



## **DECISION STATEMENT**

### **NEIGHBOURHOOD PLAN PROCEEDING TO REFERENDUM**

#### **1. Wootton Wawen Neighbourhood Development Plan**

1.1 I confirm that the Wootton Wawen 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 sometime in November 2017.

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 "JCP Careford". The signature is written in a cursive style with a horizontal line underneath the name.

John Careford,  
Policy Manager (Planning and Housing)

#### **2. Background**

2.1 On 14 January 2014 Wootton Wawen 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 between 6 February and 21 March 2014. 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 Wootton Wawen Neighbourhood Area by way of approval of The Cabinet on 16 June 2014.

2.5 In accordance with Regulation 7 of The Regulations, the decision to designate the Wootton Wawen 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 23 November 2015 and 4 January 2016 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 21 September 2016 in accordance with Regulation 15 of The Regulations.

2.8 The District Council publicised the submitted Plan and its supporting documents for 6 weeks between 6 October and 18 November 2016 in accordance with Regulation 16 of The Regulations.

2.9 Mr Paul McCreery was appointed by the District Council to examine the Plan, and the Examination took place between February and March 2017, with the Examiner's report being issued on 31 March 2017.

2.10 The Examiner concluded he 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, as set out 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 his report)	Section/page no. in submission draft NDP	SDC Decision and reason	New text or amendment to original text, as applicable – as shown in Referendum version NDP
<b>Section 2 – Housing (p.9):</b>			
<p>The District Council has suggested [a number of] amendments to Figure 2 the Village Boundary map. I recommend that these amendments be incorporated into the Plan to achieve a more consistent approach to this issue.</p>	<p>Figure 2 – Village Boundary (p.9)</p>	<p><i>Modification agreed.</i></p> <p>The three amendments proposed by officers were suggested to the Examiner in order to ensure a consistent approach in accordance with Annexe 3 criteria associated with the Local Plan Review which the LPA continue to use for determining settlement boundaries. Officers agree with the Examiner’s recommendation in this regard and consider the re-drafted map is appropriate. There is no impact on the Basic Conditions test.</p>	<p>Revised map included in referendum version of the Plan, with the following amendments:</p> <ul style="list-style-type: none"> <li>• Remove triangular area of land forming part of farmyard associated with Manor Farm, Stratford Road</li> <li>• Reduce size of ‘shield’ shaped area of land indicating the boundary associated with planning permission ref: 15/04108/FUL for 14 no. affordable houses</li> <li>• Include entire rear gardens associated with houses off Mayswood Road, backing onto the railway line</li> </ul>

Examiner's Recommendation (incl. page number in his report)	Section/page no. in submission draft NDP	SDC Decision and reason	New text or amendment to original text, as applicable – as shown in Referendum version NDP
<b>Policy H2 – Affordable Housing (p.9):</b>			
The District Council has suggested that Policy H2 be renamed Local Needs Housing. I recommend that change be incorporated into the Plan to achieve greater clarity.	Policy H2 (p.10)	<i>Modification agreed.</i>  The amended title was considered to be more accurate, since Local Needs Housing as a community-led housing scheme can incorporate market dwellings, which is acknowledged within the policy. Officers agree with the Examiner's recommendation in this regard. The amended policy will meet the Basic Conditions text.	Title of Policy amended:  "Policy H2 – <del>Affordable</del> <u>Local Needs</u> Housing"
<b>Policy H2 – Affordable Housing – Explanatory Text (p.9):</b>			

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I recommend that definition of local needs housing be incorporated into the Explanation text, as suggested by the District Council.	Policy H2 Explanatory text (p.10)	<i>Modification Agreed.</i>  The modification was suggested by officers, in order to clearly set out the definition of a 'local connection' and allow a consistent assessment of the policy in accordance with criteria recognised and used by SDC. Officers agree with the Examiner's recommendation in this regard. The amended policy will meet the Basic Conditions text.	Paragraph 2.12 inserted:  <u>"For the purposes of local needs housing for Policy H2 this will be based on a local connection with the Parish. A local connection is defined as:</u>  <ul style="list-style-type: none"> <li>• <u>Someone who has lived in the Parish for a minimum of 6 months</u></li> <li>• <u>Someone who has previously lived in the Parish for 6 out of the last 12 months or 3 out of 5 years</u></li> <li>• <u>Someone who has close family (parents, siblings or children) residing in the Parish for at least 3 years</u></li> <li>• <u>Someone who has full or part-time work in the Parish and has been employed for at least 6 months</u></li> <li>• <u>Someone who can otherwise demonstrate a connection to the Parish"</u>.</li> </ul>
<b>Policy ECON1 – Protecting and Enhancing Existing Employment Sites (p.9):</b>			
Revise the wording as suggested by the District Council, to avoid a negatively worded policy.	Policy ECON1 (p.13)	<i>Modification Agreed.</i>  The paragraph in question has been amended to avoid a negatively worded policy. Officers are content with change. The revised policy meets the Basic Conditions test.	First paragraph of policy amended to read:  "Proposals for the change of use or redevelopment of land or premises identified for or currently in employment use will <del>not</del> <u>only</u> be supported <del>unless</del> <u>where:</u> "

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<b>Policy ECON2 – Leisure and Tourism (p.9):</b>			
Revise the wording as suggested by the District Council, to avoid a negatively worded policy.	Policy ECON2 (p.14)	<i>Modification Agreed.</i>  The paragraph in question has been amended to avoid a negatively worded policy. Officers are content with change. The revised policy meets the Basic Conditions test.	Second paragraph of policy amended to read:  "Proposals for the change of use or re-development of land or premises <u>currently</u> associated with leisure or tourism will <del>not</del> <u>only</u> be supported <del>unless</del> <u>where</u> :"
<b>Policy ECON5 – Homeworking and Live-Work Units (p.10):</b>			
Policy ECON5 is confusing [as presented] because it deals with two issues. For clarity, I recommend that two new policies be included in the Plan [each policy dealing with one issue].	Policy ECON5 (p.15)	<i>Modification agreed.</i>  The policy as originally drafted attempted to deal with two separate planning matters. The Examiner's recommendation to split the policy issues and amend the wording for clarification is agreed by officers. The changes ensure the new policies comply with the Basic Conditions test.	Policy ECON 5 amended and split into two separate policies as set out below:  <b>Policy ECON5 – Homeworking:</b>  "All new dwellings are encouraged to provide space to support home-working, with flexible space adaptable to a home office, and <u>where appropriate</u> incorporate cabling to support broadband in accordance with Policy ECON3".  <b>Policy ECON6 – Live-Work Units:</b>  "Proposals for small scale live-work development (new build or conversion), comprising of commercial

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			<p>space (<del>Class B1a</del>) and living space will be supported, <u>provided they are consistent with Core Strategy policies for protecting the open countryside and</u> subject to the following criteria:</p> <p>a) Have suitable independent access to both uses;  b) Have an appropriate <del>level</del> <u>standard</u> of off road parking <del>to serve both uses</del>;  c) Layout and design ensures that residential and work uses can operate together without conflict;  d) Be in <del>reasonably accessible a</del> <u>locations which is reasonably accessible to service facilities</u> by means other than a private vehicle;  e) In the case of conversions, the building should be of a permanent and substantial construction, structurally sound and capable of conversion without major rebuilding or extension; and  f) Have an adequate residential curtilage <del>without having a</del> <u>to avoid</u> detrimental impact on the building, <del>and</del> its rural setting <u>and the amenities of any nearby residential properties</u>".</p>
<b>Policy ENV2 – Green Infrastructure (p.10):</b>			
Policy ENV2 could be worded to improve clarity.		<p><i>Modification agreed.</i></p> <p>The revised wording suggested by the Examiner help clarify the</p>	<p>Policy amended to read:</p> <p><del>All new</del> <u>Development proposals</u> will be expected to demonstrate a high <u>quality and level</u> of sensitive landscaping and native tree/hedge planting where</p>

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		<p>utilisation of appropriate landscaping in a policy context. Officers are content with the modification and consider the revised policy would meet the Basic Conditions test.</p>	<p>possible.</p> <p><u>Wherever possible development proposals should seek to retain and protect existing trees and hedgerows. which are important for their historic, visual or biodiversity value unless the need for, and the benefits of, the development in that location clearly outweigh any loss. Where it is not possible or feasible to retain such existing trees or and hedgerows in these circumstances, replacement trees or hedgerows of an equivalent or better standard will be required in an appropriate location on the site development proposals which demonstrate full replacement with appropriate native species in mitigation will be supported".</u></p>
<p><b>Policy ENV5 – Protection of the Best and Most Versatile Agricultural Land (p.11):</b></p>			
<p>The District Council has suggested a revision to Policy ENV5 to avoid a negatively worded policy. I recommend that change be incorporated into the Plan.</p>		<p><i>Modification agreed.</i></p> <p>The paragraph in question has been amended to avoid a negatively worded policy. Officers are content with change. The revised policy meets the Basic Conditions test.</p>	<p>First paragraph of policy amended to read:</p> <p>"Development of the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) will normally be resisted unless it can be demonstrated that development of agricultural land is necessary and in the public interest and no other land of a poorer agricultural quality is available".</p>

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<b>Minor amendments to NDP to correct drafting errors, not requested by the Examiner:</b>			
Amend Title of Policy H2 to match the policy as set out on page 10 of the Plan.	Contents Page (p.2)	<i>Modification agreed.</i>  For clarification and consistency within the Plan.	Title of Policy amended as follows:  "Policy H2 – Affordable <u>Local Needs</u> Housing"
Amend the title of the map to reflect Figure 4 as set out on p.23 of the Plan.	List of Figures (p.3)	<i>Modification agreed.</i>  For clarification and consistency within the Plan.	Title of Figure 4 amended as follows:  " <del>Wootton Wawen Conservation Area, Scheduled Ancient Monuments</del> <u>Heritage Assets</u> and Flood Zones".
Paragraph 1.11 – remove the word 'trunk' in the second line.	Section 1: Introduction (p.5)	<i>Modification agreed.</i>  The A3400 was de- trunked a number of years ago and the paragraph has been amended to take account of the change in circumstances, for clarification purposes.	First sentence of para 1.11 amended to read:  "Wootton Wawen is an independent community with a long and impressive history, strategically located on a main <del>trunk</del> road between Birmingham in the West Midlands conurbation to the north and the rapidly expanding town of Stratford-upon-Avon to the south".
Paragraph 1.14 – amend population data in line with 2011 census.	Section 1: Introduction (p.5)	<i>Modification agreed.</i>  The 1,500 figure set out in the submission draft was approximate. The	First sentence of para 1.14 amended to read:  "The population of the village <u>in 2011 is</u> <del>approximately 1500</del> <u>was 1,138 (2011 Census)</u> with almost 50% living in 'Park Homes' within the

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		census data sets out the latest official figure for the village and is deemed more accurate.	Wootton Hall Estate".
Paragraph 3.13 – remove the word 'trunk' in the first line.	Section 3: Neighbourhood Economy (p.15)	<i>Modification agreed.</i>  The A3400 was de-trunked a number of years ago and the paragraph has been amended to take account of the change in circumstances, for clarification purposes.	First sentence of para 3.13 amended to read:  "The village store is situated on the main <del>trunk</del> road (A3400), which is a source of much of its business, in addition to local residents".
Paragraph 4.17 – amend text to confirm position of Figure 3 in the Plan.	Section 4: Neighbourhood Environment (p.20)	<i>Modification agreed.</i>  Text amended to make it clearer to the reader which map within the Plan showed the valued landscapes.	Paragraph 4.17 amended to read:  "Valued landscapes into and out of the village are identified on <u>Figure 3</u> <del>the map below</del> ."
Paragraph 4.19 – amend text to make it grammatically correct.	Section 4: Neighbourhood Environment (p.22)	<i>Modification agreed.</i>  To correct grammatical error.	Paragraph 4.19 amended to read:  "All heritage assets are afforded statutory protection and national policy makes it clear that the Government places great weight <del>of</del> <u>on</u> the preservation of heritage assets".

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Paragraph 4.20 – amend text to ensure accuracy of statement.	Section 4: Neighbourhood Environment (p.22)	<i>Modification agreed.</i>  Text amended to take account of the fact that some listed buildings are located outside the Conservation Area.	First sentence of para 4.20 amended to read:  "Our village contains 18 listed buildings <u>mainly</u> within the designated Conservation Area, together with an important architectural fabric".
Figure 4 – amend legend.	Section 4: Neighbourhood Environment (p.23)	<i>Modification agreed.</i>  To correct spelling error.	Amend legend for Figure 4 as follows:  "Flood <del>Plain</del> Plain"
Paragraph 5.2 – include reference to Figure 5 showing the location of neighbourhood community facilities.	Section 5: Neighbourhood Facilities (p.26)	<i>Modification agreed.</i>  For clarification purposes and reference the Map within the Plan.	Add sentence to end of paragraph 5.2 to read as follows:  " <u>Figure 5 shows the location of neighbourhood community facilities</u> ".
Key associated with Figure 5 – amend title of site no.2	Section 5: Neighbourhood Facilities (p.27)	<i>Modification agreed.</i>  To correct the description of the building.	Amend description of site 2 as follows:  "Wootton Wawen <del>Sports and</del> Social Club, Alcester Road".
Paragraph 5.11 – amend wording to take account of the Plan being associated with the wider neighbourhood area, not just the village of Wootton Wawen.	Section 5: Neighbourhood Facilities (p.29)	<i>Modification agreed.</i>  Amendment clarifies that walking and cycle routes should be protected throughout the neighbourhood area, not just within the village.	Amend first sentence of para 5.11 as follows:  "These Public Rights of Way and walking and cycling routes within the <del>villages</del> <u>neighbourhood area</u> which give access to schools, shops and other amenities, should be protected and enhanced where possible".

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Delete site 14 – Upper Wawensmere Business Centre and re-number remaining sites, accordingly.	Appendix 1 – List of Business Locations (p.30)	<i>Modification agreed.</i>  It transpires the business centre no longer exists due to recent planning permission for residential conversion.	Site 14 deleted:  <del>14. Upper Wawensmere Business Centre—</del> Approximately 10 businesses on site, mostly office based
Amend photo title for The Old Mill	Appendix 2 – Village Character Assessment (p.39)	<i>Modification agreed.</i>  To correct drafting error.	Title amended as follows:  "The Old Mill <del>Canal Bridge</del> "
Amend photo title for The Canal Aqueduct.	Appendix 2 – Village Character Assessment (p.39)	<i>Modification agreed.</i>  To correct drafting error.	Title amended as follows:  "Canal Aqueduct and <del>Bridge</del> Walls along the A3400"
Area 2 – The Alcester Road – amend explanatory text to correct errors.	Appendix 2 – Village Character Assessment (p.39)	<i>Modification agreed.</i>  To correct drafting error.	Text amended as follows:  "Located on a separate access road is the Village Hall, built in the late <del>1960's</del> <u>1972</u> , used by many organisations both local and from further afield.  Behind the Village Hall is the ' <del>Sports and Social Club</del> ', built at <del>approximately the same time</del> <u>a little later</u> ".
Amend photo title for The Social Club.	Appendix 2 – Village Character Assessment (p.40)	<i>Modification agreed.</i>  To correct drafting error.	Title amended as follows:  "The <del>Sports and</del> Social Club"
Amend photo description for The Allotments.	Appendix 2 – Village Character Assessment (p.41)	<i>Modification agreed.</i>  To correct drafting error.	Final sentence of description amended as follows:  "They were formed in <del>1916</del> <u>1918</u> and the land is

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			part of The Glebe estates of the Coventry Diocese".
Amend photo description for The Alcester Road.	Appendix 2 – Village Character Assessment (p.42)	<i>Modification agreed.</i>  To correct drafting errors.	First sentence of description amended as follows:  "At the junction with Wawensmere Road is 'Toll Gate <del>Cottage</del> <u>House</u> '..."  Final sentence of description amended as follows:  "... 'Hill Cottage' next door <u>was probably built earlier</u> <del>could be the only remaining example of the cottages built for railway workers in the late 19th century.</del> "
Amend photo description for St. Benedict's Catholic Church.	Appendix 2 – Village Character Assessment (p.42)	<i>Modification agreed.</i>  To correct drafting error.	Second sentence of description amended as follows:  "It was built around <del>1910</del> <u>1904</u> to replace the old chapel in the Cemetery on the Stratford Road and the Chapel at the rear of Wootton Hall".
Area 3 – The Mayswood Road and Stratford Road (North) Area – Amend description	Appendix 2 – Village Character Assessment (p.44)	<i>Modification agreed.</i>  To correct drafting error.	First sentence of second paragraph on third column amended as follows:  "Before the <del>1930's</del> <u>1920's</u> the only properties on the eastern side of Mayswood Road would have been..."
Area 4 – The Pennyford Lane Area – Amend description for Field Farm.	Appendix 2 – Village Character Assessment (p.46)	<i>Modification agreed.</i>  To correct drafting error.	Description amended as follows:  Whilst the lane is narrow and basically rural, Field Farm to the north has been developed into a semi industrial site which includes a car repair and <del>dismantling other businesses</del> <u>(above and left)</u> . <del>This site is now recognised as 'brownfield' although the stable block (below) and some of the land are used</del>

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			for livery purposes.”

**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):**

<b>Sustainable Development Role (NPPF)</b>	<b>Neighbourhood Development Plan's Contribution</b>
Economic	<p>The Neighbourhood Plan seeks to support the local economy through the protection and enhancement of existing employment sites, promoting new and improved leisure and tourism facilities 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 the retention and improvement of local community facilities.</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.</p> <p>Policy seeks to protect and improve public rights of way in order to provide a more welcoming environment for pedestrians and cyclists.</p>
Environmental	<p>The Neighbourhood Plan includes a number of policies that support environmental sustainability for the community.</p> <p>With Wootton Wawen having a Conservation Area and a number of listed buildings, the Plan has a policy that looks to protect heritage assets.</p> <p>The NDP includes policies to protect 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 Wootton Wawen 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/woottonwawennp](http://www.stratford.gov.uk/woottonwawennp)

And can be viewed in paper form at:

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