

Independent Examiners Report Long Compton Neighbourhood Development Plan

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SECTION 2

Summary

As the Independent Examiner appointed by Stratford-on-Avon District Council to examine the Long Compton Neighbourhood Development Plan, I can summarise my findings as follows:

I am satisfied having regard to the Long Compton Parish Council Consultation Report and my examination of the representations made in connection with this subject that the Long Compton Neighbourhood Development Plan meets the Basic Conditions in connection with the consultation process.

I find that the policies contained within the Long Compton Neighbourhood Development Plan subject to the proposed modifications meet the Basic Conditions.

I find that the Long Compton neighbourhood Development Plan can proceed to a Referendum.

I am satisfied that the Referendum Area should be the same as the Plan Area, should the Long Compton Neighbourhood Development Plan go to Referendum.

At the time of my examination the relevant development plan is the Stratford-on-Avon District Local Plan Review 1996-2011 Saved Policies (2009). As the new Stratford-on-Avon Local Plan is making progress to adoption it may be necessary to make provision to review the plan at a later stage in the Long Compton Neighbourhood Plan period to ensure that the policies remain in general conformity with the strategic policies of the new local plan.

I find that due to the grant of planning permissions during the examination period it may be necessary to review the sites identified for development in the plan and consider whether it is still relevant to include these sites.

SECTION 3

Introduction

1. Neighbourhood Plan Examination.

My name is Deborah McCann and I am the Independent Examiner appointed to examine the Long Compton Neighbourhood Development Plan.

I am independent of the qualifying body, I do not have any interest in the land in the plan area, and I have appropriate qualifications and experience, including experience in public, private and community sectors.

My role is to consider whether the submitted Long Compton Neighbourhood Development Plan meets the Basic Conditions and has taken into account human rights; and to recommend whether the Long Compton Neighbourhood Development Plan should proceed to Referendum. My role is as set out in more detail below under the section covering the Examiner's Role. My recommendation is given in summary in Section 2 in full under Section 5 of this document.

The Long Compton Neighbourhood Development Plan has to be independently examined following processes set out in the Town and County Planning Act 1990 (as amended by the Localism Act 2011) and the subsequent Neighbourhood Planning (General) Regulations 2012.

This process allows for the holding of a Neighbourhood Plan Hearing where the Examiner decides that there are issues or information on which the Examiner requires clarification. Having read the plan and considered the representations made I do not consider that I require any clarification on any aspects of the plan and therefore do not consider that a Hearing is necessary.

2. The Role of Examiner including the examination process and legislative background.

As an independent Examiner, having examined the Plan, I am required to make one of the following recommendations:

The Plan can proceed to a Referendum

The Plan with recommended modifications can proceed to a Referendum

The Plan does not meet the legal requirements and cannot proceed to a Referendum

I am also required to recommend whether the Referendum Area should be different from the Plan Area, should the Long Compton Neighbourhood Development Plan go to Referendum.

In examining the Plan, I am required to check, under Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, whether: - the policies in the Plan relate to the development and use of land for a designated Neighbourhood Area are in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act 2004:

- The Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 to specify the period for which it has effect - the Plan has been prepared for an area designated under the Localism Act 2011 and has been developed and submitted for examination by a qualifying body.

I am also to determine whether the Plan complies with the Basic Conditions, which are that the proposed Neighbourhood Plan:

- Has regard to national policies and advice contained in guidance issued by the Secretary of State;
 - Contributes to the achievement of sustainable development;
- and
- Is in general conformity with the strategic policies contained in the Development Plan for the area.

The Plan must also not breach, and otherwise be compatible with EU obligations and Human Rights requirements.

Stratford-on-Avon District Council will consider the Examiner's report and decide whether it is satisfied with the Examiner's recommendations. The Council will publicise its decision on whether or not the plan will be submitted to a referendum, with or without modifications. If the Neighbourhood Plan is submitted to a referendum then 28 days notice will be given of the referendum procedure and Neighbourhood Plan details. If the referendum results in more than half those voting (i.e. greater than 50%), voting in favour of the plan, then the District Council must "make" the Neighbourhood Plan a part of its Development Plan as soon as possible. If approved by a referendum and then "made" by the local planning authority, the plan then forms part of the Development Plan.

SECTION 4

The Report

1. Appointment of the Independent examiner

Stratford-on-Avon District Council appointed me as the Independent Examiner for the Long Compton Neighbourhood Development Plan with the agreement of Long Compton Parish Council.

2. Qualifying body

I am satisfied that the Long Compton Parish Council is the qualifying body.

3. Neighbourhood Plan Area

The Long Compton Neighbourhood Development Plan Area covers the whole of the Long Compton Parish. The Basic Conditions Statement submitted with the Long Compton Neighbourhood Development Plan confirms there are no other Neighbourhood Plans covering the Area.

4. Plan Period

It is intended that the Long Compton Neighbourhood Development Plan will cover the period 2014-2031.

5. Stratford-on-Avon District Council assessment of the Plan.

Long Compton Parish Council, the qualifying body for preparing the Long Compton Neighbourhood Development Plan, submitted it to Stratford-on-Avon District Council for consideration. Stratford-on-Avon District Council has made an initial assessment of the submitted Long Compton Neighbourhood Development Plan and subject to a number of detailed comments and recommendations on the policies and the supporting documents and is satisfied that these comply with the specified criteria.

6. Site Visit

I carried out an unaccompanied site visit on Wednesday 15th September 2015.

7. I am required to check the consultation process that has led to the production of the plan, as set out in the regulations in the Neighbourhood

Planning (General) Regulations 2012. The Parish Council has submitted a document entitled the Long Compton Plan Consultation Report. The Consultation Report provides a summary of the entire consultation history and describes the Regulation 14 (Pre-submission) consultation process, responses and consequent changes to the Plan.

7.1 Consultation History

Preparations for the Plan began in February 2012 when the NDP Committee was formed.

Long Compton NDP Committee:

- ran three major public meetings on 24th March 2012, 9th December 2012, and 15th September 2013.
- ran two open workshops on 10th January 2013 and 9th March 2013 to identify a Vision and analyse the qualities of the village.
- publicised updates of the Plan in three issues of The Long Compton Community Magazine, and one Village News update sheet.
- launched a Twitter page with regular tweets.
- liaised and met with local landowners, developers, and estate agents.
- commissioned a housing needs survey to be undertaken in August 2012.
- circulated the proposed Vision Statement around the village on 18th April 2013

The pre-submission consultation ran from the 2nd November 2013 until the 14th December 2013.

A list of statutory bodies consulted is in the Consultation Report. These seem satisfactory.

7.2 I am satisfied that the pre-submission consultation and publicity has met the requirements of regulation 14. The Parish Council and Long Compton NDP Committee have undertaken a thorough consultation process.

I therefore consider that the Plan does meet the Basic Conditions in this respect.

8. Comment on Responses

The District Council placed the Long Compton Neighbourhood Development Plan out for consultation for the required period and the consultation period came to an end on the 14th December 2014. The responses from Statutory Consultees and others were received and the action and amendments made as a result of these responses have been recorded and revisions to the relevant policies tracked. Whilst I have not made reference to specific representations in my report, I have taken them into consideration.

9. Compliance with the Basic Conditions

The Long Compton Neighbourhood Development Plan committee produced a Basic Conditions Statement on behalf of Long Compton Parish Council in March 2015. The purpose of this statement is for the Parish Council to set out in some detail why they believe the Neighbourhood Development Plan as submitted does meet the Basic Conditions. It is the Examiners Role to take this document into consideration but also make take an independent view as to whether or not the assessment as submitted is correct.

I have to determine whether the Long Compton Neighbourhood Development Plan:

- i) Has regard to national policies and advice
- ii) Contributes to sustainable development
- iii) Is in general conformity with the strategic policies in the appropriate Development Plan.
- iv) Is not in breach and is otherwise compatible with EU obligations and Human Rights requirements.

Documents brought to my attention by the District Council for my examination include:

- (a) The Long Compton Neighbourhood Development Plan: This is the main document, which includes projects and policies developed by the community.

(b) The Consultation Report: This is a statement setting out how the community and other stakeholders have been involved in the preparation of the Long Compton Neighbourhood Development Plan and is supported by an evidence base which arose from the consultation.

(c) The Sustainability Appraisal: This is an appraisal of how well the Long Compton Neighbourhood Development Plan policies contribute to achieving sustainable development objectives.

I am satisfied that the conclusion of the Basic Conditions Statement is correct. I am satisfied having regard to these documents and other relevant documents, policies and legislation that the Long Compton Neighbourhood Development Plan does, with the suggested modifications meet the Basic Conditions.

10.Planning Policy

10.1.National Planning Policy

National Policy guidance is in the National Planning Policy Framework (NPPF) 2012.

To meet the Basic Conditions the Plan must have “regard to national policy and advice”.

In addition the NPPF requires that a Neighbourhood Plan "must be in general conformity with the strategic policies of the local plan". Paragraph 16 states that neighbourhoods should “develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development; plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan”.

The Long Compton Neighbourhood Development Plan does not need to repeat these national policies, but to demonstrate it has taken them into account.

I have examined the Long Compton Neighbourhood Development Plan Policies and consider that subject to modification they do have “regard for National Policy and Advice” and therefore the Plan does meet the Basic Conditions in this respect.

10.2.Local Planning Policy- The Development Plan

Long Compton Parish is within the area covered by Stratford-on-Avon District Council. The relevant development plan is Stratford-on-Avon District Local Plan Review 1996-2011 Saved Policies (2009).

I have considered the Strategic policies of the Development Plan and the Policies of the Long Compton Neighbourhood Development Plan and consider that the Plan does meet the Basic Condition in this respect and is subject to modification in general conformity with the Strategic Policies contained in the Stratford-on-Avon District Local Plan Review 1996-2011 Saved Policies (2009)

11. Other Relevant Policy Considerations

11.1 European Convention on Human Rights (ECMR) and other European Union Obligations

As a 'local plan', the Neighbourhood Development Plan is required to take cognisance of the EU Strategic Environmental Assessment (SEA) Directive 2001/42/EC Office.

Stratford-on-Avon District Council has screened the Long Compton Neighbourhood Plan to determine whether Strategic Environmental Assessment (SEA) or Habitat Regulations Assessment (HRA) is required. The District Council's Screening Opinion is given in an email dated 27 November 2013.

Stratford-on-Avon District Council considers that the Long Compton Neighbourhood Plan does not require Special Environmental Assessment because it would not have a significant environmental effect, given the scale of the proposed development over the plan period, the inclusion of the Village Design Statement, and the reference to the AONB Management Plan within the Neighbourhood Plan.

The District Council considers that a Habitat Regulations Assessment would not be required as the Neighbourhood Plan makes reference to or includes a link to the District Council's Core Strategy's HRA.

The District Council also considers that an Environmental Impact Assessment would not be required as the Neighbourhood Plan does not propose any

projects which fall under the criteria set out in either Annex I or Annex II of the EIA Directive.

Having considered the contents of the Long Compton Neighbourhood Development Plan and the comments received I concur that no Strategic Environmental Assessment is required.

11.2 Sustainable development

Section 2 of the Basic Conditions Statement deals with sustainable development. This section of the report considers how the Strategic Aims of the plan along with the individual policies would contribute to sustainable development and meet the principles of Sustainable Development required by the NPPF. I am satisfied that the Long Compton Neighbourhood Development Plan addresses the sustainability issues adequately.

11.3 The Neighbourhood Development Plan is required to take cognisance of the European Convention of Human Rights and to comply with the Human Rights Act 1998.

I am satisfied that the Long Compton Neighbourhood Development Plan has done so.

I am therefore satisfied that the Long Compton Neighbourhood Development Plan meets the basic conditions on EU obligations.

11.4 Excluded development

I am satisfied that the Long Compton Neighbourhood Development Plan does not cover County matters (mineral extraction and waste development), nationally significant infrastructure such as highways and railways or other matters set out in Section 61K of the Town and Country Planning Act 1990.

11.5 Development and use of land

I am satisfied that the Long Compton Neighbourhood Development Plan covers development and land use matters.

11.6 The Long Compton Neighbourhood Plan Strategic Aims and Policies

The Plan sets out the strategic issues and objectives to be covered in the plan as:

- Housing

(a) To meet the economic, social and environmental needs of the village through sustainable organic growth, meeting local demand without breaking down existing structures; and

(b) To preserve and enhance the special character of Long Compton.

- Natural Environment

To protect and enhance the natural environment and countryside in the Plan area.

This objective complies with the Cotswolds AONB Management Plan 2013-18 and the NPPF. It conforms with SDC's CS's Habitat Regulations Assessment.

It includes:

- protecting valued landscapes.
- geological conservation interests;
- minimising impacts on biodiversity;
- providing net gains in biodiversity where possible; and
- establishing coherent ecological networks that are more resilient to current and future pressures.

- Infrastructure

To improve the capacity of infrastructure in Long Compton and to mitigate the adverse effects of existing inadequate infrastructure.

- Employment

To encourage opportunities for home working and local employment.

COMMENT

I consider that the policies of the plan do reflect the strategic aims of the Long Compton Neighbourhood Plan and therefore meet the Basic Conditions in this respect.

12. Long Compton Neighbourhood Development Plan Policies

5.1 Housing Strategic Objectives

- (a) To meet the economic, social and environmental needs of the village through sustainable organic growth, meeting local demand without breaking down existing structures; and
- (b) To preserve and enhance the special character of Long Compton.

COMMENT

I have considered the comments submitted by Stratford-on-Avon District Council regarding the use of the phrase “meeting local demand” however I consider that the phrase does not define local as being only from within the existing community and I therefore consider that it is not in conflict with the strategic aims of the Development Plan.

POLICY H1 - Development Criteria

All development within the Plan area must:

H1.1 comply with the principles of Long Compton Village Design Statement as set out below:

H1.2 conserve and enhance landscape and biodiversity by incorporating mitigation measures consistent with the local character of the AONB and the local biodiversity action plan;

H1.3 conserve and not obstruct public views to and from higher slopes or skylines or sweeping views across the landscape (see Environment map on page 23);

H1.4 protect the fingers of green land which extend to the A3400 and the green fields which adjoin the built-up area of the village (see Environment map);

H1.5 have regard to the impact on tranquillity, including dark skies:

H1.6 not increase the likelihood of surface water flooding within the village or exacerbate foul drainage capacity problems;

H1.7 be preceded by an archaeological survey, where development which would disturb the ground is on, or adjoining, archaeological remains or is on land which the County Archaeologist considers should be assessed for its archaeological value.

COMMENT

I have considered the various consultation responses to this policy and agree with the comment from Stratford-on-Avon District Council in relation to the need to reference the local biodiversity action plan. It might be advisable to cross reference H1.4 with policy E2.

POLICY H2 – Steady and Moderate Development

Future development in Long Compton will be continuous but controlled to achieve steady and moderate growth as follows:

Subject to policies H1, H3 and H4, development and reuse of land and properties within the defined village boundary will be supported to provide approximately [39] new dwellings between 2011 and 2031.

Taking account of the number of homes already built in the village since 2011 together with those which have received planning permission (19 dwellings at 1/8/2014), this Plan provides for a further 20 homes before 31 March 2031. Of these 20 dwellings, 9 will be affordable, to meet affordable housing needs identified in the 2012 Housing Needs Survey.

With the exception of the affordable housing site (numbered 3 in appendix 3), any development will only be acceptable if it does not exceed a maximum number of 7 dwellings (two or more developers on one site being deemed to be a single development).

COMMENT

I have considered the comments of Stratford-on-Avon District Council with respect to this policy. I agree that the policy should include provision for windfall sites subject to them meeting the criteria of policy H1 and that the final paragraph is overly prescriptive.

I also note that the explanation for this policy seems to include elements, which are more appropriate for the body of the policy itself, and therefore needs to be reviewed and revised.

At the time of my examination the relevant development plan is the Stratford-on-Avon District Local Plan Review 1996-2011 Saved Policies (2009). As the new Stratford-on-Avon Local Plan is making progress to adoption it may be necessary to make provision to review the plan at a later stage in the Long

Compton Neighbourhood Plan period to ensure that the policies remain in general conformity with the strategic policies of the new local plan particularly in relation to housing numbers.

As the comments from Stratford-on-Avon state the NPPF sets out a clear definition of previously developed land, I consider that the supporting text for this and other policies in the plan should be reviewed to ensure that this definition is adopted for the plan and is consistent throughout.

My conclusion is that in order for this policy to meet the Basic Conditions policy H2 should be modified as follows:

POLICY H2 – Steady and Moderate Development

Future development in Long Compton will be continuous but controlled to achieve steady and moderate growth as follows:

Subject to policies H1, H3 and H4, development and reuse of land and properties within the defined village boundary will be supported to provide approximately [39] new dwellings between 2011 and 2031.

In addition applications for small residential developments on infill sites within the defined boundary of Long Compton will be supported where such development:

- fills a small restricted gap in the continuity of existing frontage buildings or the site is closely surrounded by buildings;
- is not considered to be an unneighbourly development that requires unsuitable access, significantly reduces the privacy of adjoining properties or is inconsistent with the character of the surrounding area; and
- is in conformity with other policies in the Plan.

Proposals for more than 7 dwellings on any single site will only be supported in exceptional circumstances.

Taking account of the number of homes already built in the village since 2011 together with those which have received planning permission (19 dwellings at 1/8/2014), this Plan provides for a further 20 homes before 31 March 2031. Of these 20 dwellings, 9 will be affordable, to meet affordable housing needs identified in the 2012 Housing Needs Survey.

POLICY H3 – Not Greenfield

The development of previously undeveloped land will not be supported. The development of greenfield sites will be refused unless there are proven exceptional reasons justifying development. The only exception to this policy will be essential agricultural development and the development for affordable housing on site 3 shown in Appendix 3.

COMMENT

I consider that to avoid confusion regarding previously developed land the wording of this policy could be simplified. It may also be necessary to modify the explanation in relation to the definition of previously developed land. I suggest the following modification to the policy:

POLICY H3 – Not Greenfield

Proposals for the development of greenfield sites will not be supported unless there are proven exceptional reasons justifying the development. The only exception to this policy will be essential agricultural development and the development of affordable housing on site 3 shown in Appendix 3.

POLICY H4 – Affordable Housing

As an exception to policy H3, land has been identified as suitable to meet the local need for affordable housing (site 3, Appendix 3). This site will accommodate a development of 5 affordable dwellings for occupation by people originating from or with a clear connection to Long Compton parish, together with 4 dwellings for local market purchase, in accordance with the needs identified in the Long Compton Housing Needs Survey.

COMMENT

In order to meet the requirements of the NPPF and meet the Basic Conditions test it is necessary to make provision for this policy to address the whole plan period. It is necessary to ensure that the land for the additional phase is included in the map at appendix 3. I suggest that the following policy modification:

POLICY H4 – Affordable Housing

As an exception to policy H3, land has been identified as suitable to meet the local need for affordable housing (site 3, Appendix 3). **The initial phase of development for this site** will accommodate a development of 5 affordable dwellings for occupation by people originating from or with a clear connection to Long Compton parish, together with 4 dwellings for local market purchase in accordance with the needs identified in the Long Compton Housing Needs Survey 2012. **The site can accommodate further development for affordable housing throughout the plan period, to meet the future needs of the community.**

POLICY H5 – Reuse of Buildings

The conversion to housing, permanent business space or residential tourist accommodation of redundant buildings built of traditional materials and of historical or architectural merit will be accepted provided development:

- does not have an unacceptable impact on the visual and landscape amenity of the area,
- does not have an unacceptable impact on neighbours' amenity:
- does not cause harm to nature conservation interests:
- benefits from a safe and convenient access to the site or a satisfactory access can be created:
- ancillary and/or outbuildings and boundary treatments are in keeping with the character and setting of the original building.

COMMENT

It should be noted that there are existing permitted development rights which relate to the conversion of existing buildings to alternative uses however on the basis that these permitted development rights are

I consider that this policy requires minor modification as follows:

POLICY H5 – Reuse of Buildings

The conversion to housing, permanent business space or residential tourist accommodation of redundant buildings built of traditional materials **or** of historical or architectural merit will be accepted provided development:

- does not have an unacceptable impact on the visual and landscape amenity of the area,
- does not have an unacceptable impact on neighbours' amenity:
- does not cause harm to nature conservation interests:
- benefits from a safe and convenient access to the site or a satisfactory access can be created:
- ancillary and/or outbuildings and boundary treatments are in keeping with the character and setting of the original building.

POLICY H6 – Environmental Sustainability

All development must be designed to be environmentally sustainable. This includes building in the ability to recycle water collection. Any features, including solar panels and heat pumps, must be designed to avoid harm to the appearance of the building and the street scene. If a building is listed or within the Conservation area then equipment specifically designed to be consistent with the character of the surroundings will be required.

COMMENT

I have no comment on this policy

POLICY H7 – Parking and Highways

All new development must include provision for off-road parking. Properties comprising two or more bedrooms must provide designated off-road spaces for two cars, unless it is demonstrated that alternative parking is available for a second vehicle, which will not affect highway safety. At least one space should wherever possible be in the form of a garage or carport. All properties must provide secure storage space for cycles.

COMMENT

I have considered the comments received on this policy and consider that the wording of the policy does build in flexibility.

5.2 Natural Environment Strategic Objective

To protect and enhance the natural environment and countryside in the Plan area. This objective complies with the Cotswolds AONB Management Plan 2013-18 and the NPPF. It conforms with SDC's CS's Habitat Regulations Assessment. It includes:

- protecting valued landscapes;
- geological conservation interests;
- minimising impacts on biodiversity;
- providing net gains in biodiversity where possible; and
- establishing coherent ecological networks that are more

resilient to current and future pressures. The NPPF defines the environmental dimension of sustainability as “contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.”

Long Compton is rich in wildlife. Development, which disturbs or removes natural vegetation, should be discussed with WCC and the AONB Board before work is commenced to ascertain whether an assessment under Habitats Regulation is needed or protection for species or plants required. Many bat and bird species are found in the area and opportunities to incorporate roosting features for bats and birds in buildings or on sites will be encouraged.

POLICY E1 - Skyline Protection

Communication masts, pylons, wind turbines, or other structures, which are highly visible, will only be permitted if they would not have an adverse impact on the AONB or the character of the landscape and the built environment.

COMMENT

For consistency the word supported should be substituted for “permitted”. The policy could be enhanced by including the final sentence from the explanation and by including the requirement for the submission of an LVIA and Landscape Character Assessment.

I suggest the following modification:

POLICY E1 - Skyline Protection

Preservation of the long unbroken skylines of the surrounding hills is an important objective in the Cotswold AONB, which the Plan endorses. If existing buildings are replaced or modified, there should be no increase in the height of the structure or its prominence in the landscape.

Communication masts, pylons, wind turbines, or other structures, which are highly visible, will only be supported if they would not have an adverse impact on the AONB or the character of the landscape and the built environment. All applications for new communication masts, pylons, wind turbines, or other structures should be accompanied by a Landscape Visual Impact and Landscape Character assessment.

POLICY E2 – “Green Fingers”: visual access to the landscape

Consistent with H3, building will not be permitted on the green fingers (parts of the countryside that reach the residential areas of the village) as shown on the Natural Environment map.

COMMENT

I have given careful consideration to this policy and if it can be considered to meet the Basic Conditions tests. It is necessary to consider why these areas have been identified by the community as being of great importance and to be explicit within the body of the policy how the importance of these areas has been measured. These areas have not been designated due to their importance as Local Green Spaces as they have no defined boundaries but because of their importance to the historic character and setting of Long Compton including the views from these areas in and out of the settlement. Although not all of the “green fingers” or “green wedges” identified lie within the Long Compton Conservation Area those that aren’t do lie adjacent to it and can be considered to contribute to the character and setting of the village. Reference should be made within the policy to the additional information, which relates to the identification of these areas and supporting evidence, which demonstrates the importance of the views in and out of the settlement from these locations.

I suggest the following modification of the policy:

POLICY E2 – “Green Fingers”: visual access to the landscape

The green fingers of agricultural land that reach deep into the village are a unique feature of Long Compton and characterise the village. These open areas are an essential element of the Conservation area, which comprises a combination of built and open land reflecting the character of a small agricultural settlement set within the AONB. These pieces of open land bring the countryside close, and afford views across fields to the skyline formed by the surrounding hills. Consistent with H3, building will not be permitted on the “green fingers” identified on the Environment Map within Appendix 5.

POLICY E3 – Dark Skies

Development will be permitted only if it would not jeopardise the status of Long Compton’s dark skies site.

COMMENT

I consider that this policy could be improved by the requirement for the submission of a lighting scheme to accompany any new development proposals. I suggest the following modification to the wording:

POLICY E3 – Dark Skies

Development **proposals will only be supported** if it would they do not jeopardise the status of Long Compton’s dark skies site. **All applications for new development should be supported, where appropriate by a lighting scheme.**

POLICY E4 – Trees and Hedgerows New developments must not encroach on the root protection zone of established trees or require lopping to a degree that would materially hinder the future growth of the tree. Established hedgerows should be preserved unless there are exceptional agricultural reasons justifying their removal.

COMMENT

I have no comment on this policy

Infrastructure Strategic Objective

To improve the capacity of infrastructure in Long Compton and to mitigate the adverse effects of existing inadequate infrastructure.

POLICY INF1 – Streamside Development

All development must be located more than 8 metres from watercourses.

Watercourses must remain open with open span bridges for access purposes.

Proposals for any development where any part of the site has a watercourse

within or adjacent, must be accompanied by a Strategic Flood Risk

Assessment, clearly demonstrating that the development will not create or increase flood hazard to any part of the development or to adjacent properties.

Where necessary the proposal must include ameliorating infrastructure such as attenuation tanks. Development must include SUDS appropriate for the prevailing ground conditions.

COMMENT

It is necessary for proposed policies within Neighbourhood Development Plans to be in conformity with the NPPF and to reflect the requirements laid out in other guidance and legislation. In order to meet the Basic Conditions test I suggest this policy is reworded to reflect the advice of the Environment Agency as follows:

POLICY INF1 – Streamside Development

All new built development must be located 5/8 metres from the top of bank of a watercourse; this easement will secure sustainable access to and maintenance of the channel. Watercourses must remain open and opportunities to de-culvert any sections of confined channel through development must be sought.

Access structures across a watercourse should clearly span the channel and where possible the floodplain to enable minimal impact on natural flood flow routes.

Proposals for any development where any part of the site has a watercourse within or adjacent must be accompanied by a site specific risk assessment which demonstrates an understanding of the existing flood risk to site, and propose appropriate design and layout of development which will not increase

flood risk on or off site, where possible development in these locations should seek to reduce flood risk.

Surface water arising from a development site should, as far as practical, be managed in a sustainable manner to mimic the surface water flows arising from the undeveloped site'. Development should utilise appropriate SUD's features for the sustainable management of surface water runoff following the SuDS Hierarchy, clearly demonstrating why if SuDS are not feasible on a particular development.

The Environment Agency suggest the following is included in the policy explanation:

Further Explanation suggestion: 'The watercourse flowing North to South through the village does not have a floodplain associated with it but that does not mean land around it is Flood Zone 1. The watercourse is un-modelled and it is likely that any applicants adjacent to this watercourse will have to undertake a modelling exercise to establish the floodplain extent. Although there is floodplain associated with the Nethercote Brook running East to West through the village, it is not a detailed model, therefore, there may be occasions where a more detailed assessment is necessary here too.'

The normal requirement would be 5 metres for access purposes as the watercourses are 'non-main' in this location, unless the floodplain is wider than that. Unless there is specific local evidence to support 8 metres, 5 should probably be the appropriate distance.

POLICY INF 2 - Foul drainage mitigation

Proposals to erect new dwellings must be accompanied by a drainage strategy, which demonstrates that development will not overload the foul drainage system.

COMMENT

I have no comment on this policy

POLICY INF 3 - Traffic Management

Developer contributions, from legal agreements or the Community Infrastructure Levy will be allocated for measures to calm traffic, reduce the speed of vehicles using the A3400 through the village and generally to improve the environment for pedestrians and people living near the main road.

COMMENT

I have no comment on this policy

5.4 Employment Strategic Objective:

To encourage opportunities for home working and local employment.

POLICY EMP1 – Home Working

New developments must demonstrate how they will be linked to fibre or Internet connectivity.

COMMENT

I have no comment on this policy

POLICY EMP2 – Encouraging local employment.

Developments providing local employment will be approved, providing they are consistent with policy H1, and they are of an appropriate scale and do not detract from the character or appearance of the village or neighbours' amenity.

COMMENT

For consistency in the wording of the policies within the plan I suggest the following modification:

POLICY EMP2 – Encouraging local employment.

Developments providing local employment will be **supported**, providing they are consistent with policy H1, and they are of an appropriate scale and do not detract from the character or appearance of the village or neighbours' amenity.

SECTION 5

Conclusion and Recommendations

I find that the Long Compton Neighbourhood Plan has been prepared in accordance with the statutory requirements and processes set out in the Town and County Planning Act 1990 (as amended by the Localism Act 2011) and the subsequent Neighbourhood Planning (General) Regulations 2012.

The Neighbourhood Development Plan does not deal with County matters (mineral extraction and waste development), nationally significant infrastructure such as highways and railways or other matters set out in Section 61K of the Town and Country Planning Act 1990.

I am satisfied that the Referendum Area should be the same as the Plan Area, should the Long Compton Neighbourhood Development Plan go to Referendum.

The Long Compton Neighbourhood Development Plan does not relate to more than one Neighbourhood Area and there are no other Neighbourhood Development Plans in place within the Neighbourhood Area.

I am satisfied having regard to the Long Compton Parish Council Consultation Report and my examination of the representations made in connection with this subject that the Long Compton Neighbourhood Development Plan meets the Basic Conditions in connection with the consultation process.

I am satisfied that the policies forming the Long Compton Neighbourhood Development Plan do not trigger the requirement for a Strategic Environmental Assessment or Habitats Regulations Assessment and do meet the EU Obligations in this regard.

I am satisfied that the policies and plans in the Long Compton Neighbourhood Development Plan would contribute to achieving sustainable development and that they have regard to national policy and to guidance, and generally

conform to the strategic policies of the Stratford-on-Avon District Local Plan Review 1996-2011 saved Policies (2009), the Development Plan.

At the time of my examination the relevant development plan is the Stratford-on-Avon District Local Plan Review 1996-2011 Saved Policies (2009). As the new Stratford-on-Avon Local Plan is making progress to adoption it may be necessary to make provision to review the plan at a later stage in the Long Compton Neighbourhood Plan period to ensure that the policies remain in general conformity with the strategic policies of the new local plan.

Due to the grant of planning permissions during the examination period it may be necessary to review the sites identified for development in the plan and consider whether it is still relevant to include these sites.

I find that the Long Compton neighbourhood Development Plan can proceed to a Referendum.

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13th November 2015