly important in the evaluation of the Parish as a desirable place to live.

## Key Views Across the Countryside to and from Hammerwich Village

9.11 Hammerwich has two iconic vistas: (i) from the Church of St John the Baptist an uninterrupted view to Lichfield Cathedral, and (ii) views toward the Village that incorporate the Church and the Windmill (see Map 7 below). A proposal for a wind turbine was dismissed by a Planning Inspector in February 2012 (APP/K3415/A/11/2162338/NWF) who noted the attractive view of Lichfield Cathedral from the village of Hammerwich and concluded that this proposed development would have harmed visual amenity and heritage assets. Local Plan Strategy Core Policy 14 - Our Built & Historic Environment/~~Local Plan Review~~Local Plan 2040 Strategic Policy ONR5 protect the views of Lichfield Cathedral and other locally important views, the first Policy stating:

*“The skyline of Lichfield City, characterised by the five spires emerging above the roofs and tree canopy will be protected and should inform the height, scale and layout for new developments. This and other locally important views within settlements and rural locations will be safeguarded and the integration of views and vistas shaping a strong sense of place in new development layouts will also be encouraged”*

Local Plan Strategy Core Policy 14: Our Built & Historic Environment, Local

Plan Allocations (adopted 2019) Policy BE2 and ~~Local Plan Review Policy OBHE4~~Local Plan 2040 Strategic policy 17 cover the subject of development proposals that would affect heritage assets. ~~Policy OBHE4 states:~~

~~“Where a development proposal would affect the significance of a heritage asset (whether designated or non-designated) including any contribution made by its setting, it should be informed by proportionate historic environment assessments...that... explain the nature and degree of any impact on a heritage asset, in particular, on elements that contribute to their significance~~

**Hammerwich Church viewed from Pipe Hill  
(within View 1 in Map 8)**



*and demonstrate how, in order of preference, any harm will be avoided, minimised or mitigated. This may require an assessment of the impact of the proposal upon longer distance views and vistas of Lichfield Cathedral... or views identified in... neighbourhood plans...* [Parish Council's underlining]

9.12 The Parish Council have identified on site, and plotted on Map 8 below, the corridors which contain the important views across the Parish listed above. Policy LEnv2 sets out the criterion for assessing developments and their potential effect on these views. Policy H2(c) above, on generally keeping residential development to 2 storeys or lower, is linked to the achievement of Policy LEnv2.

### **POLICY LEnv 2 – PROTECTING THE KEY VIEWS ACROSS THE COUNTRYSIDE TO AND FROM HAMMERWICH VILLAGE**

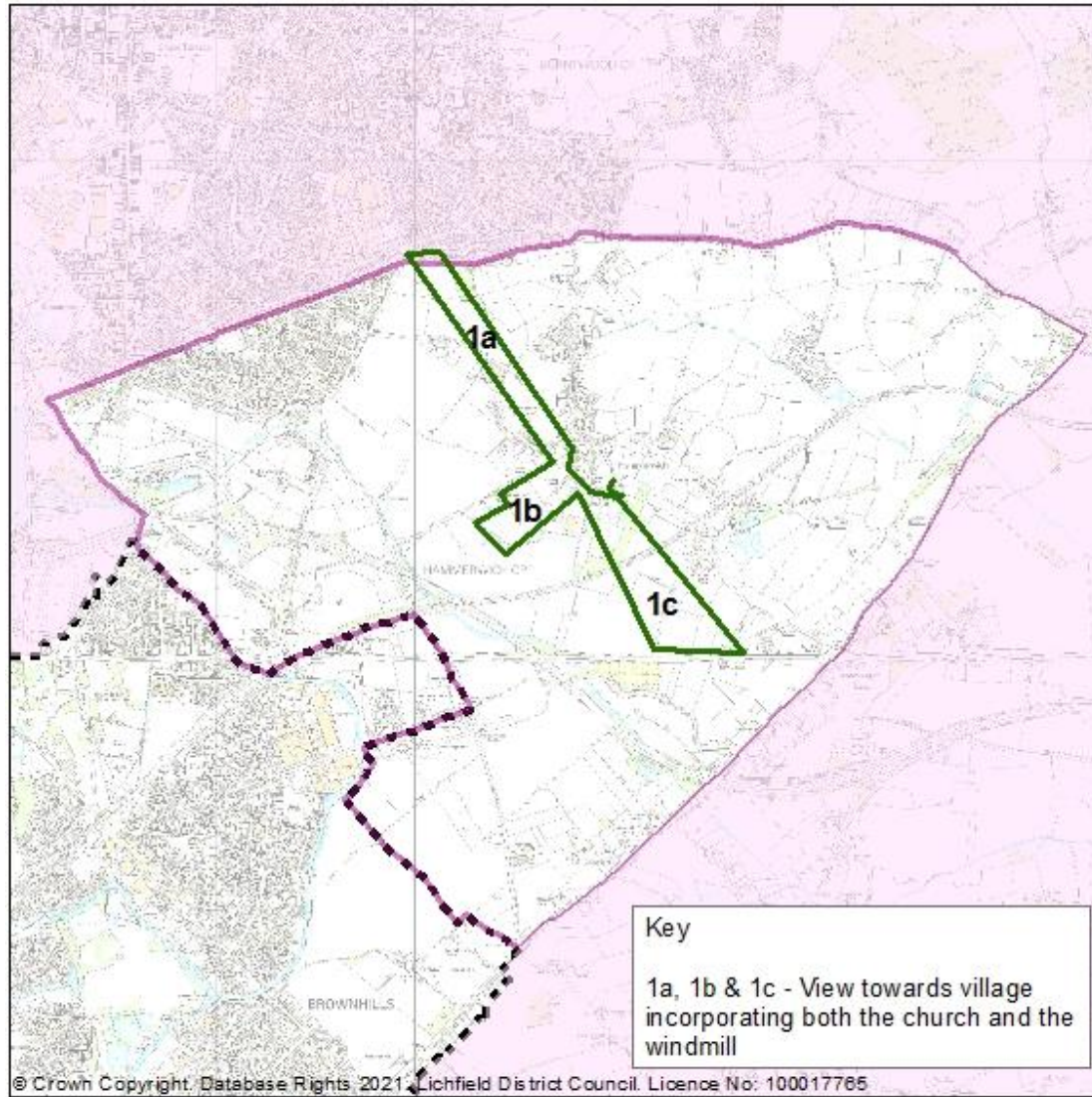
All development should respect the visual amenity and sense of place afforded by the **two** views identified **above** in and Map 8. These are:

**(i) — The view between St John the Baptist Church, Hammerwich and Lichfield Cathedral; and**

**(ii)(i) Views towards the Village incorporating both St John's Church and the Windmill.**

Developments which take account of these important local views will be supported where they do not conflict with other policies in this Plan or in the Local Plan (see also Policy H2(c) **above**).

# MAP 8 – KEY VIEWS ACROSS THE PARISH



## ***Local Heritage Assets***

9.13 In Hammerwich Parish, the following structures are listed:

- Church of St John the Baptist, Church Lane Grade II
- Hammerwich House Farm, Hall Lane Grade II
- Hammerwich Place Farmhouse, Hall Lane Grade II
- Milepost at SK 086072, A461 Grade II
- Overton Manor, 79 Overton Lane Grade II
- The Old Mill, Mill Lane Grade II
- Edial House, Lichfield Road Grade II

These have strong protection as a result of national and local planning policies.

9.14 However, the following buildings and structures in the Parish have been identified by LDC as having architectural or historic merit and contribute to the character and amenity of different parts of the Parish. They appear on their Burntwood, Hammerwich & Wall Local List Proposals 2019 (full reports set out in the Evidence Base Document).

- Chase Lodge, 1 Highfields Road, Chasetown, Burntwood, WS7 4QR
- The Old Rectory, Church Lane, Hammerwich, WS7 0JS
- The Old Vicarage, Hall Lane, Hammerwich, WS7 0JT
- Hammerwich Hall Farmhouse, Hall Lane, Hammerwich, WS7 0JU
- Barns and workshops associated with Hammerwich Hall Farmhouse
- Railway Footbridge adjacent to Old Station House, Hammerwich
- The Boat Inn, Walsall Road, Muckley Corner, Lichfield, WS14 0BU



- Springhill Methodist Church, Walsall Road, Muckley Corner, Lichfield, WS14 0BX
- Pipe Hill Waterworks, Walsall Road, Pipe Hill, Lichfield
- Gartmore Riding School, Hall Lane, Hammerwich, WS7 0JT
- 107 Burntwood Road, Hammerwich, WS7 0JL
- Elias Ashmole Club and Institute, Meerash Lane, Hammerwich, WS7 0LF
- Guidepost at junction of Hammerwich Lane, Station Road, Lions Den and Hall Lane (SK 07470706)

9.15 The following properties have been suggested as further additions to the Local List, and they are formally proposed within this Plan. If LDC agree, then they will be subject to Policy LEnv3 below. The Staffordshire Historic Environment Records for each proposal are reproduced in the Evidence Base Document.

- Hammerwich Hall Farm and its timber framed Barn
- Anglesey Branch of the Wyrley and Essington Canal Extension

~~• Canal Bridge, Ogley Junction, Wyrley and Essington Canal~~

~~9.16 During consultation the following properties were suggested as contributing to the character of the Parish, but further investigation would need to be made as to their merit, since no Historic Environment Record currently exists for them. A study in accordance with Staffordshire County Council's methodology would need to be completed to provide evidence of their merit. The Parish Council will pursue this with the County Council.~~

- ~~• Cherry Cottage, Meerash Lane~~
- ~~• Apple Tree Farm, Hammerwich Road~~
- ~~• Old Smithy (Forge Close), Burntwood Road~~
- Mill House, Mill Lane

~~9.16 Applicants should consider the Historic Environment Record for the Asset if one has been prepared, and consult with the Historic Environment Record Officer at Staffordshire County Council.~~

9.17 Bearing in mind the discovery of the Staffordshire Hoard and the presence of the Roman road Watling Street in the Parish, together with the location of the Roman settlement of Letocetum in neighbouring Wall Parish where Watling Street and Ryknield Street cross, the likelihood of there being other significant archaeological remains in the Parish is quite high. In proposing development, and in its construction, developers should be mindful of this likelihood and take appropriate actions to allow proper archaeological study, recording, and, if necessary, preservation of any finds.

### **POLICY LEnv 3 – LOCAL HERITAGE ASSETS**

~~All new development should take account of the impact on identified heritage assets, both designated and those non-designated Local Heritage Assets set out in paras 9.13 to 9.15 above, seeking to protect and, where appropriate, to enhance them. All new development that has an impact on identified heritage assets – both designated and non-designated local heritage assets – and their setting, should seek to protect and, where appropriate, enhance their significance.~~

~~Hammerwich Hall Farm and its timber framed Barn and the Anglesey Branch of the Wyrley and Essington Canal Extension are added as non-designated heritage assets to the Burntwood, Hammerwich and Wall Local List.~~

For proposals affecting an identified heritage asset, it should be demonstrated how the development would take account of its conservation, enhancement and its setting. The renovation or alteration of any Asset should be designed sensitively, taking into account its historical and architectural interest. ~~Proposals affecting a non-designated heritage asset will be expected to balance the scale of any loss or harm against the significance of the asset.~~

Proposals that seek to ensure that Local Heritage Assets remain in active and viable use, and are maintained, in a sensitive manner will be supported, as will schemes that bring back an Asset into use in a manner sensitive to their heritage value. ~~The provisions of Local Plan Strategy Core Policy 14 (or its replacement in the Local Plan Review) should also be demonstrated.~~

~~Applicants should consider the Historic Environment Record for the Asset if one has been prepared, and consult with the Historic Environment Record Officer at Staffordshire County Council.~~

All new development must take account of known surface and sub-surface archaeology, and ensure previously unrecorded and potentially significant deposits are identified and appropriately assessed during development. Lack of current evidence of sub-surface archaeology must not be taken as proof of absence.

## 10 Local Economy

10.1 At least 55 or so businesses have their address in the Parish (Source: Yell.com) and therefore the importance of supporting local businesses is recognised.

10.2 Based on community views, it is important to retain working farms and the Parish believes that food supply sustainability should be considered where any application for diversification or conversion of farm buildings is submitted.

10.3 The Federation of Small Businesses annual report 2013 states that small businesses, nationally, account for 33% of economic turnover and 47% of private sector employment. In Hammerwich, the self-employed residents (of whom Hammerwich has a high proportion compared to other areas – see para. 2.7 above) are largely providing goods/services which are not offered directly to the local population (except, perhaps farm produce) but are indirectly supporting the local economy.

10.4 Any support that the Parish could give to small businesses will be provided to try to attract new enterprises, so ensuring continuing local economic vitality. In particular, the appropriate re-use of redundant farm buildings is supported, subject to the Policies in this Plan and in the Local Plan Strategy/~~Local Plan Review~~Local Plan 2040 on traffic generation and impact on the countryside and to Key Views.

### **POLICY LEc1 - SUPPORT FOR RETAIL AND COMMERCIAL USES**

~~Proposals to improve existing, or provide new, retail and commercial facilities will be supported where these accord with other Policies in this Plan and in the Local Plan. Appropriate re-use of redundant farm buildings will be supported, subject to the Policies in this Plan, especially T1, LEnv2 and LEnv3, and the LDC Policies set out above at para. 9.9. Proposals which result in the loss of uses which fall within Use Class E will only be supported unless it can be shown through appropriate marketing evidence over a 12-month period, that the continuation of the current use is not viable. Proposals to improve existing, or provide new retail and commercial facilities, and appropriate reuse of redundant farm buildings will be supported where they accord with other policies in the development plan.~~



## 11. Educations

11.1 Most respondents to the Parish Survey were of the view that the presence of the local school (Ridgeway Primary) was important to the Parish, and that the Parish was well-served by local school provision. The school was awarded a “good” Ofsted rating at its latest inspection in 2016 and was particularly commended for its community spirit. Given the age of the pupils, surveys were not sent to the School, but it was invited to be involved in the consultation process. The Parish Council is committed to supporting the School and its activities, particularly where they are of importance to the wider community.

11.2 Over half those responding to the Parish Survey considered there should be more opportunities for adult learning. Erasmus Darwin Academy is a large establishment in the Parish providing education for 11-18 year olds. It received a “good” Ofsted rating at its last Inspection in 2018, and links with the wider community are encouraged, with many of the Academy’s facilities being available for the community to hire. With regard to any future developments that might be proposed on-site in the future, the Parish Council supports any measures intended to increase opportunities for lifelong learning, and will work with Staffordshire County Council Planning and Education Teams to ensure community benefits are maximised, and issues such as additional traffic are fully considered in the final design.

### **POLICY Ed 1 - SUPPORTING LOCAL EDUCATIONAL PROVISION**

**Development proposals to enhance the facilities at Ridgeway Primary School and Erasmus Darwin Academy will be supported, especially where these proposals include facilities for lifelong learning by all ages.**

## 12. Monitoring and Reviewing the Neighbourhood Plan

12.1 Lichfield District Council has a duty to produce an Authority Monitoring Report each year, which checks how well the Local Plan's policies are performing. As a result, any need for an early review of policies that are either poorly performing or have become out of date can be flagged up. Since they are part of the District's Development Plan, all "made" Neighbourhood Plans need to be monitored, too, and any policies that need review highlighted. As the ~~Local Plan Review~~Local Plan 2040 moves forward the Parish Council and LDC will work together to review any Neighbourhood Plan policies that may not be in general conformity with draft new Local Plan strategic policies.

12.2 The Parish Council will also review all its policies in the light of their performance in planning decisions made by LDC. The updating of the Plan will be important because the Government have made it clear that all Plans should be kept up-to-date, and up-to-date Plans – and Government guidance - will override older ones. Where a policy has been in force for a period of time, other "material considerations" may be given greater weight in planning decisions as the evidence base for the Plan policy becomes less robust.

12.3 However, the Government have also made it clear (Planning Practice Guidance – Neighbourhood Plans, paras 106, 085) that if a Neighbourhood Plan is to be updated it must go through all the stages of preparation again - updating the evidence base, consulting everyone again on the re-written Plan and submitting it to Lichfield District Council for further consultation, Examination and a Referendum.

12.4 Hammerwich Parish Council will liaise with surrounding Parishes and local authorities to ensure consistency of policy across the Parish boundary.

## 13 The Next Steps

~~13.1 The Neighbourhood Plan Steering Group has taken on board the many comments expressed in the Parish Survey, and this Plan is the result of that work. Before the Parish Council submitted the Plan to Lichfield District Council, it ran several six-week consultations on successive drafts, to allow for further comments and, as a result, the Plan has been modified further to improve it. The Plan, as formally submitted to Lichfield District Council, was subject to a further consultation (“Regulation 16 consultation”).~~

~~13.2 Following these rounds of consultations, an approved Independent Examiner will assess the Plan. The role of the Examiner is to ensure that the Basic Conditions and legal requirements have been met throughout the process and within the document itself. If his or her recommendation is that the Plan should move forward, a referendum will be held, at which all registered Parish electors will be eligible to vote.~~

~~13.3 A ‘yes’ or ‘no’ vote on the Plan must obtain over 50% approval from those who take part for it to be “made” (adopted) by Lichfield District Council.~~

~~13.4 If there is a ‘yes’ vote, the Neighbourhood Plan becomes part of the statutory Development Plan for Lichfield District, thereby ensuring that all future development must be compliant with it. This status gives the document considerable weight when it comes to future planning applications.~~

## APPENDIX 1

### Priority Projects in the Parish to be Funded by Community Infrastructure Levy (CIL) or Through Other Funding Sources

- 1) **Working to improve public transport services in Parish** – the Parish Council will negotiate with Staffordshire County Council as Highways Authority, local bus operators and voluntary-sector transport providers to improve service in the Parish, especially through Hammerwich Village. The Parish Council will consider whether or not to use CIL or other funding sources to ‘pump-prime’ the introduction of such services. **See Policy H2(a)(2) point 2 and para 8.63.**
- 2) **Identifying locations where localised flooding occurs** – working with landowners and using CIL and other funds if appropriate to implement solutions to the problem. **See Policy H2(b)(14) point 14 and para 7.9.**
- 3) **Improving facilities on the Parish’s public open spaces** – the Parish Council owns and leases the following public open spaces and will seek to use CIL and other funds to improve facilities at these locations:
  - Oakfield Park
  - Triangle Park
  - Mansion Drive play area
  - Hospital Road playing fields
  - Hammerwich Cricket Club
  - Village Green, Meerash Lane

**See Policy LEnv1.**

#### 4) Improving the following links for shared pedestrian and cycle use:

- i) Junction of National Cycle Route N5 with A5 at Brownhills High School along A5 to Muckley Corner then A461 Walsall Road to Pipehill.
- ii) Along A5190 from Farewell Lane to Pipehill.
- iii) Further towpath sections of the Lichfield Canal within the Parish for pedestrian and cyclist use.

iv) Other proposals in conformity with the Policies of this Plan.

See ~~Policy T3~~ Policy T2 and para 8.8.

**5) Pursuing with SCC the assessment of the following properties as Local Heritage Assets, and their suitability for being added to the list of properties protected by Policy LEnv3:**

- Cherry Cottage, Meerash Lane
- Apple Tree Farm, Hammerwich Road
- Old Smithy (Forge Close), Burntwood Road
- Mill House, Mill Lane

See ~~para 9.16 and Policy LEnv3.~~

The Hammerwich Neighbourhood Plan has been prepared by Hammerwich Parish Council with the assistance of  
gjplanhelp

*Hammerwich  
Parish Council*



Help with your Neighbourhood Plan