



DECISION STATEMENT

NEIGHBOURHOOD PLAN PROCEEDING TO REFERENDUM

1. Long Compton Neighbourhood Development Plan

1.1 I confirm that the Long Compton Neighbourhood Development Plan (NDP), as revised according to the modifications set out below, complies with the legal requirements and Basic Conditions set out in the Localism Act 2011, and with the provision made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004. The Plan can therefore proceed to referendum. It is anticipated that the referendum will be held in early March 2016.

1.2. I also declare that I have no personal or prejudicial interest in respect of this decision.

Signed

A handwritten signature in black ink that reads "Dave Nash".

Dave Nash,
Policy Manager (Planning and Housing)

2. Background

2.1 On 3 December 2012 Long Compton Parish Council requested that, in accordance with section 5(1) of the Neighbourhood Planning (General) Regulations 2012 ("The Regulations"), their Parish area be designated as a Neighbourhood Area, for which a Neighbourhood Development Plan will be prepared.

2.2 The District Council confirms that for the purposes of section 5 (1) of The Regulations the Parish Council is the "relevant body" for their area.

2.3 In accordance with section 6 of the Regulations, Stratford-on-Avon District Council placed on their website this application, including a parish boundary map, details of where representations could be sent, and by what date, for a six week period 18 December 2012 to 15 February 2013. In addition, it publicised the application by issuing a press release. Similarly, the relevant application, together with details of where representations could be sent, and by what date, was advertised within the appropriate parish via the Parish Council.

2.4 The District Council designated the Long Compton Neighbourhood Area by way of approval of The Cabinet on 8 April 2013.

2.5 In accordance with Regulation 7 of The Regulations, the decision to designate the Long Compton Neighbourhood Area was advertised on the Council website together with the name, area covered and map of the area.

2.6 The Parish Council consulted on a pre-submission version of their draft Neighbourhood Development Plan between 11 June and 24 July 2015 fulfilling all the obligations set out in Regulation 14 of The Regulations.

2.7 The Parish Council submitted their Neighbourhood Development Plan to Stratford-on-Avon District Council on 19 March 2015 in accordance with Regulation 15 of The Regulations.

2.8 Following the expiration of the purdah period associated with the May Elections, The District Council publicised the submitted Plan and its supporting documents for 6 weeks between 11 June and 24 July 2015 in accordance with Regulation 16 of The Regulations.

2.9 Mrs Deborah McCann was appointed to examine the Plan, and the Examination took place between September and November 2015, with the Examiner's report being issued on 23 November.

2.10 The Examiner concluded she was satisfied that the Neighbourhood Development Plan was capable of meeting the legal requirements set out in the Localism Act 2011, including meeting the Basic Conditions, subject to the modifications set out in his report, in the table below.

2.11 Schedule 4B s.12 to the Town and Country Planning Act 1990, as inserted by the Localism Act 2011, requires that a Local Authority must consider each of the recommendations made in the Examiner's report and decide what action to take in response to each recommendation. If the authority is satisfied that, subject to the modifications made, the draft Neighbourhood Development Plan meets the legal requirements and Basic Conditions as set out in legislation, a referendum must be held on the making of the Plan by the Local Authority. If the Local Authority is not satisfied that the plan meets the basic conditions and legal requirements then it must refuse the proposal. A referendum must take place and a majority of residents

who turn out to vote must vote in favour of the Neighbourhood Plan (50% plus one vote) before it can be 'made'.

2.12 The Basic Conditions are:

1. Have regard to national policy and guidance issued by the Secretary of State
2. Contribute to the achievement of sustainable development
3. Be in general conformity with the strategic policies contained in the development plan for the area of the Authority (or any part of that area)
4. Does not breach, but is otherwise compatible with EU obligations – this includes the SEA Directive of 2001/42/EC and Human Rights requirements

3. Examiner’s Recommendations and Local Authority’s Response (Regulation 18(1))

Examiner’s Recommendation (incl. page number in her report)	Section within NDP (incl. page number)	SDC Decision and reason	New text, if applicable
Reference the Local Biodiversity Action Plan in Policy H1 and cross-reference Policy H1.4 with Policy E2 (p.13-14)	Policy H1 (p.10-13)	Agreed. Additional text inserted.	<p>Para H1.2 amended to read “Conserve and enhance landscape biodiversity by incorporating mitigation measures consistent with the local character of the AONB and the relevant sections of the Local Biodiversity Action Plan.</p> <p>Para H1.4 amended to include “and Policy E2”</p>
Modify Policy H2 to include provision for windfall sites, include elements of the explanatory text within the policy itself, review the definition of previously developed land (PDL) and update housing figures to reflect the up-to-date position (p.14-15)	Policy H2 (p.13-16)	Agreed. Additional text inserted to take account of Examiner’s recommendations and policy re-drafted to reflect current housing figures.	<p>Revised Policy to read:</p> <p>"Future development in Long Compton will be continuous but controlled to achieve steady and moderate growth as follows:</p> <p>Subject to policies H1, H3 and H4, development and reuse of land and buildings within the defined village boundary will be supported to provide new homes. This Plan identifies sites for approximately 20 new homes in the period to 2031 (of which 9 will be affordable to meet affordable housing needs identified in the 2012 Housing Needs Survey). These 20 homes are in addition to 27 other homes built or given permission in the village since 2011, giving a total of approximately 47.</p>

			<p>In addition, applications for small residential developments on infill sites within the defined boundary of Long Compton will be supported where such development:</p> <ul style="list-style-type: none"> • 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. <p>Proposals for more than 7 dwellings on any single site will only be supported in exceptional circumstances.</p> <p>Appendix 3 shows two sites (in addition to the affordable housing site) which are considered suitable in principle for a small residential development and which have recently been given planning permission. The identification of these sites has had particular regard to the NPPF (paragraph 17), which encourages the effective use of land by reusing land that has previously been developed provided it is not of high environmental value.</p> <p>All land within and immediately adjacent to the built</p>
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			<p>up area of the village was assessed against the following criteria:</p> <ul style="list-style-type: none"> • previously used land; • not prominent in the landscape; • with satisfactory highway access; • not at high risk of flooding; • not damaging to historic interests; • within the village boundary defined in this plan; • available for development and without known impediment to development. <p>Both sites 1 and 2 contain large, unattractive, disused structures and redevelopment would improve the appearance of the area and provide a viable use for neglected land. Site 3 has recently been acquired by the Parish Council with the intention of providing affordable housing and funding has been secured”.</p>
<p>Simplify Policy H3 to avoid confusion regarding PDL and modify explanatory notes re: PDL (p.16).</p>	<p>Policy H3 (p.16-17)</p>	<p>Agreed. Policy re-drafted and text within para. 3 of the explanation text amended to refer to ‘greenfield sites’ and ‘PDL’ in correct context.</p>	<p>Revised Policy to read:</p> <p>“Proposals for the development of greenfield sites will not be supported 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”.</p>

<p>Modify Policy H4 to address the whole plan period and replace map at Appendix 3 to include the additional phase of development (p.16-17).</p>	<p>Policy H4 (p.18)</p>	<p>Agreed. Policy re-drafted and amended map inserted.</p>	<p>Revised Policy to read: “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”.</p>
<p>Minor modification to wording of Policy H5 for consistency within the NDP (p.17-18).</p>	<p>Policy H5 (p.18-19)</p>	<p>Agreed.</p>	<p>Replace ‘and’ with ‘or’ and replace ‘accepted’ with ‘supported’ in first paragraph, to read: “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 supported provided development:”</p>
<p>Modify Policy E1 to include the final sentence of the explanatory text to include the requirement to submit a landscape character assessment</p>	<p>Policy E1 (p.20-22)</p>	<p>Agreed. Policy re-drafted accordingly including text from</p>	<p>Revised policy to read: “Preservation of the long unbroken skylines of the surrounding hills is an important objective in the</p>

(p.19-20).		explanation.	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”
Following receipt of additional justification from the Qualifying Body, Modify Policy E2 to reflect the importance of the designated areas of land to the historic character and setting of Long Compton village. Also cross-reference to Policy H1.4 (p.20-21).	Policy E2 (p.22)	Agreed. Policy re-drafted accordingly	Revised Policy to read: “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 Policy H3, building will not be permitted on the “green fingers” identified on the Environment Map (see also Policy H1.4)”.

Revise Policy E3 to include the requirement to submit a lighting scheme with any new development proposal (p.21).	Policy E3 (p.23)	Agreed. Policy re-drafted accordingly	Revised Policy to read: “Development proposals will only be supported if they do not jeopardise the status of Long Compton’s dark skies site. All applications for new development should be accompanied, where appropriate, by a lighting scheme to show how the status of the dark skies will be protected”.
Revise Policy INF1 and the associated explanatory text to reflect the advice of the Environment Agency (p.22-23).	Policy INF1 (p.24-25)	Agreed. Policy re-drafted accordingly	Revised Policy to read: “All new built development must be located a minimum of 5 - 8 metres from the top 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 flood risk to the site, and proposes appropriate design and layout of

		<p>development which will not increase flood risk on or off site.</p> <p>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 the appropriate SUDs features for the sustainable management of surface water run-off following the SUDs Hierarchy, clearly demonstrating why if SUDs are not feasible on a particular development”.</p> <p>Additional Explanatory text to read:</p> <p>“The watercourse flowing south to north 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.</p>
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			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".
Revise Policy EMP2 for consistency of wording in the policies throughout the Plan (p.24)	Policy EMP2 (p.26)	Agreed. Policy re-drafted accordingly	Replace the word "approved" with "supported".

Assessment of the Neighbourhood Plan as a whole, against the three dimensions of sustainable development, as set out in the National Planning Policy Framework (NPPF):

Sustainable Development Role (NPPF)	Neighbourhood Development Plan's Contribution
Economic	<p>The Neighbourhood Plan seeks to support the local economy through promotion of a viable mix of uses, including small businesses and tourist accommodation and through facilitating environmental improvements.</p> <p>If implemented these policies will have a positive impact on the local economy, safeguarding jobs and local services.</p>
Social	<p>The Neighbourhood Plan sets a framework that will help to support the achievement of sustainable social development.</p> <p>The Plan promotes a number of policies that look to support local services.</p> <p>The Plan looks to safeguard and promote improvements of locally important sites.</p> <p>Policies seek to promote the local distinctiveness of the area, and recognise locally important heritage assets. Transport policies seek to mitigate the negative impacts of the existing highways infrastructure, making roads a safer and more welcoming environment for pedestrians and cyclists.</p>
Environmental	<p>The Neighbourhood Plan sets out a set of policies that support environmental sustainability for the community.</p> <p>Due to the Parish of Long Compton being located within the Cotswolds Area of Outstanding Natural Beauty and with the village of Long Compton having a large Conservation Area, the Plan has a number of policies that look to protect, and where possible, enhance the natural environment for future generations which have a positive impact on the environmental sustainability of the plan.</p>

3.1 The District Council concurs with the view of the Examiner that:

- Subject to the modifications above, the Long Compton Neighbourhood Plan meets the Basic Conditions set out in paragraph 2.12 above; and
- The referendum area should be coterminous with the neighbourhood area.

4. Availability of Decision Statement and Examiner's Report (Regulation 18(2))

This Decision Statement and the Examiners Report can be inspected online at:

www.stratford.gov.uk/longcompnp

And can be viewed in paper form at:

Stratford-on-Avon District Council
Elizabeth House
Church Street
Stratford-upon-Avon
CV37 6HX