

# Willenhall Neighbourhood Development Plan 2016-2031

Basic Conditions Statement (July 2017)

Willenhall Neighbourhood Planning Group



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# 1. Introduction

- 1.1 The Willenhall Neighbourhood Planning Group formally submitted their neighbourhood plan to Coventry City Council in July 2017.
  - 1.2 When submitting a neighbourhood plan to the relevant local planning authority the legislation requires that the qualifying body also submit a number of other documents to accompany it. One of these is commonly known as a basic conditions statement.
  - 1.3 This statement has therefore been prepared in accordance with the requirements set out in Regulation 15 of the Neighbourhood Planning (General) Regulations 2012. It explains how the submitted Willenhall Neighbourhood Development Plan meets the basic conditions in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 and other legal tests. It explains why the Willenhall Neighbourhood Planning Group believes the proposed neighbourhood plan meets these statutory requirements and should thereby proceed to referendum.
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## 2. The Legal Requirements

2.1 This statement is required to set out how the neighbourhood plan meets the requirements of each legal test. These are set out below.

### Neighbourhood Area and Forum Application

2.2 Following the publication of the Localism Act 2011 the Willenhall Community Forum decided to prepare a neighbourhood development plan for the area. The first stage in the statutory process was to ask the City Council to formally designate the boundary of the neighbourhood area.

2.3 At the same time the City Council had to designate an appropriate organisation to prepare the neighbourhood plan, known in the regulations as the ‘qualifying body’. Unfortunately the existing Willenhall Community Forum did not exactly meet the required criteria as set out in the legislation. A new body was therefore formed by the community forum known as the Willenhall Neighbourhood Planning Group.

2.4 The constitution of the group stated that it has been established with the express purpose of promoting and improving the social, economic and environmental wellbeing of Willenhall.

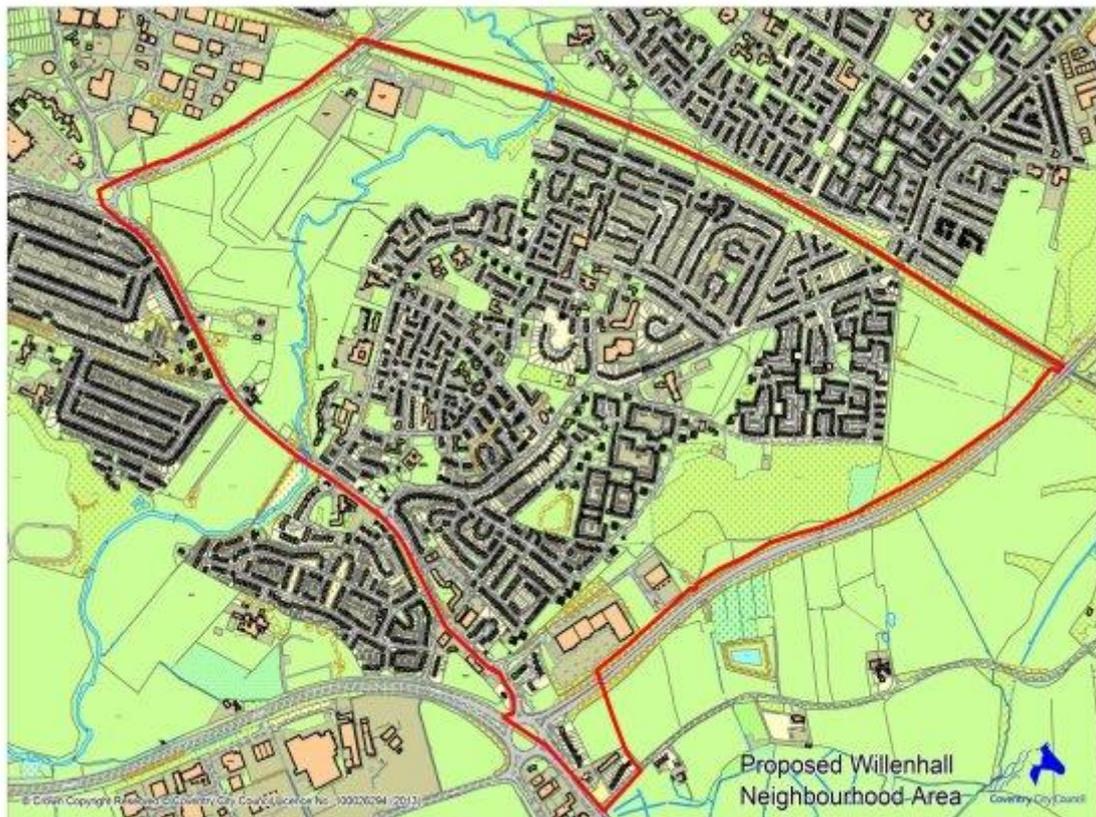
2.5 The objectives of the group are:

- to preserve and promote the unique character and identity of the area with particular attention to a clean, safe and peaceful environment, green spaces and heritage features;
- to promote a strong and sustainable balance of community with particular attention to appropriate development and regeneration of the area;
- to forge strong and effective links with the local authority, local businesses and other interested parties as may collaborate towards the best interest and improvement of the area;
- to encourage the goodwill and involvement of the whole community, inclusive of all ages, gender, ethnicity, faith, health and sexual orientation, in neighbourhood planning and community life; and
- to foster strong community spirit and encourage local pride.

2.6 Joint applications were therefore submitted to the City Council to designate Willenhall as a neighbourhood area and the Willenhall Neighbourhood Planning Group as the appropriate qualifying body to prepare the neighbourhood plan.

- 2.7 The City Council publicised the applications for a six week period and invited any representations by 8 August 2013.
- 2.8 The City Council subsequently approved the Willenhall Neighbourhood Area on 17 October 2013. The boundary of the neighbourhood area is indicated below.

### Diagram 1 – The Willenhall Neighbourhood Area



- 2.9 The Willenhall Neighbourhood Planning Group was then approved by the City Council as the appropriate qualifying body on 6 February 2014.

### The Plan Period

- 2.10 The neighbourhood plan will cover the period 2016 to 2031.
- 2.11 This corresponds to the end date for the emerging local plan prepared by Coventry City Council. It thereby allows consistency with their up to date evidence base.

## **Excluded Development**

- 2.12 The neighbourhood plan does not contain any policies that relate to ‘excluded development’.

## **Policies that relate to development and use of land**

- 2.13 The neighbourhood plan sets out policies that relate to the development and use of land in the whole or part of the Willenhall Neighbourhood Area.
- 2.14 It includes land use planning policies that can be used in the determination of planning applications.

## **Other Neighbourhood Areas**

- 2.15 The plan does not relate to all or any part of another designated neighbourhood area.
- 2.16 There is no other made neighbourhood plan that covers any part of the Willenhall Neighbourhood Area.
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### 3. The Basic Conditions

- 3.1 This statement is required to set out how the neighbourhood plan meets the prescribed basic conditions.
- 3.2 There are five basic conditions that are relevant to a neighbourhood development plan. These are:
- it has regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan
  - the making of the neighbourhood plan contributes to the achievement of sustainable development
  - the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)
  - the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations
  - prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.
- 3.3 The prescribed condition is that the making of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007) (either alone or in combination with other plans or projects).

#### **Regard to national policies and advice**

- 3.4 The National Planning Policy Framework 2012 (hereafter referred to as the Framework) sets out the Government's main planning policies for England and how they are expected to be applied. Further advice can also be found in the Government's on-line national Planning Practice Guidance (hereafter referred to as Guidance) first published in April 2014.
- 3.5 The neighbourhood plan has therefore been prepared with regard to national policies as set out in the Framework and is mindful of the associated Guidance.
- 3.6 The neighbourhood plan has had regard to paragraphs 183 to 185 of the Framework. The local community were instrumental in developing a shared vision for the area and the associated objectives.

3.7 The vision for Willenhall developed in the neighbourhood plan is:

Willenhall will be a vibrant, healthy and safe neighbourhood. It will have a strong community comprising people of all ages and backgrounds who live, work and play together.

3.8 To deliver this vision the neighbourhood plan has the following objectives:

1. To provide a mix of house types and tenures to meet the need
2. To ensure all future development is designed to a high quality
3. To have a thriving and diverse local shopping centre
4. To provide a mix of services and facilities to enable people to have all their needs met within the area
5. To improve health and well-being
6. To make it easier for people to travel inside and outside the area
7. To protect and improve important green spaces

3.9 The neighbourhood plan sets out the policies to deliver the vision and objectives, which will be used to help determine planning applications submitted in the neighbourhood area. The policies contained within the plan are listed in Appendix 1. These are intended to ensure that local people get the right type of development for their community.

3.10 Set out in Table 1 below is a brief summary of how each policy in the neighbourhood plan conforms to the Framework. The particular paragraphs referred to in the table are those considered the most relevant to each policy but are not intended to be an exhaustive list of all relevant paragraphs.

**Table 1 : Conformity to the National Planning Policy Framework**

Policy No	Policy Title	Framework References	Comment on Conformity in the Neighbourhood Plan
The overall plan		Core Planning Principles - Para 17	<p>The plan has empowered local people to shape their surroundings with a succinct document that sets out a positive vision for the future. The plan is up to date and based on joint working and cooperation, especially with the City Council. It provides a practical framework within which planning decisions can be made with predictability and efficiency.</p> <p>Furthermore the plan has tried to be creative in finding ways to enhance and improve the places in which people live their lives.</p> <p>Effort has been made to objectively identify and meet the housing need, and secure high quality</p>

		Neighbourhood Plans – Paras 183 to 185	<p>design.</p> <p>The plan encourages the effective re-use of land.</p> <p>It takes account of the need to improve health, social and cultural well-being for all, and delivers sufficient community facilities and services to meet local needs.</p> <p>The local community were engaged in developing a shared vision for their area and deliver the sustainable development they need.</p> <p>The plan sets out planning policies to determine decisions on planning applications.</p> <p>It ensures that local people get the right type of development for their community. It has also been prepared to align with the strategic needs of the city and conforms to the adopted development plan for the area and is mindful of the emerging plan. The neighbourhood plan does not undermine these strategic planning policies.</p> <p>Outside of these strategic elements the neighbourhood plan has brought forward policies that shape and direct sustainable development.</p>
1.	Scale and Distribution of Housing Development	<p>Core Planning Principles - Para 17</p> <p>Section 6 – Para 47</p> <p>Section 6 – Para 48</p>	<p>The policy seeks to secure high quality design and a good standard of amenity.</p> <p>The group has worked closely with the City Council to understand the estimates of housing need in the wider area as contained within the emerging local plan and reflects allocations. Within this context AECOM were commissioned to look more specifically at the need for market and affordable housing within the neighbourhood area.</p> <p>The policy considers opportunities for residential development on windfall sites.</p>
2.	Mix of Housing	Section 6 – Para 50	The policy proposes a mix of market and affordable new housing to address local need in the community, as identified in the AECOM Housing Needs Assessment 2016.
3.	Design of New Development	<p>Section 7 – Para 56</p> <p>Section 7 – Para 58</p>	<p>The policy seeks to ensure all future development is designated to a high quality.</p> <p>The policy sets out the quality of development that will be expected for the area. The supporting justification evaluates the neighbourhood's defining characteristics.</p> <p>The policy aims to ensure that development creates an attractive and comfortable area with a strong sense of space.</p> <p>It also addresses the need to have a safe</p>

			neighbourhood.
4.	Willenhall Local Centre	Section 8 – Para 69  Section 9 – Para 70	The policy promotes opportunities for members of the local community to come together, with a strong neighbourhood centre.  The policy ensures that established shops are able to develop and modernise.
5.	Community Hub	Section 9 – Para 70	The policy proposes the creation of a new shared space for community facilities and the delivery of local services. It also guards against the loss of existing services and facilities.  The policy ensures that facilities and services are able to develop and modernise.
6.	Education	Section 8 – Para 72	The policy seeks to ensure that sufficient school places are available to meet the needs of the existing and future community. Proposals that create, expand or alter schools will be supported.
7.	Health and Well-being	Core Planning Principles - Para 17  Section 8 – Para 69  Planning Practice Guidance	The policy supports the need to improve health and well-being for all.  The policy supports measures to create a more healthy and inclusive community. This includes safe pedestrian routes and high quality green spaces.  Guidance states that local planning authorities should ensure that health and wellbeing, and health infrastructure are considered in local and neighbourhood plans and in planning decision making.  Guidance adds that plan making can cover a range of issues including opportunities for healthy lifestyles such as planning for an environment that supports people of all ages in making healthy choices, helps to promote active travel and physical activity, and promotes access to healthier food, high quality open spaces and opportunities for play, sport and recreation.  It adds that a healthy community is a good place to grow up and grow old in. It is one which supports healthy behaviour and supports reductions in health inequalities. It should enhance the physical and mental health of the community and, where appropriate, encourage active healthy lifestyles that are: <ul style="list-style-type: none"> <li>• made easy through the pattern of development;</li> <li>• good urban design;</li> <li>• good access to local services and facilities;</li> <li>• green open space and safe places for active play and food growing; and</li> <li>• is accessible by walking and cycling and public transport.</li> </ul>
8.	Transport	Core Planning Principles - Para 17	The policy seeks improvements to public transport, walking and cycling.

		Section 4 – Para 35	The policy seeks to promote accessibility for all and secure sustainable transport modes in and around the neighbourhood area.
9.	Rail Station	Section 4 – Para 32 Section 11 – Para 123	The policy seeks to prevent development where the cumulative transport impacts are severe. The policy seeks to minimise noise to avoid adverse impacts on health and quality of life.
10.	Willenhall Village Green	Section 8 - Paras 76 and 77	The Framework introduces the concept of Local Green Space. The designation in the plan is close to the community it serves and is not an extensive tract of land. It holds special significance to the local community.
11.	Important Open Spaces	Section 8 – Paras 73 and 74	The plan seeks to protect existing open space for children’s play, sport and recreational purposes.

3.11 It is thereby believed that the neighbourhood plan has had appropriate regard to the National Planning Policy Framework.

3.12 The group is not aware of any other relevant national policies and advice that the neighbourhood plan should have had particular regard to.

## The achievement of sustainable development

3.13 The National Planning Policy Framework states that the purpose of the planning system is to contribute towards the achievement of sustainable development. The Framework adds that there are three dimensions of sustainable development: economic, social and environmental for which gains should be sought jointly and simultaneously through the planning system.

3.14 The basic conditions require that the neighbourhood plan should contribute to the achievement of sustainable development. The table below assesses each of the neighbourhood plan’s policies in terms of how they will deliver sustainable development against the three dimensions of sustainability i.e. social, economic and environmental aspects. Symbols are used to categorise the impact and to demonstrate whether the potential impacts of the policy are:

- very positive (++);
- positive (+);
- neutral (o);
- negative (-); or
- very negative (--).

**Table 2 : Achievement of Sustainable Development**

Policy No	Policy Title	Social Factors	Economic Factors	Environmental Factors	Comment on achieving Sustainable Development
1.	Scale and Distribution of Housing Development	+	0	+	The policy seeks to provide new houses within the neighbourhood area to meet the objectively assessed need. However it also recognises the physical and environmental constraints to further development. The plan acknowledges that all of the identified need cannot be accommodated without encroachment into surrounding strategic green spaces.
2.	Mix of Housing	++	0	0	The assessment undertaken by AECOM identifies the type, size and tenure of the dwellings required in the neighbourhood area to meet the identified needs of the local community.
3.	Design of New Development	++	+	++	The policy seeks to incorporate particular features in the design of new development. This ranges from the scale and form, to the provision of adequate car parking and storage. It also encourages security features and environmental measures to reduce running costs for the occupants.
4.	Willenhall Local Centre	+	++	++	The policy seeks to support the vitality and commercial viability of the centre in view of its important role, especially for those who lack accessibility to retail provision further afield.
5.	Community Hub	++	+	0	The proposal aims to construct a bespoke new building for the provision of various services and facilities to the local community. This includes childcare, adult education, employment training and library. It will replace an assortment of old community buildings that are inefficient and in need of repair. The new building will accommodate agencies from the public and voluntary sectors, and should improve the efficiency of service delivery by accommodating them under one roof allowing a joint approach.
6.	Education	+	+	0	The policy seeks to ensure that the provision of school places meets the local need.

7.	Health and Well-being	++	+	++	Poor health is a major issue in the area. The policy tries to improve physical and mental health in the area by supporting physical activity and a better diet.
8.	Transport	+	+	+	The policy seeks to improve accessibility to employment opportunities and retail provision outside the neighbourhood area. It also tries to reduce the number of car journeys and manage traffic effectively.
9.	Rail Station	++	++	+	The provision of a new train station in or near the neighbourhood area could bring substantial benefits to the local community in terms of improving overall accessibility, as well as reducing car journeys in the area. However the location and design needs to be environmentally acceptable to the adjoining community.
10.	Willenhall Village Green	+	0	+	This policy seeks to give added protection to a small area of public open space at the heart of the neighbourhood area in the Local Centre. It holds local significance to the local community and provides a valuable opportunity for social interaction.
11.	Important Open Spaces	++	0	++	Willenhall has been constructed at a relatively high density. Many of the local residents live in flats and have no garden. These 'green lungs' improve the setting of the residential buildings, and provide wildlife habitats and opportunities for children to play.

3.15 In conclusion this information demonstrates that overall the plan's policies positively contribute to the achievement of sustainable development.

### Conformity with the development plan

3.16 The Willenhall Neighbourhood Plan must also be in general conformity with the strategic policies of the adopted development plan for the area.

3.17 The current development plan for Coventry is the Coventry Development Plan, which was adopted in December 2001. This plan is based on three central themes:

- economic regeneration;

- social equity; and
- environmental quality.

3.18 In 2007, and again in 2009, policies were formally "saved", recognising that they were consistent with national policy and up to date.

3.19 However the Development Plan 2001 was only meant to cover the period up to 2011. In addition the Government has introduced a significant number of changes to the planning system, such as the revocation of Regional Planning Guidance and the introduction of the National Planning Policy Framework (replacing various Planning Policy Guidance and Statements) and Planning Practice Guidance. Nevertheless the the neighbourhood plan must still broadly conform to the Coventry Development Plan to meet the basic condition development plan even though it is somewhat out of date.

3.20 The following table therefore sets out how each policy in the neighbourhood plan is in general conformity with the appropriate strategic policies in the adopted development plan.

**Table 3: Conformity with the Coventry Development Plan 2001**

NP Policy	NP Policy Title	Extract from Saved Policy in Development Plan	Comment on Conformity
	Vision and Objectives	<p><u>OS 3: LOCAL AREA REGENERATION</u></p> <p>Local Area Regeneration initiatives will be promoted and encouraged throughout the City, but with particular emphasis on Priority Areas, in order to:</p> <ul style="list-style-type: none"> <li>• help improve local economic conditions;</li> <li>• create jobs for local people;</li> <li>• encourage the redevelopment of previously-developed sites;</li> <li>• remove dereliction and contamination;</li> <li>• respond to the cultural and recreational needs of the local community;</li> <li>• improve and protect the natural and built environment; and</li> <li>• reverse the adverse impact of traffic on the environment.</li> </ul>	<p>The vision seeks to regenerate the neighbourhood area, which is listed as a Priority Neighbourhood in the Development Plan. Rather than physical regeneration, the vision emphasises the importance of community cohesion.</p> <p>The objectives seek to reduce the adverse effects of transport and protect green spaces. However the redevelopment of brownfield land and the removal of derelict and/or contaminated land is not seen as a priority. However health improvements and the delivery of services and facilities are regarded as important.</p>
1.	Scale and Distribution of Housing Development	<p><u>GE 6: CONTROL OVER DEVELOPMENT IN THE GREEN BELT</u></p> <p>The areas and detailed boundaries of the Green Belt are shown on the Proposals Map.</p> <p>Inappropriate development will not be</p>	<p>Policy H7 initially set out the overall provision between 1997 and 2011, but this policy was out of date and has not been saved.</p>

		<p>allowed in the Green Belt unless justified by very special circumstances.</p> <p>Development within or conspicuous from the Green Belt must not harm the visual amenities of the Green Belt by reason of siting, materials or design.</p>	<p>The reason Willenhall is unable to accommodate all of the assessed housing need is the environmental constraints. Most notably is the designation of the Sowe valley Corridor as Green Belt. Whilst this designation may be removed in the emerging local plan, it will still be afforded protection as important green space.</p>
2.	Mix of Housing	<p><u>H 1: PEOPLE AND THEIR HOUSING NEEDS</u></p> <p>All existing and future citizens should have access to a range of housing that is of satisfactory size and condition and within a high quality residential environment.</p>	<p>The neighbourhood plan seeks to provide the type of housing identified in the objectively assessed housing need undertaken by AECOM as part of the evidence gathering.</p>
3.	Design of New Development	<p><u>H 12: DESIGN AND DENSITY OF HOUSING DEVELOPMENT</u></p> <p>A high standard of design will be required for new housing development in the City.</p> <p>Proposals will be considered on the basis of:</p> <ul style="list-style-type: none"> <li>• the recognition of existing site features;</li> <li>• the relationship between buildings and spaces;</li> <li>• building details, such as proportion, massing and materials;</li> <li>• convenient and safe pedestrian and cycle access;</li> <li>• an appropriate level of car parking;</li> <li>• durable landscaping treatment;</li> <li>• the efficient use of energy; and</li> <li>• the enhancement of the character and quality of the local environment.</li> </ul> <p><u>BE 21: SAFETY AND SECURITY</u></p> <p>Designs for development proposals should take personal safety into account without compromising a high quality environment.</p>	<p>The neighbourhood plan applies the principles outlined in the development plan at the local level, and the issues pertinent to Willenhall.</p> <p>The neighbourhood plan policy makes specific reference to the principles set out in ‘Secured by Design’.</p>
4.	Willenhall Local Centre	<p><u>S 5: LOCAL CENTRES</u></p> <p>These Centres will provide for day-to-day convenience shopping needs and proposals to improve that provision will be permitted.</p> <p>They will be a focus for social, community and leisure uses for the local area. Complementary residential use may also be appropriate subject to the creation of a satisfactory residential environment.</p> <p><u>S 9: LOCAL SHOPS</u></p> <p>Proposals for new local shops, extensions</p>	<p>Willenhall is identified as a Local Centre in the development plan. In view of its importance to the area, the neighbourhood plan seeks to maintain its vitality and commercial viability.</p> <p>The policy in the neighbourhood plan also</p>

		<p>to existing local shops or changes of use to service uses will be permitted provided that the proposal:</p> <ul style="list-style-type: none"> <li>• would not have any significant harmful impact on the vitality and viability of a defined Centre;</li> <li>• could not be provided for equally well in vacant shops within a nearby defined Centre; and</li> <li>• is compatible with nearby uses.</li> </ul> <p>The special needs of a local area may, exceptionally, outweigh a failure to satisfy one or more of these criteria.</p>	<p>seeks to support local shops elsewhere in the neighbourhood area, but only if they do not threaten the viability of the Local Centre.</p>
5.	Community Hub	<p><u>SCL 1: SOCIAL, COMMUNITY, LEISURE, AND INDOOR SPORTS FACILITIES</u></p> <p>The City Council will promote and encourage the provision of social, community, leisure, and indoor sports facilities in locations which are accessible to and meet the needs of the people of Coventry by a choice of means of transport.</p> <p><u>H 9: WINDFALL ADDITIONS TO HOUSING LAND SUPPLY</u></p> <p>Proposals for housing development on sites not identified in either Policy H 8 or in the City Council's 1997 Unitary Development Plan Monitor will be permitted subject to:</p> <ul style="list-style-type: none"> <li>• compatibility with nearby uses;</li> <li>• the provision of an attractive residential environment;</li> <li>• convenient pedestrian access to local facilities;</li> <li>• being well served by public transport; and</li> <li>• compatibility with other Plan policies.</li> </ul> <p><u>SCL 14: RE-USE OR REDEVELOPMENT OF FACILITIES</u></p> <p>Proposals for the re-use or redevelopment of social, community, leisure, indoor sport, education, health or social care facilities will be considered on the basis of:</p> <ul style="list-style-type: none"> <li>• whether there is an outstanding local need for social, community, leisure, indoor sport, education, health or social care uses which could reasonably be met at that location;</li> <li>• the suitability of the location for such facilities having regard to the criteria in Policies SCL 2 and SCL 3;</li> <li>• compatibility with nearby uses; and</li> <li>• compatibility with other Plan policies.</li> </ul>	<p>The proposed community hub is located at the heart of the neighbourhood area within the Local Centre. It is therefore the most accessible location.</p> <p>The provision of the community hub will create windfall opportunities for new residential development. They appear to meet all the criteria listed in Policy H 9 of the development plan.</p> <p>The redevelopment of the sites occupied by community facilities is only on the basis that new provision will be made available at the community hub.</p>

		Where replacement facilities are intended, they should be located so that they may continue to serve their users conveniently. The quality of the new provision should be equivalent.	
6.	Education	<p><u>SCL 6: EDUCATION FACILITIES</u></p> <p>The City Council will support new, expanded and improved education facilities in suitable locations where the environmental impact of the proposal is acceptable in the nearby area.</p> <p><u>SCL 7: SCHOOLS AND COLLEGES OF FURTHER EDUCATION</u></p> <p>Proposals to provide or improve schools or colleges of further education will be considered on the basis of:</p> <ul style="list-style-type: none"> <li>• compatibility with nearby uses;</li> <li>• accessibility by a choice of means of transport; and</li> <li>• compatibility with other Plan policies.</li> </ul>	The policy in the neighbourhood plan seeks to ensure the future provision of school places is in-keeping with the local need, and is both practical and accessible to the local community.
7.	Health and Well-being	<p><u>S 10: CATERING OUTLETS</u></p> <p>Catering outlets should be located within defined Centres and employment areas and will generally be discouraged outside those locations.</p> <p>Proposals within defined centres and employment areas will be permitted provided that they would:</p> <ul style="list-style-type: none"> <li>• be compatible with nearby uses;</li> <li>• not cause harmful cumulative impact due to the existence of any existing or proposed outlet; and</li> <li>• be compatible with other Plan policies.</li> </ul>	<p>There are no significant references to health in the development plan.</p> <p>However the neighbourhood plan seeks to restrict the number and location of takeaways to encourage a healthier diet.</p>
8.	Transport	<p><u>AM 2: PUBLIC TRANSPORT</u></p> <p>The development and co-ordination of the public transport system will be promoted and encouraged to:</p> <ul style="list-style-type: none"> <li>• meet the needs of people without access to private transport;</li> <li>• reduce car usage; and</li> <li>• enhance the environment.</li> </ul> <p>Special attention must be paid to the needs of disabled people.</p> <p><u>AM 8: IMPROVING PEDESTRIAN ROUTES</u></p> <p>A network of convenient pedestrian routes, made safer by design, will be promoted and encouraged. Priority will be given to routes to defined Centres and</p>	<p>The neighbourhood plan policy seeks to ensure that employment opportunities, services and facilities are accessible to the local community. Public transport provision is an important element to ensure equality of opportunity.</p> <p>The neighbourhood plan similarly seeks to improve pedestrian links to schools, green spaces and the Local Centre</p>

		<p>local shops, schools, transport interchanges, local social, community, leisure and indoor sports facilities, employment sites and Green Space areas.</p> <p>Special attention must be paid to the needs of disabled people.</p>	
9.	Rail Station	<p><u>AM 7: RAIL SERVICES</u></p> <p>The further improvement of facilities at existing stations and the construction of new stations, shown on the Proposals Map, at Foleshill Gasworks (in association with new development) and Binley and Willenhall will be promoted and encouraged.</p> <p>The need for any additional stations in appropriate locations will be kept under review in conjunction with other transport planning bodies and service operators.</p>	The neighbourhood plan supports the provision of a new train station in the area subject to certain criteria being met.
10.	Willenhall Village Green	Not applicable.	The designation of sites as Local Green Space was introduced in the national Planning Policy Framework, which superseded the development plan.
11.	Important Open Spaces	<p><u>GE 1: GREEN ENVIRONMENT STRATEGY</u></p> <p>In conjunction with other agencies and the local community, the City Council will:</p> <ul style="list-style-type: none"> <li>• protect Green Space;</li> <li>• enhance the provision and quality of Green Space;</li> <li>• make Green Space accessible to all sections of the community;</li> <li>• encourage the appropriate management of Green Space;</li> <li>• give protection to valuable wildlife, habitats and landscape features; and</li> <li>• maintain a Green Belt protecting the Green Wedges and the "Arden" countryside from inappropriate development.</li> </ul>	The neighbourhood plan supports the protection of important green spaces.

## Emerging Local Plan

- 3.21 The basic condition only requires the neighbourhood plan to be in general conformity with the development plan. It does not test the neighbourhood plan against the policies in an emerging local plan. However Planning Practice Guidance states that the reasoning and evidence informing the preparation of a local plan is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. It is therefore considered good practice to have regard to any emerging local plan and any associated up-to-date evidence base supporting its preparation.

- 3.22 The emerging local plan will cover the whole city for the period up to 2031. Entitled ‘Coventry Local Plan 2011’, this will establish the key principles that will guide the location, use and form of development in the city. It will also identify land for housing and employment use to meet the identified need.
- 3.23 The emerging local plan was submitted to the Secretary of State in April 2016. The public examination hearing sessions took place between July 2016 and January 2017. The City Council then proposed modifications, which were the subject of consultation ending in April 2017.
- 3.24 Following this consultation process the proposed modifications and all received responses will be sent to the Inspector for final consideration. If satisfied that the proposed changes overcome all outstanding issues of soundness then the inspector will issue the final report and the City Council will move towards adoption of the local plan. At this point it will replace the saved policies in the Coventry Development Plan 2001.
- 3.25 As far as possible the neighbourhood plan has therefore been prepared in parallel with the emerging local plan and the background evidence that has supported its preparation. The following table therefore sets out how each policy in the neighbourhood plan is in general conformity with the appropriate strategic policies in the emerging local plan.

**Table 4: Conformity with emerging Coventry Local Plan 2011 (as at March 2017 incorporating proposed modifications)**

NP Policy	NP Policy Title	Extract from Policy in Emerging Local Plan	Comment on Conformity
	Vision and Objectives	<p><u>Policy DS3: Sustainable Development Policy</u></p> <p>1. ... to secure development that improves the economic, social and environmental conditions in the area, including:</p> <ul style="list-style-type: none"> <li>a) access to a variety of high quality green and blue infrastructure;</li> <li>b) access to job opportunities;</li> <li>c) use of low carbon, renewable and energy efficient technologies;</li> <li>d) the creation of mixed sustainable communities through a variety of dwelling types, sizes, tenures and range of community facilities</li> <li>e) increased health, wellbeing and quality of life;</li> <li>f) measures to adapt to the impacts of climate change;</li> <li>g) access to sustainable modes of transport;</li> <li>h) preservation and enhancement of</li> </ul>	<p>The vision and objectives set out in the neighbourhood plan will, if implemented, contribute to the achievement of sustainable development with positive outcomes for social, environmental and economic factors.</p>

		the historic environment; and i) sustainable waste management.	
1.	Scale and Distribution of Housing Development	<p><u>Policy DS1: Overall Development Needs</u></p> <p>1. Over the Plan period significant levels of housing, employment and retail development will be planned for and provided along with supporting infrastructure and environmental enhancements:- a) A minimum of 24,600 additional homes... ..</p> <p>2. Notwithstanding the above, Coventry's objectively assessed housing need for the period 2011 to 2031 is at least 42,400 additional homes and 369ha of employment land (including qualitative replacements). It is not possible to deliver all of this additional development land within the city boundary. As such, the Council will continue to work actively with neighbouring Councils through the Duty to Cooperate to ensure that appropriate provision is made elsewhere within the Housing Market Area.</p> <p><u>Policy GB1: Green Belt and Local Green Space</u></p> <p>1. The city's most up-to-date Green Belt and Local Green Space boundaries are identified on the Policies Map.</p> <p>2B: Within areas designated as Local Green Space the erection of small buildings and structures which are ancillary to the primary use of the land may be acceptable. Other development will not be permitted unless very special circumstances are demonstrated.</p> <p>3. The following areas will be removed from the Green Belt to accommodate future development needs and are shown on the Policies Map. h) Land off Allard Way/London Road (residential)</p> <p>4. The following areas will be removed from the Green Belt and re-designated as Local Urban Green Space and are shown on the Policies Map: a) Sowe Valley</p>	<p>The evidence base to justify the policy stance adopted in the neighbourhood plan includes an assessment of housing need undertaken by AECOM. This uses the same data that has informed the preparation of the emerging local plan.</p> <p>The emerging plan acknowledges that it is not possible to deliver all of this additional development land within the city boundary to meet the identified need. As such, neighbouring councils will be accommodating some of Coventry's growth.</p> <p>The neighbourhood area is unable to fully accommodate the full housing need owing to physical and environmental constraints. The estate has been constructed and there are limited infill opportunities. The only area to develop is the Sowe Valley to the north east. This is currently within the Green Belt. Although the emerging plan seeks to remove Green Belt status and designate it as Local Green Space, there is still a strong presumption against development in this strategic open space corridor. The neighbourhood plan is therefore unable and unwilling to see this import corridor built upon.</p> <p>Land off Allard Way is shown in the neighbourhood plan as an allocation in the emerging local plan.</p>
2.	Mix of Housing	<p><u>Policy H4: Securing a Mix of Housing</u></p> <p>1. The Council will require proposals for residential development to include a mix of market housing which contributes towards a balance of house types across</p>	<p>The evidence base to justify the policy stance adopted in the neighbourhood plan includes an assessment of housing need undertaken by AECOM. This uses</p>

		<p>the city in accordance with the latest Strategic Housing Market Assessment.</p> <p>2. In assessing the housing mix in residential schemes the Council may take into account the following circumstances where it may not be appropriate to provide the full range of housing types and sizes in accordance with the latest Strategic Housing Market Assessment:</p> <p>e) developments in parish or neighbourhood plan areas, where there is an up-to-date local housing needs assessment which provides a more appropriate indication of housing need.</p>	<p>the same data that has informed the preparation of the emerging local plan.</p> <p>The emerging local plan acknowledges that work undertaken as part of the preparation of a neighbourhood plan may influence the precise housing required rather than the implementing the standard mix of new housing.</p>
3.	Design of New Development	<p><u>Policy DE1 Ensuring High Quality Design</u></p> <p>1. All development proposals must respect and enhance their surroundings and positively contribute towards the local identity and character of an area...</p> <p>3. All development will be expected to meet the following key principles:</p> <p>a) respond to the physical context of the site;</p> <p>b) consider the local distinctiveness and identity of the site but also have regard to opportunities to enhance the local built and natural environment through new development and enhanced design;</p> <p>c) where appropriate, retain and incorporate into the layout the protection of important views, including key views of the three spires;</p> <p>d) preserve or enhance the character and setting of the historic built, landscape and where appropriate archaeological environment;</p> <p>e) preserve or enhance the character and setting of major road, rail and canal corridors;</p> <p>f) clearly define the boundaries between public and private spaces and enclosure of space;</p> <p>g) provide attractive, safe, uncluttered, active and easily identifiable, high quality public spaces;</p> <p>h) make places that inter-connect and are easy to move through;</p> <p>i) ensure places are easily understood by users, with clear routes and distinct physical features;</p> <p>j) seek high quality design and attention to detail in the layout of developments, individual buildings and infrastructure in terms of</p>	<p>The neighbourhood plan has built on the city-wide design policy by adding some further detail that relate to the characteristics of Willenhall (notably connecting spaces, car parking, crime, storage facilities and environmental measures).</p>

		<p>function and impact, not just for the short term, but over the lifetime of the development;</p> <p>k) be adaptable to changing social, technological, economic and market conditions and ensure that developments maximise the use of the site;</p> <p>l) promote diversity through mixes of uses within a site or building, which work together to create vital and viable places;</p> <p>m) be proactive in responding to climate change and adopt sustainable and low carbon construction principles in terms of their design, layout and density;</p> <p>n) consider green infrastructure at the earliest stage in the design process, to ensure that it is well planned, designed, managed and maintained. It should also be well integrated and serve multiple purposes (as appropriate);</p> <p>o) Support the integration of through routes for public transport and incorporate suitable bus priority measures as appropriate;</p> <p>p) minimise adverse impact on important natural resources;</p> <p>q) conserve, restore or enhance biodiversity; and</p> <p>r) respect and enhance landscape quality including trees, hedges and other landscape features of value.</p>	
4.	Willenhall Local Centre	<p><u>Policy R3: The Network of Centres</u></p> <p>1. To support the city centre, the Council will designate, enhance, maintain and protect a network of Centres consisting of ... Local Centres. These Centres will be the preferred locations for new shops, and other Main Town Centre and community facility uses which do not serve a city-wide catchment.</p> <p>2. In all these Centres:</p> <p>a) A balance will be sought between shops (Class A1), and other Main Town Centre and community uses in order to protect the vitality and viability of the centre as a whole;</p> <p>b) Proposals that reduce the concentration of A-class uses within a centre below 51% will not be approved</p> <p>c) a residential element will be promoted and encouraged, subject to the creation of a satisfactory residential environment and so long</p>	<p>Willenhall is listed as having a Local Centre in the emerging local plan. In view of its important role and accessibility to the local community, the neighbourhood plan seeks to support its commercial viability and vitality.</p>

		<p>as it does not undermine the functionality of the centre;</p> <p>d) improvement to the environment and accessibility will be promoted and encouraged...</p> <p>5. Local Centres are shown on the Policies Map at ... x) Willenhall. They will contain an appropriate scale of development which is demonstrated to not impact negatively on higher order centres and supports their immediate locality for day-to-day convenience shopping and also some service and restaurant uses; and social, community and leisure uses. Small scale office uses will also be acceptable</p>	
5.	Community Hub	<p><u>Policy CO1: New or improved social community and leisure premises</u></p> <p>1. Proposals for social, community and leisure facilities will be considered through the following sequential approach:</p> <p>a) Designated centres to support the centres hierarchy;</p> <p>2. Proposals will be considered on the basis of:</p> <p>a) The appropriateness of their proposed location in relation to their scale and intended catchment;</p> <p>b) Compatibility with nearby uses;</p> <p>c) Accessibility by a choice of means of transport; and</p> <p>d) Compatibility with other Plan Policies.</p> <p><u>Policy CO2: Re-Use of or Redevelopment of Facilities</u></p> <p>1. Proposals for the re-use or redevelopment of community premises for a use outside the scope of this policy will not be supported if:</p> <p>a) There is an outstanding local need which could reasonably be met at that location;</p> <p>b) The site remains viable for existing uses or could be made viable through appropriate diversification of use;</p> <p>c) The proposal is not compatible with nearby uses.</p> <p>3. Where replacement facilities are intended, they should:</p> <p>a) continue to serve the community;</p> <p>b) be of appropriate scale and character; and</p> <p>c) be of high quality design.</p>	<p>The proposed community hub is located within the Local Centre on the site of an existing community building. It is believed that the proposed community hub meets the criteria set out i.e. appropriate location in relation to scale and catchment, compatible with neighbouring uses, and accessible by a means of transport.</p> <p>The re-development of various redundant community buildings as infill housing sites is permitted under the emerging local plan policy because it will only happen if the proposed community hub comes to fruition. This will provide a replacement facility and meets the criteria set out in 3 i.e. will continue to serve the local community, and be of an appropriate scale and character.</p>

		<p><u>Policy H3: Provision of New Housing</u></p> <p>1. New residential development, including opportunities for self-build homes and starter homes, must provide a high quality residential environment which assists in delivering urban regeneration or contributes to creating sustainable communities and which overall enhances the built environment...</p> <p>3. A suitable residential environment will include safe and appropriate access, have adequate amenity space and parking provision and be safe from environmental pollutants such as land contamination, excessive noise and air quality issues.</p> <p>4. Wherever possible new developments should also be:</p> <ul style="list-style-type: none"> <li>a) within 2km radius of local medical services;</li> <li>b) within 1.5km of a designated centre within the city hierarchy (policy R3);</li> <li>c) within 1km radius of a primary school;</li> <li>d) within 1km of indoor and outdoor sports facilities;</li> <li>e) within 400m of a bus stop; and</li> <li>f) within 400m of publicly accessible green space.</li> </ul>	<p>The redundant community sites (once the community hub is realised) appear to meet the requirements set out in Policy H3 of the emerging local plan.</p>
6.	Education	<p><u>Policy IM1: Developer Contributions for Infrastructure</u></p> <p>1. Development will be expected to provide, or contribute towards provision of:</p> <ul style="list-style-type: none"> <li>a) Measures to directly mitigate its impact and make it acceptable in planning terms; and</li> <li>b) Physical, social and green infrastructure to support the needs associated with the development</li> </ul> <p>2. Infrastructure and mitigation measures will be provided in a timely manner to support the objectives of the Plan.</p> <p>3. The Council will, where appropriate, seek to secure site-specific infrastructure investments and/or contributions as well as off-site contributions and/or investments. The nature and scale of these will be related to the form of development and its potential impact on the site and surrounding area. The cumulative impact of developments will also be taken into account.</p> <p>4. Developer contributions in the form of</p>	<p>The neighbourhood plan seeks to ensure that there are sufficient primary school places within the neighbourhood area to meet the need. This includes trying to ensure that siblings are accommodated within the same school to prevent excessive journeys around the estate in the morning and rush hour.</p>

		<p>Planning Obligations and/or Community Infrastructure Levy (CIL) will contribute towards strategic infrastructure required to support the overall development in the Plan. This will focus primarily on category 1 infrastructure as identified in the IDP and/or Regulation 123 list.</p> <p>5. Where site specific issues generate viability concerns, applicants should discuss these with the Council at the earliest possible stage in the development process. Proposals that are unable to comply with the Plan's policies on viability grounds must be accompanied by a detailed Viability Assessment.</p> <p>6. The Council will work in partnership with infrastructure providers and other delivery agencies in updating the Infrastructure Delivery Plan to ensure an up to date evidence base regarding infrastructure requirements and costs is maintained.</p>	
7.	Health and Well-being	<p><u>Policy: R6 Restaurants, Bars and Hot Food Takeaways</u></p> <p>1. Outlets should be located within defined centres and will normally be discouraged outside those locations.</p> <p>2. Proposals within defined centres will be permitted provided they:</p> <ol style="list-style-type: none"> <li>would not result in significant harm to the amenity of nearby residents or highway safety;</li> <li>would not result in harmful cumulative impacts due to the existence of any existing or consented proposed outlet;</li> <li>are in accordance with the emerging Hot Food Takeaway Supplementary Planning Document (in particular, proposals for A5 uses); and</li> <li>are compatible with other Plan Policies.</li> </ol>	In view of the very poor health within the neighbourhood area, the neighbourhood plans seeks to, amongst other things, limit the number and location of hot food takeaways in the area.
8.	Transport	<p><u>Policy JE7: Accessibility to Employment Opportunities</u></p> <p>1. Planning applications for new employment development (including changes of use and the expansion of existing operations) will be required to demonstrate how job opportunities arising from the proposed development will be made accessible to the City's residents, particularly those in the most deprived areas of the City and priority groups. In this regard applicants will be</p>	There are very few employment opportunities within the neighbourhood area for the local community to access, though a number of significant employers nearby (such as Jaguar Land Rover). Policy JE7 in the emerging local plan seeks to ensure employment development makes such opportunities accessible to deprived areas. The neighbourhood plan policy complements

		<p>expected to give consideration to a range of measures including:</p> <ul style="list-style-type: none"> <li>a. enhancement of the accessibility of the development to residents by a choice of means of transport;</li> <li>b. developments must be well designed to accommodate the needs of all transport modes and must be fully integrated with existing transport networks.</li> <li>c. the provision of support to residents in applying for jobs arising from the development;</li> <li>d. the provision of training opportunities to assist residents in accessing employment opportunities;</li> <li>e. Childcare provision which enables residents to access employment opportunities; and/or</li> <li>f. Measures to assist those with physical or mental health disabilities to access employment opportunities.</li> </ul> <p><u>Policy AC1: Accessible Transport Network</u></p> <p>1. Development proposals which are expected to generate additional trips on the transport network should:</p> <ul style="list-style-type: none"> <li>a) Integrate with existing transport networks including roads, public transport and walking and cycling routes to promote access by a choice of transport modes.</li> <li>b) Consider the transport and accessibility needs of everyone living, working or visiting the city. Special attention should be paid to the needs of disabled people, young children, and people with special needs. Special attention should be paid to the needs of an aging population to make Coventry an Age Friendly City.</li> <li>c) Support the delivery of new and improved high quality local transport networks which are closely integrated into the built form. This includes networks which support access to strategic growth corridors. The scale of measures required should be appropriate to the scale and impact of the proposed development.</li> <li>d) Actively support the provision and integration of emerging and future intelligent mobility infrastructure, including electric vehicle charging points, Car Club schemes and bicycle hire.</li> </ul>	<p>this.</p> <p>The neighbourhood plan seeks to ensure the safe and effective movement of people and vehicles around the estate.</p>
9.	Rail Station	<u>Policy AC6: Rail</u>	

		<p>3. Proposals for additional local railway stations on the east-west and north/south rail corridor within Coventry will be supported where they are proven to be viable, support growth objectives and are consistent with the relevant national, regional or local rail strategies.</p> <p>4. Further details are set out in the Coventry Connected SPD, Coventry Rail Investment Strategy and the West Midlands Strategic Transport Plan</p>	<p>The neighbourhood plan supports the provision of a new station on the West Coast mainline within the neighbourhood area subject to certain criteria.</p>
10.	Willenhall Village Green	Not appropriate	Not appropriate
11.	Important Open Spaces	<p><u>Policy GE1 Green Infrastructure</u></p> <p>1. The Council will protect green infrastructure based on an analysis of existing assets, informed by the Green Infrastructure Study and Green Space Strategy by incorporating the Council's Green Space Standards, and characterisation assessments.</p> <p>2. New development proposals should make provision for green infrastructure to ensure that such development is integrated into the landscape and contributes to improvements in connectivity and public access, biodiversity, landscape conservation, design, archaeology and recreation.</p> <p>3. Coventry's existing and planned network of green infrastructure should be used as a way of adapting to climate change through the management and enhancement of existing habitats. This must be demonstrated through the creation of new habitats wherever possible to assist with species movement, to provide a source of locally grown food through allotments and community gardens, to provide sustainable and active travel routes for people, to provide shade and counteract the urban heat island effect, and to assist in improving public health and wellbeing.</p> <p>4. New development will be expected to maintain the quantity, quality and functionality of existing green infrastructure. Where quantity is not retained, enhancement to quality is expected. Where the opportunity arises, and in line with the city's most up-to-date Green Space Strategy, the Council will also expect new developments to enhance green infrastructure, and create</p>	<p>The neighbourhood plan puts the 'flesh on the bones' of this policy by identifying important green spaces within the neighbourhood area. The Sowe valley is not mentioned as this is designated as Local Green Space in the emerging local plan.</p>

		<p>and improve linkages between individual areas. Any development which is likely to adversely affect the integrity of a green corridor will be required to be expressly justified and where appropriate, mitigation measures put in place.</p> <p>5. A key element of Coventry's approach to green infrastructure will be the continued development of a network of green spaces, water bodies, paths and cycle ways, with priority given to those parts of the city where there is an identified deficiency of green space.</p> <p><u>Policy GE2: Green Space</u></p> <p>1. Development involving the loss of green space that is of value for amenity, recreational, outdoor sports and/or community use will not be permitted unless specifically identified as part of a strategic land use allocation, or it can be demonstrated that:</p> <ol style="list-style-type: none"> <li>a) An assessment showing there is no longer a demand, or prospect of demand, for the recreational use of the site or any other green space use; or</li> <li>b) A deficiency would not be created through its loss, measured against the most up-to-date Coventry Green Space standards; or The loss resulting from any proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location of the city.</li> </ol>	
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3.26 The above tables demonstrate that the overall neighbourhood plan and its individual policies are in general conformity with the strategic policies in the Coventry Development Plan 2001 and the emerging Coventry Local Plan 2011.

## European Obligations

3.27 A neighbourhood plan must be compatible with European Union (EU) obligations, as incorporated into United Kingdom law, in order to be legally compliant. A number of EU obligations may be of relevance including:

- Directives 2001/42/EC (Strategic Environmental Assessment)
- 2011/92/EU (Environmental Impact Assessment)
- 92/43/EEC (Habitats)
- 2009/147/EC (Wild Birds)

- 2008/98/EC (Waste)
- 2008/50/EC (Air Quality)
- 2000/60/EC (Water).

- 3.28 Guidance indicates that it is the responsibility of local planning authorities to ensure that a neighbourhood plan is compatible with EU obligations (including obligations under the Strategic Environmental Assessment Directive) when it takes the decision on:
- a. whether the plan should proceed to referendum; and
  - b. whether or not to make the plan.

## Strategic Environmental Assessment

- 3.29 Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment is particularly relevant. Its purpose is to provide a high level of protection of the environment by incorporating environmental considerations into the process of preparing plans and programmes. This Directive is commonly referred to as the Strategic Environment Assessment (SEA) Directive. The Directive is transposed into UK law through the Environmental Assessment of Plans and Programmes Regulations 2004.
- 3.30 If the neighbourhood plan is likely to have significant environmental effects it may require a Strategic Environmental Assessment in order to meet EU obligations. The group thereby asked Coventry City Council to undertake a screening opinion to ascertain whether the scope of the neighbourhood plan necessitated a Strategic Environmental Assessment.
- 3.31 A screening opinion was subsequently undertaken by the City Council, which was published in February 2017. This report is attached as Appendix 2.
- 3.32 After consultation with the Environment Agency, Natural England and Historic England the City Council Screening Report concluded that:
- 4.1 *The Willenhall Neighbourhood Plan will provide a clear planning policy framework to be used when considering planning applications in the Neighbourhood Area.*
  - 4.2 *The Plan's effects are unlikely to have any significant impacts beyond the Neighbourhood Area and associated plan boundary and it is considered that overall the plan will not have significant effects on the environment. It is, therefore, concluded that the Willenhall Neighbourhood Plan does not need to be subject to Strategic Environmental Assessment.*
- 3.33 The Willenhall Neighbourhood Development Plan does not therefore require a Strategic Environmental Assessment.



## Habitats Regulations Assessment

- 3.34 Directive 92/43/EEC on the conservation of natural habitats, commonly referred to as the Habitats Directive, is also of relevance to meeting the basic conditions. A Habitats Regulations Assessment (HRA) identifies whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans or projects. The assessment determines whether significant effects on a European site can be ruled out on the basis of objective information.
- 3.35 The prescribed condition states that the ‘making’ of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012).
- 3.36 Further to the screening of the Willenhall Neighbourhood Plans with regard to SEA requirements, the City Council also assessed the likelihood of any proposals within it would have an adverse impact on any internationally designated wildlife sites. The report concluded that:
- 6.1 The HRA Assessment for the Coventry Local Plan found no significant or in combination effects. It is considered that due to the plan demonstrating conformity with the Coventry Local Plan that it will not result in any significant effects. Given the role of Neighbourhood Plans and the very limited amount of development being proposed in the Willenhall Neighbourhood Plan, it is considered that a HRA is not necessary.*
- 3.37 The Willenhall Neighbourhood Development Plan does not therefore require an Appropriate Assessment under the EU Habitats Regulations.

## European Convention on Human Rights (ECHR)

- 3.38 The Human Rights Act contains a number of articles which are potentially relevant to neighbourhood planning such as:
- the right to respect for private and family life
  - freedom of expression
  - prohibition of discrimination.
- 3.39 For example all sections of the community should be given the opportunity to get involved in preparing the plan and express their views on it.
- 3.40 The group confirm that the non statutory and statutory consultations have been carried out in such a way that all sections of the local community have been given the opportunity to express their views. The group were constantly mindful of the need to engage all sections of the local community and applied different consultation techniques

accordingly. These initiatives are documented in the accompanying consultation statement.

3.41 The group also wish to confirm that the neighbourhood plan has been prepared to represent the views of the whole community.

3.42 It is therefore believed that the Willenhall Neighbourhood Plan has had appropriate regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998.

## **Equalities**

3.43 The preparation of the neighbourhood plan has had due regard to the provisions of Section 149(1) of the Equalities Act 2010 and the Group is not aware of any discrimination, harassment, victimisation or any other conduct that is prohibited by or under this Act.

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## 4. Conclusion

- 4.1 In accordance with paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 this statement demonstrates that the proposed Willenhall Neighbourhood Development Plan prepared by the Willenhall Neighbourhood Planning Group meets the requirements of each basic condition and the other legal tests.
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## List of Policies in the Willenhall Neighbourhood Plan (As submitted to Coventry City Council in July 2017)

### Policy 1 - Scale and Distribution of Housing Development

1. Provision will be made for a minimum of 323 additional dwellings in the neighbourhood area between 2016 and 2031.

2. This provision will be distributed as follows:

- a) London Road allocation in the emerging Coventry Local Plan 2016 (200 dwellings)
- b) Small scale windfall development (123 dwellings)

### Policy 2 - Mix of Housing

1. A proposal for residential development should include a mix of market and affordable housing in accordance with the identified housing need in Willenhall.

2. A scheme will be supported if it provides a range of dwelling sizes that include:

- a) a limited proportion of smaller dwellings (1-2 bedrooms) including units suitable for the disabled and older people if located close to existing services and facilities; and
- b) a significant proportion of larger, family sized dwellings (3-5 bedroom units) comprising detached and semi-detached properties.

### Policy 3 - Design of New Development

Where appropriate new development should be designed to incorporate all of the following features:

- a) be of a scale and form which would be in keeping with Willenhall and would not result in the loss of amenity for existing residents;
- b) provide adequate levels of car parking, which should be designed to minimise its visual impact and avoid the creation of extensive parking courts;
- c) create well defined, attractive and secure streets and spaces, faced by active frontages and benefiting from good levels of natural surveillance and lighting;
- d) incorporate the principles of 'Secured by Design' or any equivalent standard which might amend or replace it in the future;

- e) integrate refuse and recycling storage facilities to mitigate the visual impact they may have on the public realm; and
- f) achieve high levels of environmental performance including energy efficiency measures to minimise overall running costs.

#### Policy 4 - Willenhall Local Centre

1. A proposal for development that results in the loss of a shop in the Local Centre will not be supported unless it can be demonstrated that:

- a) the unit is no longer economically viable and an alternative retail user cannot be secured; and
- b) the proposed new use would provide a tangible community benefit.

2. A proposed new shop or extension will be supported provided it does not:

- a) generate unacceptable noise, fumes, smell or other disturbance to nearby houses;
- b) lead to traffic congestion or adversely affect traffic flows on the adjoining road; or
- c) cause parking problems for adjoining residential and non-residential uses.

3. A proposal for development that supports the vitality and viability of the Local Centre will be supported including:

- a) the provision of a more diverse range of retail units;
- b) better car parking with new or extended car parks where possible;
- c) improved public transport, and walking and cycling facilities;
- d) improved traffic management;
- e) improved footway and road surfaces;
- f) improved shop fronts, include necessary security measures; and
- g) rationalised and improved street furniture (including seating, lighting, signage and safety barriers).

4. Retail development elsewhere in the neighbourhood area will be only be supported where it can be demonstrated that it would not harm the vitality and viability of the Local Centre.

The boundary of the Willenhall Local Centre is shown on Proposals Map 2.

#### Policy 5 – Willenhall Community Hub

1. A Community Hub will be built on the site of the Hagard Community Space in Rememberance Road. This will incorporate a range of integrated community services delivered by statutory bodies and the voluntary sector.

The location of the Community Hub is shown on Proposals Map 1.

2. Subject to the community hub meeting all the required provision, the following sites will be surplus to requirements and redeveloped for residential use:

- a) the Extended Learning Centre in Robin Hood Road;
- b) the Willenhall Education, Employment and Training Centre in Robin Hood Road; and
- c) Children and Social Care offices in Stretton Avenue.

The boundaries of the above sites is shown on Proposals Map 2.

#### Policy 6 – Education

Residential development will be supported if it creates additional primary school provision or the improvement of existing facilities within the neighbourhood area.

#### Policy 7 - Health and Well-being

1. A proposal for development will be supported if it promotes the health and well-being of the local community.

2. Where appropriate a proposal for development should have regard to the need to:

- a) lower air and noise pollution by encouraging fewer car journeys and reduce the speed of vehicles travelling in and through the area;
- b) provide accessible leisure and sports facilities;
- c) provide informal green spaces including areas suitable for dog walking;
- d) provide opportunities to grow fresh fruit and vegetables, and protect allotments and communal gardens;
- e) limit the number and location of takeaways in the area, and create fast-food free zones around schools;
- f) help people live independently, especially older people;
- g) enable children to have safe and accessible places to play with friends and to safely walk or cycle to school; and
- h) encourage digitally enabled local health services that share physical infrastructure and staff with schools and community groups.

### Policy 8 – Transport

Proposals for improvements to the highway network and the management of traffic in and around Willenhall will be supported if they:

- a) provide better access to and increased use of public transport to the city centre and surrounding employment opportunities;
- b) improve links within the existing built-up area for walking, cycling and bus provision especially to the Local Centre and Important Open Spaces;
- c) ensure through vehicular traffic keeps to appropriate routes; or
- d) provide 'safer routes to schools' schemes.

### Policy 9 – Rail Station

The development of a local rail station on the West Coast Main Line will be supported providing that it:

- a) meets the needs of Willenhall residents;
- b) does not generate unacceptable noise, fumes, smell or other disturbance to nearby properties;
- c) does not lead to traffic congestion or adversely affect traffic flows on the adjoining roads; and
- d) does not cause parking problems for adjoining residential and non-residential uses.

### Policy 10 – Willenhall Village Green

1. The Village Green located at the junction of Robin Hood Road and Stretton Avenue is designated as a Local Green Space.

2. The development of this Local Green Space should not be permitted other than in very special circumstances.

3. A proposal that enhances the recreational, landscape or biodiversity value of the site will be supported.

The boundary of the Local Green Space is shown on Proposals Map 1.

### Policy 11 – Important Open Spaces

1. The following are designated as Important Open Spaces:

- a) Middle Ride;

- b) The Brookstray;
- c) Arnhem Corner;
- d) The Canyon in Wroxhall Drive; and
- e) Area to the rear of Laneside and Ridgethorpe.

2. A proposal for development on an important open space will be resisted unless it can be demonstrated that:

- a) it would support the existing function or improve the overall quality of the open space; or
- b) the loss is in accordance with the criteria listed in Policy GE2 in the emerging Coventry Local Plan 2011.

3. A proposal for development should protect and contribute to the network of all open spaces in the area.

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## **Strategic Environmental Assessment – Screening Statement and Appropriate Assessment**

# Willenhall Neighbourhood Development Plan

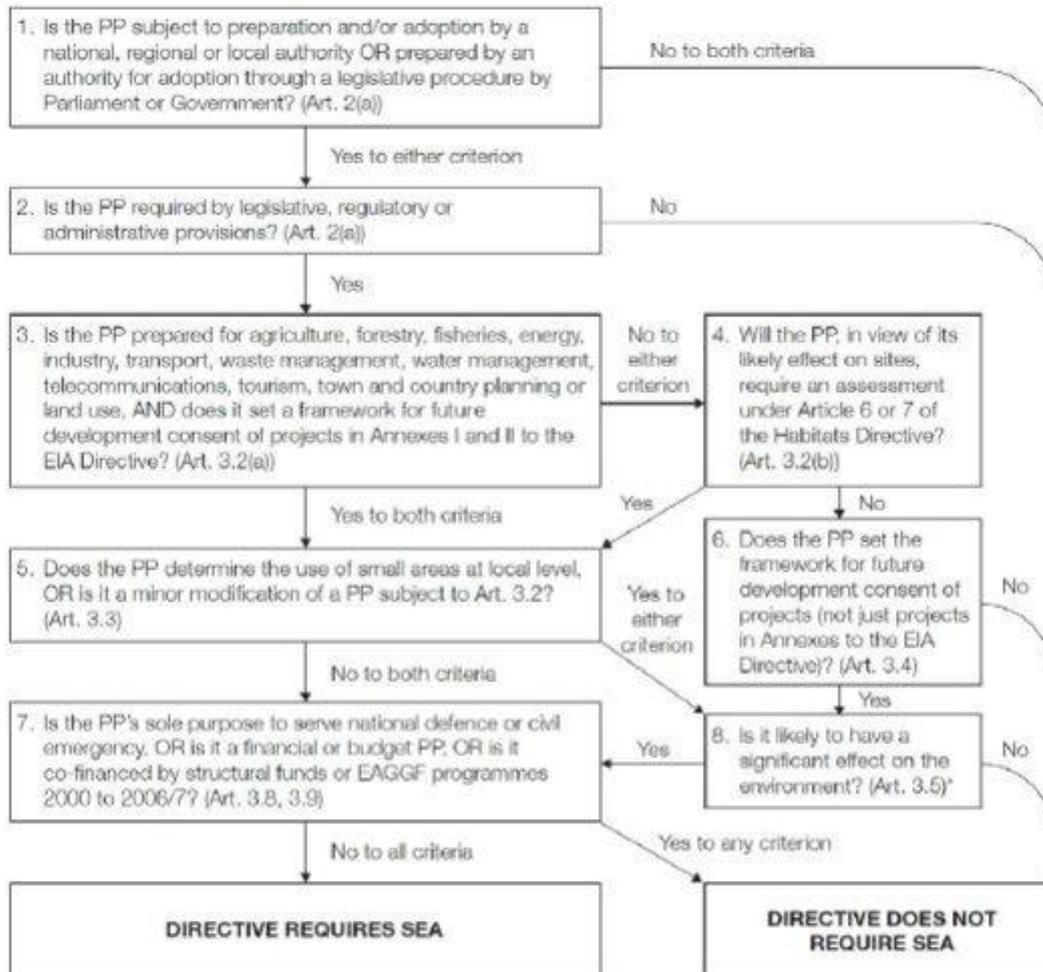
## Strategic Environmental Assessment - Screening Statement & Appropriate Assessment - Screening Statement

1. Introduction
  - 1.1 What is the screening opinion?
  - 1.2 This report has been produced to determine the need for a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.
  - 1.3 This document also addresses the need for Appropriate Assessment, in accordance with European Directive 92/43/EEC, commonly known as the Habitats Directive.
  - 1.4 What is the Neighbourhood Plan trying to achieve?
  - 1.5 The Willenhall Neighbourhood Plan covers the full extent of the electoral Ward area of Willenhall, south east of Coventry. The Plan, through its policies, aims to improve the area through land use planning whilst facilitating the strategic policies and proposals of Coventry's emerging Local Plan, 2016.
2. Policy context
  - 2.1 The Council has completed its Examination Hearings for the Coventry Local Plan which will replace the existing adopted plan for the city (Coventry Development Plan, 2001). Work is also underway on a Community Infrastructure Levy which will aim to place a charge on different types of development.
  - 2.3 Although the Neighbourhood Plan must be in general conformity with the strategic policies of the Local Plan, it can promote more development, but must not propose less. It will also provide a more local context to the non-strategic policies of the Local Plan. The Neighbourhood Plan will be subject to public consultation in accordance with the relevant regulations prior to its adoption.
3. SEA Screening
  - 3.1 The requirement for a Strategic Environment Assessment (SEA) is set out in the "Environmental Assessment of Plans and Programmes Regulations 2004". There is also practical guidance on applying European Directive 2001/42/EC produced by the ODPM (now DCLG)<sup>1</sup>. These documents have been used as the basis for this screening report.
  - 3.2 Neighbourhood Plans must be screened to establish whether or not they will require Strategic Environmental Assessment. The CLG practical guidance provides a checklist approach based on the SEA regulations to help determine whether SEA is required. This guide has been used as the basis on which to assess the need for SEA as set out below.

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<sup>1</sup> A Practical Guide to the Strategic Environmental Assessment Directive (2005) (ODPM)

Figure 1: Establishing the need for SEA



\*The Directive requires Member States to determine whether plans or programmes in this category are likely to have significant environmental effects. These determinations may be made on a case by case basis and/or by specifying types of plan or programme.

Figure 2: Establishing the need for SEA of the Neighbourhood Plan

Stage	Answer	Reason
1. Is the NP subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament of Government? (Article 2(a))	Yes	It will be prepared by the Willenhall Neighbourhood Forum and will be adopted by Coventry City Council under the 2012 Neighbourhood Planning Regulations (as amended).
2. Is the NP required by legislative, regulatory or administrative provisions? (Article 2(a))	Yes	Although there is no requirement to produce a Neighbourhood Plan, they are subject to formal procedures and regulations laid down by national government. In light of the European Court of Justice ruling in the Case C-567/10 it is considered that this means the NP is 'required'.
3. Is the NP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a))	No	The NP is prepared for town and country planning purposes but does not explicitly set a framework for future development consent of projects in Annexes I or II of the EIA Directive.
4. Will the plan in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats directive?	No	The Local Plan was screened and it was concluded that appropriate assessment was not required. The Neighbourhood Plan must be in general conformity with the Local Plan and, although it can propose more development, it is unlikely to be significant enough to require assessment under the Habitats Directive.
6. Does the plan set the framework for future development consent of projects?	Yes	The Neighbourhood Plan will provide a framework for future development consent of projects in the area.
8. Is the NP likely to have a significant effect on the environment?	See results of Figure 3: Determining the likely significance of effects	

Figure 3: Determining the likely significance of effects

SEA Directive Annex II: Criteria for determining likely significance of effects referred to in Article 3(5)		
Criteria	✓/✗	CCC officer comment
<i>The characteristics of plans and programmes, having regard, in particular, to:</i>		
1a) The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	✓	The NP will set a policy framework for the determination of planning applications for future development projects, in terms of location, nature and scale. Once the Neighbourhood Plan has negotiated the examination and its referendum, it will become part of the Development Plan for the area.
1b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	✓	The NP will form part of the statutory development plan for Coventry. It is influenced by the Local Plan but may influence the preparation of future local plans for the area.
1c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.	✓	The achievement of sustainable development in one of the basic conditions that a Neighbourhood Plan must meet. The Neighbourhood Plan aims to improve the quality of the area through facilitating strategic growth.
1d) Environmental problems relevant to the plan or programme.	✗	It is not considered that there are any particular environmental problems relevant to the plan.
1e) The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).	✗	The NP is unlikely to be directly relevant in regard to this criterion.
<i>Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</i>		
2a) The probability, duration, frequency and reversibility of the effects.	✗	Overall the effects of the plan on SEA topics are considered to be neutral. Where new development might have a negative effect this will be reasonably long term, although the effect is potentially reversible as redevelopment can occur.
2b) The cumulative nature of the effects.	✗	The effects of the NP needs to be considered alongside the Local Plan, however, it is not considered that the neighbourhood plan introduces significant additional effects over and above those already considered in the SA for the Local Plan.

		Given that the whole city could potentially be covered by neighbourhood plans, each promoting policies and development, there could be a significant cumulative impact of multiple neighbourhood plans although as plans cannot overlap, their impact would be limited to the area that they cover.
2c) The trans-boundary nature of the effects.	*	Given the issues and policies in the plan, it is not considered to have any effect beyond the City Council boundary. Indeed any potential effects will essentially be limited to the Willenhall area and its immediate environment.
2d) The risks to human health or the environment (e.g. due to accidents).	*	The Neighbourhood Plan does not require development to take place, it encourages and sets out policies to guide development. Its impact on human health is considered to be limited and it is not likely to have a significant impact on the environment due to accidents.
2e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).	*	Given the issues and policies in the plan, it is not considered to have little beyond very local effects.
2f) The value and vulnerability of the area likely to be affected due to: I. special natural characteristics or cultural heritage, II. exceeded environmental quality standards or limit values III. intensive land-use	*	The Neighbourhood Plan is essentially seeking to protect the existing environment whilst allowing appropriate sustainable development.
2g) The effects on areas or landscapes which have a recognised national, Community or international protection status.	*	There are no areas or landscapes with these designations in Coventry.

#### 4. SEA Conclusion

- 4.1 The Willenhall Neighbourhood Plan will provide a clear planning policy framework to be used when considering planning applications in the Neighbourhood Area.
- 4.2 The Plan's effects are unlikely to have any significant impacts beyond the Neighbourhood Area and associated plan boundary and it is considered that overall the plan will not have significant effects on the environment. It is, therefore, concluded that the Willenhall Neighbourhood Plan does not need to be subject to Strategic Environmental Assessment.

- 5. Appropriate Assessment (AA) Screening**
- 5.1 Legal protection is afforded to habitats and species of European importance through Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Flora and Fauna - known as the 'Habitats Directive'. Articles 6(3) and 6(4) of the Habitats Directive require Appropriate Assessment of plans to be undertaken. This involves assessing the contents of plans to ensure that their policies and proposals maintain the integrity of Natura 2000 sites. The assessment must determine whether the plan would adversely affect the nature conservation objectives of each site. Where negative effects can be identified, other options should be examined to avoid any potential damaging effects.
- 5.2 The Habitats Regulations Assessment (HRA) refers to the assessment required for any plan or project to assess the potential implications for what are termed European sites'. Such sites consist of areas designated as Special Areas of Conservation (SAC) and Special Protection Areas (SPA). There is also an international designation known as RAMSAR sites, which whilst being covered by different legislation should be subject to the same consideration as European sites.
- 5.3 The first stage is to screen the Neighbourhood Plan in order to establish whether it may have a significant effect on a European site. Only if there may be such an effect will it be necessary to undertake a process called appropriate assessment in relation to a European site. There are no European sites within a 10km radius of the neighbourhood area. Therefore, it is considered that there are not likely to be significant effects on any European sites flowing from the Neighbourhood Plan.
- 5.4 In undertaking the screening to establish whether there will be a significant effect, the precautionary principle will need to be followed. The requirement to adhere to the precautionary approach is established by case law and clarified by European Union and domestic government guidance. The use of the precautionary principle requires that when considering the likelihood of a possible effect on a European site it will be assumed that such impacts will occur if there is insufficient evidence to the contrary.
- 6. Appropriate Assessment Conclusion**
- 6.1 The HRA Assessment for the Coventry Local Plan found no significant or in combination effects. It is considered that due to the plan demonstrating conformity with the Coventry Local Plan that it will not result in any significant effects. Given the role of Neighbourhood Plans and the very limited amount of development being proposed in the Willenhall Neighbourhood Plan, it is considered that a HRA is not necessary.



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Direct Dial: [REDACTED]

Our ref: PL00053293

14 December 2016

Dear Mr Haigh

**WILLENHALL NEIGHBOURHOOD PLAN SEA & HRA CONSULTATION**

Thank you for the above consultation.

For the purposes of consultations on SEA, Historic England confines its advice to the question, "Is the Plan or proposal likely to have a significant effect on the environment?" in respect of our area of concern, cultural heritage. Our comments are based on the information supplied by yourselves in your consultation to us.

On the basis of the information supplied, including that set out in the draft plan, and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of 'SEA' Directive], Historic England concur with the conclusion that the preparation of a Strategic Environmental Assessment is not required.

Regarding HRA Historic England does not disagree with your conclusions but would defer to the opinions of the other statutory consultees.

The views of the other statutory consultation bodies should be taken into account before the overall decision on the need for a SEA is made. If a decision is made to undertake a SEA, please note that Historic England has published guidance on Sustainability Appraisal / Strategic Environmental Assessment and the Historic Environment that is relevant to both local and neighbourhood planning and available at:

<https://historicengland.org.uk/images-books/publications/strategic-environmental-assessment-sustainability-appraisal-historic-environment/>

I hope this advice is helpful.

Yours sincerely,



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*Historic England is subject to the Freedom of Information Act, 2000 (FOIA) and Environmental Information Regulations 2004 (EIR). All information held by the organisation will be accessible in response to an information request, unless one of the exemptions in the FOIA or EIR applies.*

Date: 16 December 2016  
Our ref: 200928  
Your ref: Willenhall NDP



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BY EMAIL ONLY

Dear Mr Haigh,

**Planning consultation: Willenhall Neighbourhood Plan, Coventry – Screening Assessment for Strategic Environmental Assessment and Habitats Assessment**

Thank you for your consultation on the above dated 08/11/2015.

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

**Strategic Environmental Assessment Screening**

We welcome the production of this SEA Screening report. Natural England notes and concurs with the screening outcome i.e. that no SEA is required.

Further guidance on deciding whether the proposals are likely to have significant environmental effects and the requirements for consulting Natural England on SEA are set out in the [National Planning Practice Guidance](#).

**Habitats Regulations Assessment Screening**

Natural England notes the screening process applied to this Neighbourhood plan. We agree with the Council's conclusion of no likely significant effect upon any European sites, and that the plan can, accordingly, be screened out from the HRA process.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Tom Amos on 02080 260961. For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service

Yours sincerely

Tom Amos  
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South Mercia Team