

6 March 2023
Reg 16 Response ISSUED



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Dear Sir / Madam,

Kinver Neighbourhood Plan Regulation 16 Response Land at Lawnswood Road

On behalf of Clowes Developments ('Clowes') and their land at Lawnswood Road, Savills (UK) Limited has prepared the following submission in response to the Regulation 16 version of the Kinver Neighbourhood Plan ('NP').

Consultation responses were previously submitted to the Regulation 14 (October 2022) and additional Regulation 14 consultations (November 2022) as well as a response to the Parish Council on a separate consultation they held with landowners of the proposed Local Green Space (March 2022). We request that the comments made to these consultations are fully noted and considered by South Staffordshire District Council ('SSDC').

Principal Comment

Despite our objections to the Regulation 14 consultations on the Neighbourhood Plan and the Local green Space ('LGS') consultation in March 2022, land at Lawnswood Road continues to be proposed as a LGS designation (NP reference K24 – Wood and Field south of Ridgehill Wood, Lawnswood Road). We continue to **strongly object** to this proposed designation. The land has little to no value as LGS and does not meet the criteria for such a designation. Clowes see the proposed designation as nothing more than a vexatious attempt to stop the proper forward planning of the Clowes landholding, specifically this parcel of land. We have set out more detailed comments on the proposed designation in response to Policy KN11 below. We currently do not consider that Policy KN11 meets basic condition (a) (having regard to national policies and advice).

Clowes own a substantial landholding which did include Lawnswood House, but currently includes land between the built up area of Wordsley / Summerhill, Kingswinford and the A449. This land includes Ridgehill Woods. Clowes believe that this landholding can be planned in a way which protects and enhances the sensitive woodland and ecological areas, whilst at the same time allowing a high quality development to be integrated into the locality in a planned and sustainable manner.

Clowes have demonstrated its commitment to quality in the way that it helped provide the Roe Deer Public House. In this regard, Clowes wanted to protect and enhance the rundown Lawnswood House. Clowes believed the right use was a high quality restaurant / public house providing the community with something they would be proud of and keen to use. Clowes hand selected the Restaurant Group's Brunning and Price subsidiary to create what is now their flagship establishment. Clowes want to continue this philosophy with the rest of their land holding by providing high quality new homes, accessible and useable public open space and networks and other quality local facilities serving the local community.

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

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The Parish Council's proposals undermine the Company's wish to work with the Parish Council and the local community to provide a comprehensive solution for the future use of the Company's landholding in this important part of South Staffordshire.

General Comments

Following our previous request for paragraph and figure numbering throughout the NP to make it easier to cross-reference, we welcome the numbers added to the maps. However, we maintain our request that paragraph numbers are added to the NP. In response to our comments, the NP 'Consultation Statement' (December 2022) states that "*paragraph numbering is not standard in NPs*". We do not agree with this statement and can provide the Parish Council with a number of NPs which include paragraph and figure references if required.

Policy KN02: Housing

Section 2 of the policy still makes reference to there being a particular need for 2 and 3 bedroom dwellings on a site. As stated in our response to the Regulation 14 consultation documents, we consider that the policy wording should allow flexibility in the application of the requirement for more 2 and 3 bedroom dwellings. We consider that housing need should be determined by market demand at the time of the application and site specific circumstances should be taken into account when concluding what the particular mix of accommodation should be for a site. Without this flexibility, we do not consider that the NP meets basic condition (d) (contributing to the achievement of sustainable development).

Section 4 of the policy continues to set out the types of affordable housing that are required on sites. The Consultation Statement states that no change has been made to the policy because "*the types listed are evidenced in the HNA*" and "*this does not preclude other types of affordable housing*". We do not consider that the policy wording allows for other types of affordable housing to be delivered. We still consider that this definition should be expanded to include all types of affordable housing included in the definition of affordable housing at Annex 2 – Glossary of the NPPF. This allows for a suitable level of flexibility in determining the appropriate type of affordable housing to be provided on development sites and for the NP to meet basic condition (a).

As no evidence has been provided to justify the requirement, we support the removal of reference to Nationally Described Space Standards ('NDSS') within Policy KN02. We note the additional text added to the supporting text which states that compliance with the NDSS will be 'encouraged' and have no further comments.

Policy KN04: Sustainable Design

Following our comments to the Regulation 14 NPs, only minor amendments have been made to Policy KN04 and the matters we raised and objected to largely remain unaddressed. Our general request for this policy was that the wording used be amended to provide more flexibility (e.g. change 'must' and 'should' to 'where possible'). Without these amendments, we do not consider that the NP meets basic condition (d).

We have set out below the objections we have to Policy KN04.

- Clause 4 refers to public realm and green infrastructure supporting: '*movement, recreation, social interaction, food growing, play and exercise*.' Some challenges may exist in providing all of these open space typologies on every site. It is suggested therefore, that the suitability of each site for providing these space types is assessed on a case by case basis with a flexible approach. For example, some sites may struggle to provide sufficient space for food production in a formal, allotment setting, but could instead provide fruit trees within areas of multi-functional open space to achieve similar aims.
- Clause 7 refers to the: '*use of local and recycled materials and construction and materials with superior environmental characteristics*'. It is noted that there may be some tension between these two objectives (local / superior environmental) and so again, it is suggested that a case by case basis is utilised for assessing the suitability of certain materials.

- Clause 8 describes the use of *'trees, hedges and other planting and boundary treatments.'* It is noted that some tension may exist between the desire for the use of trees for landscape and environmental benefits and the stipulations of the highways authority in relation to public realm / street scene planting and adoption.
- Clause 10 notes the need for *'gaps of sufficient width to allow access for maintenance.'* The supporting text mentions a typical gap of 2m, however there is little clarity around whether this means on an individual householder basis or for maintenance of the development area as a whole. Therefore an explanatory note would be helpful.

Policy KN05: Climate Change and Building for the Future

The supporting text of this policy states that there should be an aim for development to achieve: *"At least 10% energy use reduction relative to current Regulations."* We request clarification of the Regulations referred to, which we assume are the Building Regulations. Furthermore if an uplift of 10% is proposed, it requires adequate justification through evidence base. The Planning Practice Guidance (PPG) is clear that energy performance standards for new housing can be set higher than the Building Regulations, but only up to the equivalent of Level 4 of the Code for Sustainable Homes¹. There is no evidence provided to support the Neighbourhood Plan which justifies this proposed policy and therefore, it does not meet basic condition (a).

Policy KN07: Natural Environment

We support the removal of sites within Nature Recovery Areas to achieve 20% Biodiversity Net Gain within the Regulation 16 NP.

We still consider that the supporting text within Section 4.7 should refer to the secondary legislation that should be in force later in 2023. The Government announced on the 21 February 2023 that 10% net gain will initially not be a requirement for all developments. Small sites (less than 0.5ha) will be subject to a phased introduction and will be given until April 2024 to meet the requirements. The NP should ensure it is flexible enough to adapt to the changing national guidance especially given we do not know what will be required as part of the secondary legislation. Without this flexibility, we do not consider that the NP meets basic condition (a).

In our Regulation 14 response, we objected to the supporting text of Policy KN07 which stated that development adjacent to a designated wildlife site should include a natural habitat buffer of a minimum of 20m. There was no evidence to justify this requirement. The Regulation 16 NP has been slightly amended so that it states a 'recommended' minimum 20m'. Although this adds a degree of flexibility, we continue to object to the requirement as it does not meet basic condition (d). Evidence has still not been provided to justify the requirement and the NP has had no regard to the potential implications on net developable areas of sites. We continue to request that this requirement is removed.

Policy KN10: Flooding and Surface Water

We previously objected to the reference made on page 56 of the Regulation 14 plan that recent and planned developments are thought by residents to aggravate flooding problems. This comment is still included in the Regulation 16 NP. The document should be clear if there is any justification for this. Where required, applications should be supported by Flood Risk Assessments prepared by technical experts which assess the impact of schemes on flood risk. These assessments are subsequently reviewed and signed-off by the Lead Local Flood Risk Authority. Residents may consider that development results in increased flood risk but this is not supported by evidence.

We also previously commented on Clause 3 of Policy KN10. We requested further clarification on what the 'minimum area' is and how it should be defined. No response to this query was included in the Consultation Statement.

¹ Planning Practice Guidance Reference ID: 6-012-20190315

Policy KN12: Movement and Transport

No amendments have been made to Clauses 6 and 7 within Policy KN12 in response to our comments on the Regulation 14 NPs. Section 6 of the policy makes reference to parking provision being: “adequate to avoid excessive parking on the road”. The Plan should define what “adequate” is, and also note that housebuilders cannot be reasonably expected to control the level of parking on the road. Section 7 of the policy is similarly worded, and contains no definition of what is “sufficient” on-site parking. Both sections of the policy require clear definitions of the terms used. The Consultation Statement states that the policy does not seek to amend local plan policy parking provision. This is supported but we consider it needs to be made clearer in Policy KN12.

We support the amendments made to Clause 9 to specifically refer to development that has been assessed as impacting Potters Cross.

Policy KN11: Local Green Space

As stated above, we **strongly object** to the proposed designation of LGS K24 – wood and field south of Ridgehill Wood, Lawnswood Road. The comments we made to the Regulation 14 NP consultation and our response to the PC’s LGS letter in March 2022 are still relevant and are set out below.

LGS Planning Policy Background

In relation to the designation of LGS’s, the criteria given by the NPPF (paragraph 102) are as follows:

“The Local Green Space designation should only be used where the green space is:

- (a) in reasonably close proximity to the community it serves;*
- (b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- (c) local in character and is not an extensive tract of land.”*

In addition to the above, the PPG² is clear that LGS must not undermine the aim of plan making to identify sufficient land in suitable locations to meet identified development needs. Site K24 is part of a wider site currently under consideration by South Staffordshire District Council for allocation in their emerging Local Plan. The site was identified as site 564 in the latest preferred options consultation document. Therefore there is a concern that this designation will negatively impact on the ability for sustainable development to come forward in the Parish.

The PPG³ is also clear that blanket designation of open countryside adjacent to settlements will not be appropriate. Site K24 and a number of other proposed designations appear to be seeking to prevent future development rather than serve the purposes of Local Green Space.

The Site is currently located within the Green Belt. The PPG states that where land is already protected by Green Belt policy, *“then consideration should be given to whether any additional local benefit would be gained by designation as Local Green Space”*⁴. As stated elsewhere, the site is not publicly accessible except for PRoW which is already protected. We therefore do not consider there would be any additional benefit in designating the site as LGS.

In regards to NPPF paragraph 102a, we acknowledge that the Site is immediately adjacent to the Birmingham conurbation and could be said that the site is *“within reasonably close proximity to the community it serves”*. However, by using the word ‘and’, paragraph 102 is clear that a LGS should meet all of the criteria listed under

² Planning Practice Guidance Reference ID: 37-006-20140306

³ Planning Practice Guidance Reference ID: 37-015-20140306

⁴ Planning Practice Guidance Reference ID: 37-010-20140306

paragraph 102. As set out in further detail below, we do not consider that LGS K24 meets the paragraph 102 part b and c.

We have addressed and responded to the requirements of NPPF paragraph 102b below.

Heritage Considerations

An independent review of the proposal to designate land south of Lawnswood Road for a Local Green Space has been undertaken by Node (Clowes' Masterplanner), a registered practice with the Landscape Institute and the Institute for Historic Building Conservation.

Node have previously undertaken masterplanning and heritage studies for this site, together with an assessment of the merits of the site as a Local Green Space which was submitted as part of earlier consultation responses to the Regulation 14 NP consultations and March 2022 letter. These studies provide an evidence base for the conclusions drawn out in these representations, and are available on request. We are concerned that these earlier representations have not been taken into account.

Node's findings related to the historic significance of the site (part b of paragraph 102) are summarised below.

A desktop appraisal, including historic map regression, did not identify any features of significance, nor notable changes that would be cause to suggest that the land has any particular historic significance. Appendix 1 provides a sequence of four historic maps (Ordnance Survey of 1886, 1903, 1921, 1949), which clearly show that the site has remained undeveloped agricultural land with a small woodland copse throughout this period (see Appendix 1).

The site is not subject to any statutory heritage designations, such as a Conservation Area, Listed Buildings, scheduled monuments, registered parks or gardens, or registered battlefields (see Appendix 2). A number of heritage assets are located in the surrounding environment, including two grade II listed buildings to the north: an entrance lodge and stable range associated with Lawnswood House. The site constitutes rural landscape parcels within the wider setting of these heritage assets. The site is considered to make a very minor positive contribution to their setting, but to a degree limited by the density of the existing mature landscaping between the heritage assets and the site boundaries, and by nature of their relative proximities.

The site is not subject to local designation or recording on Staffordshire's Historic Environment Record (see appendix 3). A number of non-designated heritage assets exist in the surrounding environment, including Lawnswood House and associated buildings, structures and landscape, located to the north and Lawnswood Farm, located to the west. As above, the site is considered to make very minor positive contribution to their setting, but to a degree limited by the density of the existing mature landscaping between the heritage assets and the site boundaries, and by nature of their relative proximities.

Furthermore, a primary survey of the site has not revealed any evidence of historic interest within the site, beyond its present day landscape character and assets. Its setting is an altered environment, adjacent to late 20th century housing.

It is not considered that this description constitutes "*historic significance*", particularly in the context of the age of the properties located on the adjacent land, which forms the edge of the conurbation (dwellings along Lawnswood Road, Spinney Close, Elmwood Road). Where they are older, with the identified site forming a defined edge to the conurbation which has existed for centuries (for example), the assessment may be different; however these properties date from the latter 20th century. Therefore the specific plot of land in question has not performed an historic role as a boundary to the countryside. As such is it not considered that the site provides suitable justification for allocation as a LGS on the merit of its "*historic significance*".

Design Considerations

Node have also reviewed the proposed LGS designation from a design perspective. They conclude that the land itself is not typical of what would be expected of a local green space. Many of the qualities outlined in the PC’s assessment of suitability appear to relate to the land’s ability to provide a physical walking connection, or as a means of gaining views of the wider conurbation and Staffordshire countryside. The existing public right of way along the boundary of the land already allows right of access to the land and would continue to allow both of these functions to continue, without the need for a LGS designation. Furthermore the existing landscape assets within the site and on its boundary would be subject to assessment and appropriate protection in relation to their quality and contribution through the planning application process.

Heritage and Design Conclusion

Following a considered review of the qualities of the site in question (which was informed by previous studies undertaken at the site), Node have concluded that there are no heritage or design specific reasons for the designation of the land as a LGS. The land is not considered to have sufficient *historic significance* attached to it, nor does it contribute to the significance of heritage assets in its surroundings via setting, to a degree that would warrant it to be ‘demonstrably special to a local community’, nor does its inherent nature provide a sufficiently qualified physical setting befitting an area of local green space. The proposed designation therefore does not meet the requirements of NPPF paragraph 102 and the NP does not meet basic condition (a).

Landscape Considerations

A review of the proposed LGS designation has also been undertaken FPCR Environment and Design limited, who are members of the Landscape Institute. This was submitted in response to the Proposed LGS consultation in March 2022, and is included in these representations at Appendix 4. The site was referenced as site 3 in the March 2022 letter. However it has since been renamed as site K24 in the NP.

FPCR Landscape conclude that overall, whilst the site contains a public footpath and there are some views west over open countryside from the path, these are not unusual in the area. Taking into account all the other factors, the site is general countryside, and should not meet the higher bar of “local significance/ special community value”. For site 3 (K24), the designation appears to be more motivated by preventing development, rather than recognising a site of particular local significance.

NPPF Paragraph 102(b) Overview

The site has been reviewed by the Parish Council to inform its inclusion as a candidate site for LGS. A number of criteria are assessed to consider whether the site has local significance and or special community value, as required by paragraph 102 of the NPPF. We have reviewed these criteria against information available in the table below.

Criterion	Savills Commentary
Recreation	The land is mostly working agricultural land with no public access. Having a single public footpath through the land, as is common over much of the wider countryside adjacent, does not make this site “demonstrably special”.
Wildlife, ecology	It is not clear whether the assertion that the existence of owls and bats has been confirmed by a qualified ecologist, and the type and extent of those species on the site. It is therefore not clear whether the Parish Council’s assertion of the presence of those species on the site would provide adequate justification for the site to be designated as Local Green Space.
Heritage	Node Heritage consultants have reviewed the qualities of the site in question (which was informed by previous studies undertaken at the site). It is

	concluded by Node that there are no heritage specific reasons for the designation of the land as Local Green Space.
Beauty / tranquillity	The Parish Council's assertion that the site is tranquil is not justified by evidence base documents. The reality is that the main road into Kinver passes this site. In order to assert that the site is "tranquil" suitable evidence base is required to be produced.

In light of the above, we have demonstrated that the proposed designation of Site K24 does not meet the all of the requirements of paragraph 102 of the NPPF and therefore the NP does not meet basic condition (a). We request that the proposed designation is removed from the NP.

Kinver Design Code

No amendments have been made to the Kinver Design Code (March 2022) in response to the comments we made to the Regulation 14 NPs. Therefore the comments Node made previously are still relevant and are set out below.

The Kinver Design Code follows the approach advocated by MHCLG's National Model Design Code (2021). The site is identified within the scope of the assessment, identified as 'Lawnswood' at the northern edge of the area of study, which reflects the boundary of the Kinver Neighbourhood Plan boundary. The baseline element of the design code identifies the following elements in relation to the site:

At Figure 10, three listed buildings adjacent to the site are identified (the stable range and entrance lodge at Lawnswood House, together with Holland House), together with two potential inclusions on the local list: Tinker's Cottage to the west of the southern parcel and The Homestead at the south-west corner of the northern parcel. Further detail is requested regarding these buildings, as neither is identified within the Kinver Heritage Assessment.

The design vision (2a) provides high level recommendations for quality design, set out under the following topics: movement, nature, built form, identity, public space, uses, homes & buildings and energy & sustainability. These are described in more detail in section 3a, with specifics applied to their general recommendations (see analysis below).

Section 2B identifies the area types within the neighbourhood plan area, however the assessment only extends to the land immediately around Kinver; the information having been derived from Kinver Historic Character Assessment. As such, no information is available for the site or its surroundings.

Section 3a Design Codes provides more specific guidance to the development of proposals. The content is largely illustrative of accepted best practice, which would be required of any acceptable proposals for planning approval under the existing policy regime. The geographic extent of the guidance is not clear, with compact area around the village centre often used to illustrate points. As such it is not fully clear whether all of the recommendations extend to land beyond this boundary, including the Lawnswood Road site, which is remote from the village centre. For brevity, the below is a summary of any element which it is considered may cause a potential challenge or impediment to the development of the Lawnswood Road site:

MO.04 Inclusive Streets: in relation to gradients, specifies that: *'Recommendations vary somewhat across guidelines but, under normal circumstances, a figure of 2.5 per cent (1 in 40) should be regarded as the maximum acceptable. Where possible, it is preferable to have a crossfall between 1 and 2 per cent.'* It is noted that the southern parcel within the site will require a bespoke approach to gradients, which may make it challenging to achieve this standard.

NA04 Biodiversity net gain: Most of the vision components are qualitative, however NA.04 specifies the minimum 10% net increase required by development.

As set out in our response to Policy KN07, mandatory biodiversity net gain is set out as a requirement in the Environment Act (2021). However, secondary legislation to amend the Town & Country Planning Act (TCPA) and confirm the percentage gain required by the legislation is not due to come forward until late 2023. Until this point, the Parish must justify with evidence base the requirement to provide a 10% net gain.

NA.06 Street planting: the desire for trees on streets would need to be met with approval for adoption by highways.

BF01 Density: New development states: *'Density in new developments should take into consideration the density ranges of the surrounding areas, and suggest a density measure that is appropriate to them. In every case, density measures over 20 dw/ha should be strongly justified.'* Whilst it is recognised that density is a key component of a sensitive response to context, it is noted that 20dph is a very low density that does not constitute good use of land, particularly land released from the Green Belt. It is not considered therefore that a blanket maximum density of 20dph across the neighbourhood plan area is appropriate. We strongly object to this policy as it is not justified.

BF.03 Height: states: *'Most residential buildings tend to be 2 storeys across the built area, buildings in the countryside tend to be of a lower profile. Even if some flat buildings are being proposed in the core of Kinver, any development over two storeys will need to be justified and will be contested as it has the potential to significantly impact the built character of Kinver. This tension between new intrusive development and existing dwellings should be avoided.'* Whilst again noting the potential negative impact resulting from inappropriate scale, it is noted that in the interest of creating character and variety across the development, the ability to include some modest change in height in key locations provides placemaking benefits, for example in turning corners and defining key views. We strongly object to this policy as there are various locations where 3 storey buildings are found in Kinver parish.

ID.04 Architecture: this clause provides very specific quantitative guidance on plot dimensions and conditions, which may prevent the delivery of some dwelling types, particularly smaller properties, which may hamper the ability to deliver a mixed community and provide more affordable home options.

PS.02 Residential Street: makes reference to cul-de-sac streets and Secured by design, which can conflict with desire to create well connected legible environments.

PS.04: Secured by design: whilst the specific recommendations noted and illustrated within the design code are not contested, the specifications of Secured by design, in particular in relation to the public realm can conflict with good placemaking. We would advocate a balanced approach that seeks to create inherently secure design through best practice means such as perimeter blocks, overlooking of streets and spaces, clear definition of public and private realm and connected, well defined streets and routes.

HO.01 Space Standards: provides minimum standards and example residential configurations. It is not clear whether these standards have been market tested, however they appear to broadly reflect the National Described Space Standards (DCLG, 2015). Policy KN02 no longer refers to NDSS. It should be considered that the requirement for NDSS reduces the number of dwellings per site, therefore the amount of land needed for each dwelling increases. At the same time, the requirement for infrastructure and other contributions will fall, potentially challenging their delivery.

HO.02 Accessibility: references Lifetime Homes Standards, stating: *'Any new housing development must meet the M4(2) standards for accessible and adaptable homes. Any new development of 10 or more homes must provide 10% to M4(3) standard for wheelchair accessible homes. The accessible and adaptable M4(2) standard is particularly relevant for a village with a larger number of older households, and developers should be encouraged to build all homes to meet the M4(2) standard.'* We object to this policy, There should not be a blanket requirement for all homes to be fitted to these standards. Rather the PPG (Reference ID: 56-007-20150327) is clear that evidence is required if there is a desire to set higher accessibility, adaptability and wheelchair housing standards.

SU.01 Insulation; SU.02 Low carbon; SU.03 Solar panels and SU.04 Green roofs: all provide a description of their respective topic areas, with high standards set for new development in relation to carbon reduction and on site energy production. If all of these aspects were required for every new development, this may prove prohibitive (and in many cases, some of the elements may be ineffectual). It is suggested that a site by site assessment is made of the relative merits of delivering varied combinations of these standards.

The PPG states that LPAs can set energy performance standards for new housing, or the adaptation of buildings to provide dwellings, that are higher than the Building Regulations through the Local Plan process, but only up to the equivalent of Level 4 of the Code for Sustainable Homes. It is not clear at what level the Parish Council is seeking to require energy performance standards to be, as no evidence has been provided. A robust evidence base is required in support of any requirement for energy performance standards above what is already required by the Building Regulations.

In summary, the design code provides a significant amount of guidance for new development, but it is not always clear where this is to be applied, as location-specific guidance in the document applies much more readily to Kinver and immediate environs. Despite the site falling within the study area, it lies at the extremity of the parish, some distance from Kinver village, and shares little with the morphological or architectural character described in the design code.

Whilst the design code does identify area types, the subsequent guidance is not sufficiently nuanced to reflect differentiation between these areas: whilst there is a matrix on the application of the individual codes to the character areas, this does not break down on a code by code basis to identify what specific element of the code applies to each area. Furthermore, the site and much of the wider parish area has not been assigned an area type. It has been concluded that this would be assessed as new development, however this fails to take into account the existing character and conditions of the land, which appears to be a missed opportunity.

I trust that the above is helpful. I would be grateful if you could confirm receipt of this response.

Yours faithfully

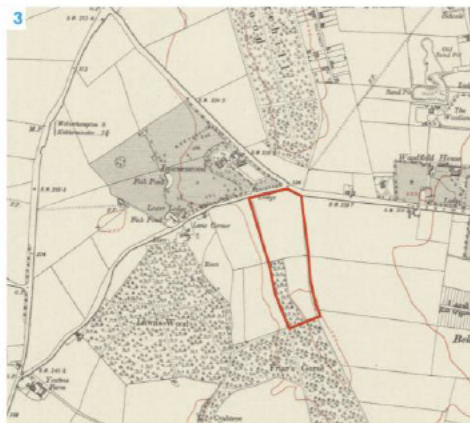
A solid black rectangular box used to redact the signature of Michael Davies.

Michael Davies
Director

Appendix 1: Historic Plan Analysis

The adjacent plans show the following:

1. Ordnance Survey of 1886
2. Ordnance Survey of 1903
3. Ordnance Survey of 1921
4. Ordnance Survey of 1949



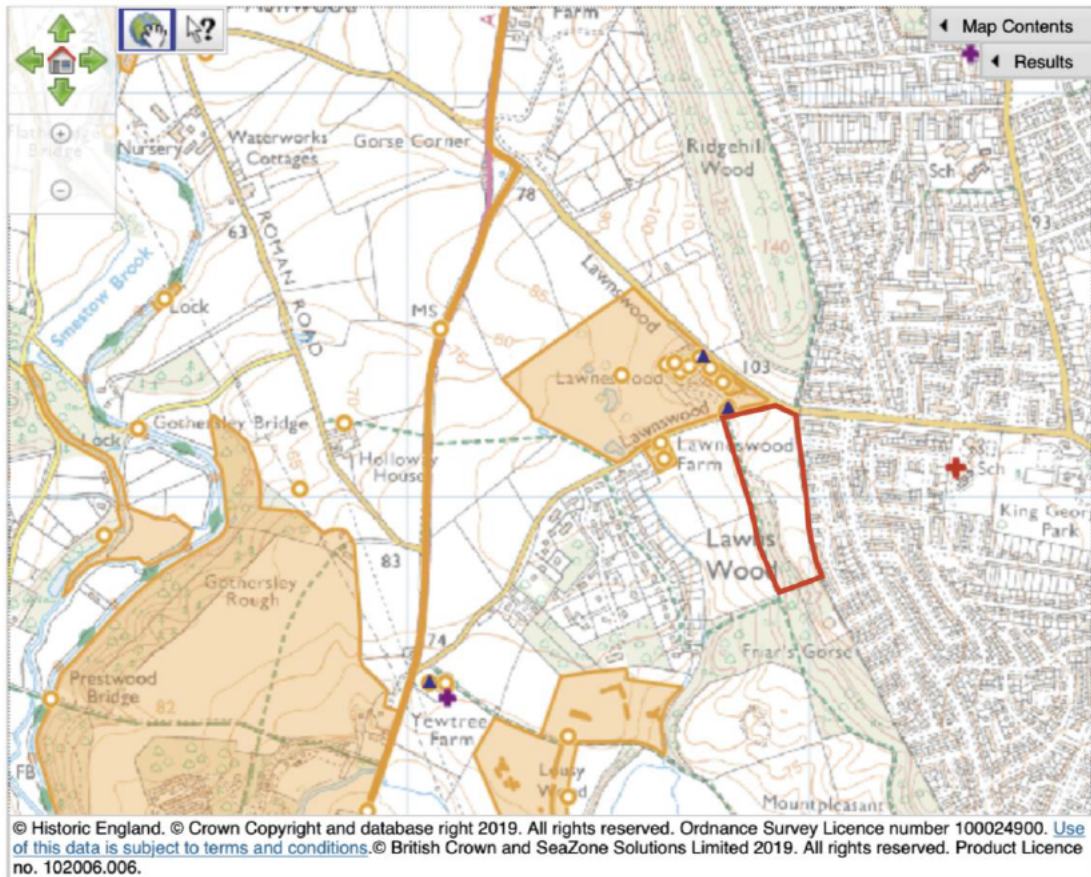
Appendix 2: Heritage Assets



- LEGEND**
- Site boundary
 - Grade II listed building
 - Non-designated heritage asset
1. Stable range at Lawnswood House
 2. Entrance lodge with curved walling and gate piers at Lawnswood House
 3. Holland House
 4. Lawnswood House and associated non designated heritage assets, including potting sheds, boiler house, office and glasshouse
 5. Landscaped park and pleasure grounds extending north and west from Lawnswood House
 6. Lawnswood Farm

0 200 metres

Appendix 3: Historic Environment Record



- LEGEND**
- Site boundary
 - ▲ Listed Building (NHLE)
 - EH PastScape
 - Local HER record points
 - ▭ Local HER record polygons
 - ✦ NMR Excavation Index

Appendix 4: FPCR Landscape Objection Letter

Our ref: mgh/ 9327

Christine Allen
Chairperson -Kinver Neighborhood Plan
95 High Street
Kinver
South Staffordshire
DY7 6 HD

4th March 2022

Dear Ms Allen

Kinver Parish Local Green Space Designation Consultation

Thank you for the information from Kinver Parish Council. I have reviewed the Local Green Space evidence document produced by the Council and make the following observations.

Local Green Space can be designated in local plans and neighbourhood plans to identify and protect green areas of particular importance to the local communities. The requirements for designating and managing Local Green Space is set out in paragraphs 101 to 103 of the NPPF 2021.

Paragraph 102 of the NPPF notes

The Local Green Space designation should only be used where the green space is:

- a) in reasonably close proximity to the community it serves;*
- b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- c) local in character and is not an extensive tract of land.*

Paragraph 101 of the NPPF requires the designation to be consistent with the planning of sustainable development, and the Kinver Neighbourhood plan website correctly notes that,

"it is not deemed appropriate to use Local Green Space designation purely to prevent development."

My first observation is that by looking at the overview map of sites considered, the potential Local Green Space sites wrap very tightly around the edge of the principal urban area, covering the majority of land on the boundary of the parish. This suggests that the designation is being used to prevent development, by tightly restricting the existing urban area.

I have also looked in more detail at Site 3 Wood and Field South of Ridgehill Wood.

This 6-ha tract of land lies immediately west of Elmwood Road, and comprises an agricultural field, and an area of private woodland on more steeply sloping ground to the west. Footpath 84 passes through the area from Lawnswood Road.

fpcr

masterplanning ■
environmental assessment ■
landscape design ■
urban design ■
ecology ■
architecture ■
arboriculture ■
graphic design ■

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The proforma used in the assessment ticks every box as suitable for Local Greenspace designation.

It is agreed that the site is close to a community at Lawnswood.

It is not agreed that the site holds a "*special community value*" for recreational. The land is mostly working agricultural land with no public access. Having a single public footpath through the land, as is common over much of the wider countryside adjacent, does not make this site "*demonstrably special*".

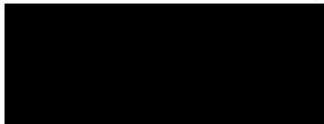
It has not been demonstrated that the site holds a "*special community value*" for wildlife and ecology. The majority of the area is working agricultural land and there is no reference to any surveys that have confirmed the value of the land for ecology.

It is not agreed that the site holds a "*special community value*" for heritage. The commentary in the proforma that notes the site forms a "*Natural buffer zone between countryside and conurbation area*" suggests that there is nothing to identify regarding heritage. Node consultants are providing commentary on heritage.

Under the heading, beauty setting and tranquillity, the site is adjacent to the urban area and there are some views west from path 84 over the countryside. It is considered that the site contributes to this factor to a limited degree.

Overall whilst site 3 contains a public footpath, and there are some views west over open countryside from the path, these are not unusual in the area. Taking into account all the other factors, the site is general countryside, and should not meet the higher bar of "*local significance/ special community value*". For site 3 the designation appears to be more motivated by preventing development, rather than recognising a site of particular local significance.

Yours sincerely



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