

Harbury Regulation 16 Submission Neighbourhood Development Plan

Paragraph 8 of Schedule 4b

‘Basic Conditions’ Statement

November 2017

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1.0 Legal Requirements

The Submission Plan is being submitted by a qualifying body

This Submission Plan is being submitted by a qualifying body, namely Harbury Parish Council.

What is being proposed is a neighbourhood development plan

The plan proposal relates to planning matters (the use and development of land) and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.

The proposed Neighbourhood Plan states the period for which it is to have effect

The proposed Neighbourhood Plan states the period for which it is to have effect. That period is from the Plan being made (2016) up to 2031 (the same period as the Stratford on Avon Core Strategy Local Plan).

The policies do not relate to excluded development

The Neighbourhood Plan proposal does not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.

The proposed Neighbourhood Plan does not relate to more than one neighbourhood area and there are no other neighbourhood development plans in place within the neighbourhood area.

The Neighbourhood Development Plan (NDP) proposal relates to the Harbury Neighbourhood Area and to no other area. There are no other Neighbourhood Plans relating to that neighbourhood area.

Plan period

The Plan states on the cover it is for the period 2017-2031.

2.0 Basic Conditions

A draft neighbourhood Plan must meet a set of basic conditions before it can be put to a referendum and be made. The basic conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. How the Harbury NDP meets these basic conditions is set out below.

Have Appropriate Regard to National Policy

The Harbury NDP has been produced with appropriate regard to the guidance contained within the National Planning Policy Framework (NPPF). Paragraphs 183-185 of the NPPF outline specific guidance in relation to the production of Neighbourhood Plans. Paragraph 184 states that “The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the local area. Neighbourhood Plans must be in general conformity with the strategic policies of the local plan.” The Neighbourhood Plan has been drafted with regard to the planning policies of Stratford on Avon Council, and the comprehensive evidence base that supports these policies.

Paragraph 184 also states that Neighbourhood Plans should “not promote less development than set out in the Local Plan or undermine its strategic policies”. The Harbury NDP does not undermine the strategic policies of Stratford on Avon Council; the Plan aims to support these policies by protecting local built and natural heritage assets from inappropriate new development whilst at the same time seeking to manage future housing growth.

The Plan has regard to the twelve core planning principles set out within paragraph 17 of the Framework, as set out in Table 1 below:

Table 1 NPPF Core Planning Principles and the Harbury Submission Neighbourhood Development Plan

NPPF Core Planning Principle	Regard that Harbury Neighbourhood Plan has to guidance
Planning should be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and Neighbourhood Plans setting out a positive vision for the future of the area. Plans should be kept up to date, and be based on joint working and co-operation to address larger than local	The Parish Council has produced the Submission Plan in line with this guidance. It will provide a framework to ensure that development is genuinely plan-led, and through involvement of the local community in shaping its policies and proposals through informal and formal consultation, the Plan will empower local people to shape their

NPPF Core Planning Principle	Regard that Harbury Neighbourhood Plan has to guidance
<p>issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.</p>	<p>surroundings. The vision, objectives, policies and proposals in the Plan have been developed with a thorough approach to community engagement. The Plan sets out a positive vision for the area up to 2031. The Neighbourhood Plan sets out a number of development management policies (19 in total) to guide, control and promote future development.</p>
<p>Planning should not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives.</p>	<p>The Submission Neighbourhood Plan offers the local community the opportunity to shape the future development of Harbury Parish in a creative way, ensuring that the quality of the place is enhanced by including policies which will help manage future design, protect the local environment and key local assets. The NDP also sets out policy to manage future housing growth in the neighbourhood area.</p>
<p>Planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities.</p>	<p>This Submission Neighbourhood Plan refines and amplifies the policies and proposals set out in the adopted Core Strategy. The Submission Neighbourhood Plan support sustainable economic development to deliver the homes, business and industrial units, infrastructure and a thriving local place by including policies to:</p> <ul style="list-style-type: none"> • Support appropriate housing development in Harbury village (Policy H.01); • Ensure new development provides appropriate infrastructure (Policy H.11); • Support appropriate business and employment development in Harbury village (Policy H.16) and protect existing employment premises (Policy H.17); and

NPPF Core Planning Principle	Regard that Harbury Neighbourhood Plan has to guidance
	<ul style="list-style-type: none"> • A suite of policies to enhance and protect key environmental and social assets that will contribute to making Harbury a thriving place. <p>The NDP has been prepared by taking account of the objectively assessed need identified in the SADC Core Strategy and its supporting evidence base.</p>
<p>Planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.</p>	<p>The Submission Neighbourhood Plan sets out policies to protect and enhance local character and encourage high quality design in new development. These will ensure that amenity of existing and future residents is protected. Policy H.05 sets out design policy for new housing and Policy H.14 promotes sustainable design and energy efficiency in all new development.</p>
<p>Planning should take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.</p>	<p>The NDP takes account of different roles and character of different areas. This is informed by the SADC Core Strategy and the settlement hierarchy contained in that plan.</p> <p>The NDP sets out separate policies to manage future housing growth in Harbury (Policy H.01); Deppers Bridge and the open countryside (Policy H.02); and separate policies to protect key open land resources – green infrastructure (Policy H.06); Local Green Spaces (Policy H.07); smaller open spaces (Policy H.08); and significant views (Policy H.09).</p>
<p>Support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable</p>	<p>The Harbury NDP supports this core principle through Policy H.14 that promotes sustainable design and energy efficiency in all new development.</p>

NPPF Core Planning Principle	Regard that Harbury Neighbourhood Plan has to guidance
resources (for example, by the development of renewable energy).	
Planning should contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in the Framework.	The NDP includes policies to help conserve and enhance key natural environment resources: green infrastructure (Policy H.06); Local Green Spaces (Policy H.07); smaller open spaces (Policy H.08); and significant views (Policy H.09).
Planning should encourage the effective use of land by reusing land that has been previously developed (Brownfield land), provided that it is not of high environmental value.	The NDP seeks to encourage new development within Harbury (Policy H.01) and to protect existing employment sites (Policy H.17).
Planning should promote mixed-use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as wildlife, recreation, flood risk mitigation, carbon storage or food production).	The NDP includes policies to help conserve and enhance key natural environment resources and these policies recognise the multiple benefits of these assets: green infrastructure (Policy H.06); Local Green Spaces (Policy H.07); smaller open spaces (Policy H.08); and significant views (Policy H.09).
Planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations	Policy H.19 seeks to protect identified local heritage assets in a manner appropriate to their significance.
Planning should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable	The Submission Neighbourhood Plan seeks to focus development in sustainable locations by promoting development in Harbury village. It aims to facilitate sustainable patterns of transport, by improving local connectivity by encouraging use of public transport (Policy H.15).

NPPF Core Planning Principle	Regard that Harbury Neighbourhood Plan has to guidance
<p>Planning should take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural services to meet local needs</p>	<p>The Neighbourhood Plan is fully in accord with this principle. Policies in the plan seek to protect and enhance green infrastructure (Policy H.06); Local Green Spaces (Policy H.07); smaller open spaces (Policy H.08); and significant views (Policy H.09) all of which contribute to health and wellbeing. The NDP also seeks to protect existing community facilities (Policy H.12) and seeks to support development of new community facilities (Policy H.13). The NDP also seeks to protect and enhance local shops and businesses (Policy H.19).</p>

Have Special Regard to the Desirability of Preserving any Listed Building or its Setting or any Features of Special Architectural or Historic Interest

This applies only to Neighbourhood Development Orders. However, the Submission Neighbourhood Plan has been prepared by taking account of designated heritage assets and includes a complete list of the statutory Listed Buildings in the Parish (Appendix 1) and a map of the Conservation Areas (Figure 4).

Have Special Regard to the Desirability of Preserving or Enhancing Character or Appearance of any Conservation Area

This applies only to Neighbourhood Development Orders. However, the Submission Neighbourhood Plan has been prepared by taking account of designated heritage assets and includes a complete list of the statutory Listed Buildings in the Parish (Appendix 1) and a map of the Conservation Areas (Figure 4).

The making of the neighbourhood development plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010(2)) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007(3)) (either alone or in combination with other plans or projects).

Strategic Environmental Assessment (SEA)

To meet the ‘basic conditions’ which are specified by law a Neighbourhood Development Plan must be compatible with EU obligations. Furthermore, as at 9th February 2015 Regulation 15 of the 2012 Neighbourhood Planning Regulations was amended to require that when a plan is submitted to the Local Planning Authority it should include either an environmental report prepared in accordance with the applicable regulations or where it has been determined as unlikely to have significant environmental effects, a statement of reasons for the determination. A screening report was prepared by Stratford on Avon District Council to determine whether or not the content of the draft Harbury Neighbourhood Neighbourhood Plan requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004; and/or a Habitats Regulations Assessment (HRA) in accordance with Article 6(3) of the EU habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended). The draft screening report was subsequently sent to the relevant statutory bodies: Natural England, Historic England and the Environment Agency to clarify whether they agreed with Stratford on Avon District Council’s findings as to whether the plan requires a full SEA and/or HRA assessment.

Requirement for HRA / Legislative Background

Article 6 (3) of the EU Habitats Directive (Council Directive 92/43/EEC) and regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) requires that an appropriate assessment of plans and programmes is carried out with regard to the conservation objectives of European Sites (Natura 2000 sites) and that other plans and projects identify any significant effect that is likely for any European Site. In the context of neighbourhood planning, a Habitats Regulation Assessment (HRA) is required where a Neighbourhood Plan is deemed likely to result in significant negative effects occurring on protected European Sites (Natura 2000 sites) as a result of the plan’s implementation.

Screening Determination

Strategic Environmental Assessment (SEA)

A screening assessment to determine the need for a SEA in line with regulations and guidance was undertaken and can be found in section 8 of Stratford on Avon’s Screening Report. The assessment finds that it is unlikely that significant environmental effects will occur as a result of the implementation of the Harbury Neighbourhood Development Plan. The assessment also finds that the Neighbourhood Plan will conform to the strategic influence of the Stratford on Avon Core Strategy which has been subject to a full SA/SEA where no significant effects were identified. Consequently, from the findings of the screening assessment it is recommended that a full SEA does not need to be undertaken for the Harbury Neighbourhood Development Plan. This was confirmed through the responses from Historic England, Natural England and the Environment Agency.

HRA

A screening assessment to determine the need for HRA in line with regulations and guidance was undertaken and is set out in Section 8 of the Screening report. It found that there are no internationally designated wildlife sites within the Neighbourhood Plan Area or within 20km of it. The Harbury Neighbourhood Development Plan will not, therefore, have an adverse effect on the integrity of internationally designated either on its own or in combination with other plans and does not need to be subject to a Habitats Regulations Assessment. This was confirmed through the responses from Historic England, Natural England and the Environment Agency which are set out in the accompanying Consultation Statement for Harbury Neighbourhood Development Plan.

Contribute to the Achievement of Sustainable Development

The Submission Neighbourhood Development Plan contributes strongly to the achievement of sustainable development.

Paragraphs 6-10 of the National Planning Policy Framework outline the Government’s definition of sustainable development.

The UK Government’s interpretation of the concept of sustainable development builds on that of the UN resolution 24/187, which is ‘meeting the needs of the present without compromising the ability of future generations to meet their own needs.’

The NPPF amplifies this simple definition, at paragraph 7, stating that sustainable development has three dimensions, economic, social and environmental. Planning needs to perform a number of roles in relation to these issues:

- ❑ “an economic role - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- ❑ a social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of the present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well- being; and
- ❑ an environmental role - 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.”

In Paragraph 6, the NPPF states that “the policies in paragraphs 18-219, taken as a whole, constitute the Government’s view of what sustainable development in England means in practice for the planning system”.

Table 1 above gives a clear and comprehensive narrative of how the framework complies with the Core Planning Principles of the NPPF, and by corollary, the achievement of sustainable development.

Table 2 below summarises how the policies and allocations in the Harbury Submission Neighbourhood Plan contribute to the economic, social and environmental aspects of sustainable development.

Table 2 Harbury Submission Neighbourhood Plan’s contribution to the economic, social and environmental aspects of sustainable development.

Sustainable Development Role	Neighbourhood Development Plan’s Contribution
Economic	The Harbury NDP contributes to this role of sustainable development by promoting appropriate housing development (in particular Policy H.01); promoting appropriate business and employment development in the centre of Harbury village (Policy H.16; by protecting existing employment premises (Policy H.17) and by protecting and supporting enhancements to local shops and businesses (Policy H.18).
Social	The Harbury NDP contributes to the social role of economic development by protecting existing community facilities (Policy H.12) and supporting development of new community facilities (Policy H.13). The NDP seeks to protect and support enhancements to local shops and businesses (Policy H.18). A number of local spaces are also protected and these will help maintain and support various social uses: sport, recreation and day to day social interaction.
Environmental	<p>The NDP includes policies to protect:</p> <ul style="list-style-type: none"> • green infrastructure (Policy H.06); • Local Green Spaces (Policy H.07); • Small, incidental open spaces (Policy H.08); • Significant Views (Policy H.09); • Landscape (Policy H.10); • Sustainable design and energy efficiency (Policy H.14); and • Local Heritage (Policy H.19).

Be in General Conformity with Strategic Local Planning Policy

The Submission Neighbourhood Plan is in general conformity with strategic Local Plan policies contained in the Stratford on Avon Local Plan Core Strategy, and, where relevant, the ‘saved’ Local Plan Review policies.

Planning Practice Guidance 2014 para 009 advises that *“Neighbourhood plans, when brought into force, become part of the development plan for the neighbourhood area. They can be developed before or at the same time as the local planning authority is producing its [Local Plan](#).*

A draft neighbourhood plan or Order must be in general conformity with the strategic policies of the development plan in force if it is to meet the [basic condition](#). A draft Neighbourhood Plan or Order is not tested against the policies in an emerging Local Plan although the reasoning and evidence informing the Local Plan process may be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested.”

Table 3 below sets out the way that the Harbury Submission Neighbourhood Plan conforms to the policies contained in the adopted Stratford-on-Avon Core Strategy 2011-2031.

Table 3 Conformity with Local Strategic Policy

Harbury Submission Neighbourhood Development Plan	Stratford-on-Avon Core Strategy 2011-2031 (CS)
<p>Policy H.01 – New Housing Development in Harbury Village</p> <p>New housing development will be concentrated within the Harbury village settlement boundary (Map 1).</p> <p>Within this boundary, proposals for new housing will be supported when they:</p> <p>a) do not have an unacceptable adverse impact on the parish’s rural landscape;</p> <p>b) conserve and enhance designated and non-designated heritage assets;</p>	<p>Policy H.01 is in general conformity with Policy CS.15 of the CS that sets out the distribution of development for the district. This sets a settlement hierarchy starting with the Main Town of Stratford and eight Main Rural Centres. Two new settlements are also identified.</p> <p>Below these categories a wide range of Local Service Villages are identified, based on the level of local services identified. The scale of housing development that is appropriate in each village is specified in Policy CS.16 of the CS. Policy CS.15 sets out that housing development in such villages will be on sites identified in Neighbourhood Plans and <i>“through small-scale schemes on unidentified but suitable sites within their Built-Up Area Boundaries (where defined) or otherwise within their physical confines.”</i> Policy H.01 defines the Built-Up Area Boundary (village settlement boundary) and</p>

Harbury Submission Neighbourhood Development Plan	Stratford-on-Avon Core Strategy 2011-2031 (CS)
<p>c) do not have an unacceptable adverse impact on existing and future residential amenity;</p> <p>d) do not have an unacceptable adverse impact on the natural environment and protect and enhance biodiversity and habitats;</p> <p>e) do not lead to the inappropriate development of residential gardens that would cause harm to the village by reason of over-development, significant loss of useable garden spaces for both existing and proposed new properties, and loss of off-street car parking;</p> <p>f) are appropriately located for the users and residents of the proposed use to access local facilities and services; and they</p> <p>g) are appropriate in terms of size, scale, design and respect the character of the surrounding area.</p>	<p>supports infill development when it meets criteria (a) to (g) of Policy H.01.</p> <p>Policy CS.16 sets out how the district will meet its objectively assessed needs. A strategic allocation of approximately 2,000 homes is identified for the Local Service Villages. For Category 1 Villages, including Harbury, this will be approximately 450 homes, of which no more than around 25% will be provided in any one village.</p> <p>Harbury, based on completions and commitments, has already provided over 28% of the homes anticipated for Category 1 Villages. In preparing the NDP it was decided not to allocate sites as considered possible by CS Policy CS.15 but to manage any future growth within the village settlement boundary as allowed for in Policy CS.15 so that future development in Harbury remained in general conformity with Policy CS.16 and, in doing this, future development does not take place at a level that undermines the distribution and quantum of development set out in Policies CS1.5 and CS.16 respectively.</p>
<p><u>Policy H.02 - New Housing Development in Deppers Bridge and the Open Countryside</u></p> <p>Proposals for new development in Deppers Bridge and the open countryside, that is those areas within the neighbourhood plan area, but outside the Harbury village settlement boundary (Map 1), will only be supported in the following circumstances:</p> <p>a) Replacement dwellings;</p> <p>b) Re-use of redundant or disused buildings, not in need of substantial repair or rebuilding;</p>	<p>Deppers Bridge is not identified in the CS. In terms of Policy CS.15 it is classed as a category “F” “other settlement”. In such settlements development is restricted to small-scale community-led schemes that meet a local need. Such local needs are small in scale and Policy H.02 sets out limited circumstances where new housing would be supported.</p>

Harbury Submission Neighbourhood Development Plan	Stratford-on-Avon Core Strategy 2011-2031 (CS)
<p>c) Development that would bring back in to use and secure a suitable and sympathetic re-use of a heritage asset; and d) Agricultural and forestry dwellings for essential workers.</p>	
<p>Policy H.03 - Securing a Suitable Mix of Housing Types, Tenures and Sizes in New Development</p> <p>To ensure that future housing development meets the housing requirement identified in the Core Strategy and also helps to meet the different needs that will arise over the plan period from the existing and future population, in housing developments of 6 or more dwellings, a range of types, tenure and sizes of dwellings will be required, including a proportion of homes to meet the needs of older and younger residents, as well as those seeking to build their own home. Before finalising the housing mix on such sites developers should consult and take into account the views of the Parish Council along with up-to-date demographic, housing need, self and custom build demand and strategic housing market information.</p>	<p>Policy H.03 is in general conformity with CS Policy HS.19. Policy H.03 provides additional local guidance to be used alongside HS.19 in terms of age group of residents; self-build; and consultation with the Parish Council.</p> <p>The threshold for affordable housing is in general conformity with that set out in Policy HS.18 of the CS.</p>
<p>Policy H.04 – Local Needs Schemes</p> <p>When a proven local housing need is properly identified, through a professional Parish Housing Needs Survey, and that need cannot be met by affordable housing provision through a market-led scheme under Policy H.03 local needs schemes will be supported in areas where housing will not normally be considered suitable unless it meets the following circumstances:</p> <p>a) In Harbury it should adjoin the village settlement boundary, and in Deppers Bridge it should be immediately adjoining existing built development in the hamlet;</p>	<p>Policy H.04 sets out the circumstances when local needs schemes (rural exception housing) will be acceptable in the neighbourhood area. This approach is in line with section “G” of policy CS.15 this states:</p> <p><i>“Within and adjacent to settlements, development may include small-scale community-led schemes brought forward to meet a need identified by that community. Dwellings provided through such schemes will contribute to the overall housing requirement for the District.”</i></p> <p>Policy H.04 is in general conformity with this approach in that such schemes should “adjoin the village settlement boundary” in Harbury and “be immediately adjoining existing built development in the hamlet” of Deppers Bridge; H.04</p>

Harbury Submission Neighbourhood Development Plan	Stratford-on-Avon Core Strategy 2011-2031 (CS)
<p>b) In Harbury village it is in reasonable walking distance of public transport and local community facilities;</p> <p>c) The future use of such housing is secured in perpetuity to meet a local need; and</p> <p>d) Consultation has taken place with the Parish Council to gain their support for the proposal.</p>	<p>identifies how such a need should be identified and how the community should be involved in identifying that need.</p> <p>Policy H.04 is in general conformity with CS Policy CS.18 that supports rural exception housing schemes providing affordable housing of more than 35% on any one site. Policy H.04 is also in general conformity with criterion C.3 of Policy CS.18 that homes should “remain at an affordable cost” into the future.</p>
<p>Policy H.05 - Housing Development and Design Principles</p> <p>Within the neighbourhood plan area all new housing development proposals should promote good design and be in keeping with the character of the area. In assessing proposals regard will be given to the following:</p> <p>a) Incorporation and reinterpretation of local building styles in development proposals so that these make a positive contribution to the village character of Harbury;</p> <p>b) Retention of open spaces in the village and protection of the rural nature of the wider parish;</p> <p>c) Retention of trees and hedgerows;</p> <p>d) Maintenance and enhancement of the existing settlement pattern, particularly the need to conserve the character and appearance of the eastern and western boundaries of Harbury village;</p> <p>e) Good design and suitable layout that takes into account topography of the site and its surroundings and views in to and out of the site;</p>	<p>Policy H.05 is in general conformity with CS Policy CS.9 Design and Distinctiveness.</p> <p>Policy H.05 is in general conformity with section “A” of CS.9 in that it identified those criteria that should be used to assess how development proposals ensure they deliver local distinctiveness.</p> <p>Policy H.05 is also in general conformity with section “B” of CS.9 and the separate criteria identified:</p> <ol style="list-style-type: none"> 1. Attractive: Proposals will be of a high quality architectural design and include appropriate landscaping to create places where people want to live, work and visit. Proposals should use a limited palette of materials to give coherence to the overall design. The provision of landscaping will be accompanied by appropriate mechanisms to ensure its ongoing management and maintenance. Principally, this is met through criteria (a), (e), (f) and (i). 2. Sensitive: Proposals, including layout and orientation, will be sensitive to the setting, existing built form, neighbouring uses, landscape character and topography of the site and locality. Proposals will reflect the context of the locality, ensuring a continuity of key design features that establishes the identity of the place, making best use of on-site assets including

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<p>f) Appropriate use of local materials and details;</p> <p>g) When adjacent to the Conservation Areas or other heritage assets development should, where appropriate, be set back from road and street boundaries and should use appropriate boundary treatments and materials;</p> <p>h) Retention and preservation of significant and historical landscape features within the site, including older buildings which if proposed to be altered or extended make use of appropriate materials and styles; and</p> <p>i) The use of suitable boundary treatments both to individual properties and full housing schemes. In particular, development on the edge of the villages should seek to retain existing hedges and trees and use native species for new planting.</p>	<p>landscaping features as well as public views and vistas and not harming existing ones. Principally, this is met through criteria (a), (b), (d) (e) (g) (h) and (i).</p> <p>3. Distinctive: The layout of proposals will be easy to navigate with buildings designed and positioned to define and enhance a hierarchy of streets and spaces, taking account of the relationship between building height and street width. Public and private spaces should be clearly defined and areas that have little or no public or biodiversity value should be avoided. Densities should be appropriate to the site taking into account the fact a key principle of good design is the relationship between the height, width and depth of buildings. Principally, this is met through criteria (a), (b), (c) (d) (g) and (i).</p> <p>4. Connected: Proposals will be well-integrated with existing built form, enhancing the network of streets, footpaths and green infrastructure across the site and the locality, and retaining existing rights of way. Principally, this is met through criteria (a), (b), (c) (d) and (g).</p> <p>5. Environmentally Sustainable: Proposals will respond to climate change. Measures should include energy efficiency technologies, low carbon and renewable energy sources, the use of local materials where possible, effective water management and flood protection, and appropriate landscaping. These matters are dealt with in Harbury Neighbourhood Development Plan Policy H.14.</p> <p>6. Accessible: Proposals will encourage walking and cycling and provide for or be close to, community facilities, having good access to public transport. Not addressed in Policy H.05 but addressed in Harbury Neighbourhood Development Plan policies H.04b and Policy H.16d.</p> <p>7. Safe: Proposals will incorporate effective measures to help reduce crime and the fear of crime and to minimise danger from traffic. Schemes linked to the evening and night-time economy</p>

Harbury Submission Neighbourhood Development Plan	Stratford-on-Avon Core Strategy 2011-2031 (CS)
	<p>will incorporate measures to help manage anti-social behaviour and to avoid unacceptable impact on neighbouring uses, residents and the surrounding area. Measures should include pedestrian and cycle friendly streets and opportunities for natural surveillance whilst avoiding large parking courts and blank building elevations. Not dealt with in Policy H.05.</p> <p>8. Healthy: Proposals will ensure a good standard of space and amenity for occupiers. Occupants of new and neighbouring buildings will be protected from unacceptable levels of noise, contamination and pollution, loss of daylight and privacy, and adverse surroundings. Dealt with indirectly in criteria (b) and (e) of Policy H.05.</p>
<p>Policy H.06 – Green Infrastructure</p> <p>The mosaic of paths, paddocks, fields, watercourses and water features, woodland, grassland and other green infrastructure features within the parish should be maintained and enhanced for their recreational, tourist and ecological value. Development proposals should seek to maintain this green infrastructure and, where possible, should enhance it by creating new connections and links or by restoring existing green infrastructure.</p> <p>Development that would disrupt or sever this mosaic will not be supported unless suitable compensatory provision can be provided to establish a new connection within the immediate vicinity of the connection to be lost or severed.</p>	<p>Policy H.06 is in general conformity with Policy CS.7 Green Infrastructure of the Core Strategy.</p>
<p>Policy H.07 - Protecting and Enhancing Local Green Spaces</p> <p>The following areas listed below and shown on Maps 2a and 2b will be protected as Local Green Spaces.</p> <p>H.07a - Church Paddock</p>	<p>The CS does not contain a policy for Local Green Spaces. Policy H.07 is in general conformity with Policy CS.7 Green Infrastructure of the Core Strategy that seeks to maintain the availability of open spaces and green infrastructure features (section B).</p>

Harbury Submission Neighbourhood Development Plan	Stratford-on-Avon Core Strategy 2011-2031 (CS)
<p>H.07b - Church Paddock Allotments</p> <p>H.07c - The Pound</p> <p>H.07d - Old New Inn Green</p> <p>H.07e - Binswood End Green</p> <p>H.07f - Pump Green</p> <p>H.07g - Bullring Green</p> <p>H.07h – Deppers Bridge Playing Field</p> <p>H.07i - Harbury Playing Fields</p> <p>H.07j - Pineham allotments</p> <p>H.07k – Manor Orchard Green</p> <p>H.07l – Frances Road Green</p> <p>Development for non-open land uses will only be supported in very special circumstances, that is when harm to the local green space and any other harm is outweighed by other considerations.</p>	
<p>Policy H.08 - Protecting Small, Incidental Open Spaces</p> <p>Development that would result in the loss of the other small, open spaces such as grass verges will only be supported when:</p> <p>a) Equivalent or better provision is provided elsewhere within a suitable location in Harbury village; or</p>	<p>Policy H.08 is in general conformity with Policy CS.7 Green Infrastructure of the Core Strategy that seeks to maintain the availability of open spaces and green infrastructure features (section B).</p>

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<p>b) It can be clearly demonstrated that the open space performs no useful function.</p>	
<p>Policy H.09 - Protecting Significant Views</p> <p>In Harbury village the significant views out of the village shown on Map 1 will be given special consideration when assessing planning applications. Development proposals should ensure that in these areas special attention is paid to preserving such views.</p> <p>Significant views within the village of the windmill and parish church should also be retained. Development proposals that would have a significant adverse impact on these views will not be supported.</p>	<p>Policy H.09 is in general conformity with CS Policy CS.9, criterion A1 which seeks to make “best use of on-site assets including landscaping features as well as public views and vistas and not harming existing ones.”</p>
<p>Policy H.10 – Landscape Design Principles</p> <p>All new development proposals should be informed by and will be assessed against the following landscape design principles:</p> <p>a) Preservation of the strong east and west boundaries of Harbury village;</p> <p>b) Retention of mature trees, hedgerows and stone walls;</p> <p>c) Measures to retain and enhance the environment and enjoyment of public rights of way and other routes through, around, into and out of a site;</p> <p>d) Impact on heritage assets and other historic and archaeological features in the landscape;</p> <p>e) Use of suitable materials and building styles;</p>	<p>Policy H.10 is in general conformity with CS Policy CS.5. Policy H.10 identifies a local set of criteria for assessing proposals. Policy H.10 seeks to preserve the strong east and west boundaries of Harbury village. This is in line with criteria A1 and A2 of CS.5 that seek to “have regard to the local distinctiveness and historic character of the District's diverse landscapes” and “protect landscape character and avoid detrimental effects on features which make a significant contribution to the character, history and setting of a settlement”.</p> <p>Also in line with CS.5 Policy H.10 seeks to protect natural and built environment features in the landscape.</p>

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<p>f) Minimal use of external lighting to retain dark skies; and</p> <p>g) Conservation and enhancement of natural landscape features.</p>	
<p>Policy H.11 - Ensuring New Development Provides Appropriate Infrastructure</p> <p>All new development will be expected to provide an appropriate level of infrastructure to meet the needs and demands arising from the development. Where an infrastructure need is identified for a particular development the necessary infrastructure must be put in place to support that development as the need arises.</p>	<p>Policy H.11 is in general conformity with policies CS.25, CS.26 and CS.27 of the CS. Policy Cs.25 seeks to promote healthy communities so that with “the release of land for development, suitable arrangements will be put in place to improve infrastructure, services and community facilities to mitigate the impact of development and integrate it with the existing community”. Policy CS.26 deals with transport and communications and Policy CS.27 with developer contributions.</p>
<p>Policy H.12 - Protecting Existing Community Facilities</p> <p>The community facilities listed below and shown on Maps 3 and 4 will be protected:</p> <ol style="list-style-type: none"> 1. Harbury Village Hall 2. Harbury Village Club 3. Village Library and car park 4. Church of All Saints 5. Tom Hauley Room 6. Harbury Primary School 7. Harbury Pre-school 8. Banana Moon Nursery 9. Harbury Surgery 10. Harbury Chemist 11. The Scout Hut 12. Rugby Club 13. The Shakespeare Inn 	<p>Policy H.12 is in general conformity with CS Policy CS.25. Policy CS.25 states:</p> <p><i>“It is expected that existing community facilities, such as shops, pubs, medical and leisure, will be retained unless it can be demonstrated that one or more of the following criteria is satisfied:</i></p> <ol style="list-style-type: none"> 1. <i>there is no realistic prospect of the facility continuing for commercial and/or operational reasons on that site;</i> 2. <i>the land and/or property has been actively marketed or otherwise made available for a similar or alternative type of facility that would be of benefit to the community;</i> 3. <i>the facility can be provided effectively in an alternative manner or on a different site in accordance with the wishes of the local community; and</i> 4. <i>there are overriding environmental benefits in the use of the site being discontinued.</i> <p><i>In all instances the potential to mitigate within the local area the loss of a community facility will be considered alongside any proposal for development on the site of the existing facility.”</i></p>

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<p>14. The Gamecock Inn 15. The Crown Inn 16. Harbury Supermarket and Harbury Post Office 17. Co-op Late Shop 18. Muggleston’s Country Fayre</p> <p>Development requiring planning permission, that would lead to the loss of these facilities to residential uses will not be supported unless equivalent, or better, provision is made elsewhere within the village; or, after an extended period of active marketing (a minimum of twelve months, including marketing in the neighbourhood plan area), the applicant can then clearly demonstrate that there is no longer a viable community, retail, food and drink or commercial use for the asset.</p>	
<p>Policy H.13 - Development of New Community Facilities</p> <p>Development proposals for new or improvements to existing community facilities will be supported when they preserve local character and distinctiveness, and do not cause unacceptable harm to the landscape or residential amenity of existing and future occupiers. In particular, new and improved facilities for young people and older residents will be supported.</p>	<p>Policy H.13 is in general conformity with CS Policy CS.25 that seeks: <i>“The provision of new and enhanced community, cultural, sport and leisure facilities will be encouraged as a way of promoting healthy, inclusive communities.”</i></p>
<p>Policy H.14 - Sustainable Design and Energy Efficiency</p> <p>All new development proposals will be encouraged to:</p> <p>a. Adopt sustainability measures promoted through the Harbury Energy Initiative and the Parish Council;</p> <p>b. Adopt a Fabric First approach through a higher than basic Fabric Energy Efficiency Standard target;</p>	<p>Policy H.12 is in general conformity with CS Policy CS.2 that seeks to promote measures that mitigate and adapt to climate change. Policy H.12 is in general conformity with section B of CS.2 that deals with sustainability standards in buildings in that both policies encourage high sustainability standards; and both policies encourage reduced energy use and energy efficiency measures.</p>

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<p>c. Use sustainable drainage to reduce risk of flooding on site and downstream; and</p> <p>d. Recycle water effectively.</p>	<p>Criteria (c) and (d) of Policy H.14 are in general conformity with the principles set out in CS Policy CS.4 on flooding and sustainable drainage.</p> <p>Policy H.14 is also in general conformity with CS Policy CS.9 that seeks to ensure designs are environmentally sustainable.</p>
<p>Policy H.15 - Highways and Transport</p> <p>Where appropriate development proposals should include measures to minimise their impact on the neighbourhood plan area by including:</p> <p>a. Safe and suitable access; and</p> <p>b. Encourage use of public transport including new and enhanced pedestrian routes to existing, and where necessary new bus stops.</p>	<p>Policy H.15 is in general conformity with CS Policy CS.26.</p>
<p>Policy H.16 - Business and Employment Development in the Centre of Harbury Village</p> <p>Development for shops (A1), business (B1), offices and community uses that support the continued vibrancy and vitality of the centre of Harbury village will be supported provided they have suitable regard to the following:</p> <p>a. the Conservation Area and its setting;</p> <p>b. the distinctive rural character of the parish;</p> <p>c. they do not have a detrimental impact on the parish’s highway network; and</p>	<p>Policy H.16 is in general conformity with CS Policy CS.22. CS.22 encourages <i>“Development that provides for a wide range of business and commercial activity will be promoted in sustainable locations in order to support and foster the growth and competitiveness of the District’s economy, provide more jobs and improve the vitality of the local business environment.”</i></p> <p>Policy CS.22 also encourages: <i>“Opportunities for business development will be provided in the countryside, including farm-based activities, in accordance with Policy AS.10 Countryside and Villages” and “The expansion of businesses in their existing locations will be supported, subject to the scale and type of activities involved, the location and nature of the site, its accessibility including by public transport, and impact on the character of the local area.”</i></p>

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<p>d. they create or maintain good access to the village centre and small business sites by public transport, cycling and walking, together with adequate signage.</p>	
<p>Policy H.17 - Protecting Existing Employment Premises</p> <p>To maintain a full range of employment opportunities in the local area the following sites (also shown on Map 5) will be protected for employment use (Use Classes B1, B2 and B8):</p> <ul style="list-style-type: none"> • International Fasteners • Churchlands Industrial Estate • Bull Ring Business Centre • Bull Ring Garage <p>Development for employment uses in these areas and premises will be supported when they do not adversely affect residential or traffic congestion.</p> <p>Planning approval for change of use or development outside of the above Use Classes will only be supported when:</p> <p>a. The existing use is no longer considered suitable for continued employment use after an extended period of active marketing; and</p> <p>b. The proposed use would not have a detrimental impact on adjacent uses and occupiers.</p>	<p>Policy H.17 is in general conformity with CS Policy CS.22. CS.22 encourages <i>“Development that provides for a wide range of business and commercial activity will be promoted in sustainable locations in order to support and foster the growth and competitiveness of the District’s economy, provide more jobs and improve the vitality of the local business environment.”</i></p> <p>Policy CS.22 also encourages: <i>“Opportunities for business development will be provided in the countryside, including farm-based activities, in accordance with Policy AS.10 Countryside and Villages”</i> and <i>“The expansion of businesses in their existing locations will be supported, subject to the scale and type of activities involved, the location and nature of the site, its accessibility including by public transport, and impact on the character of the local area.”</i></p> <p>Policy CS22 also states that: <i>“An existing employment site should not be redeveloped or converted to non-employment uses unless it is no longer viable or appropriate for a business purpose.”</i></p>
<p>Policy H.18 - Protecting and Enhancing Local Shops and Businesses</p>	<p>Policy H.18 is in general conformity with CS Policy CS.22 that supports <i>“Opportunities for business development will be provided in the countryside, including farm-based activities, in accordance with Policy AS.10 Countryside and Villages.”</i> and <i>“The expansion of businesses in their existing locations will be supported, subject to the scale and type of activities involved, the location and</i></p>

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<p>Proposals to enhance and improve local shops (Use Class A1), financial and professional services (Use Class A2) and business premises (Use Class B1) will be supported.</p> <p>Change of use of retail premises to non-retail uses will only be supported if the applicant can demonstrate there is no longer a need for such provision or suitable, or better provision, is provided, in a suitable location elsewhere within the neighbourhood plan area.</p>	<p><i>nature of the site, its accessibility including by public transport, and impact on the character of the local area.”</i></p> <p>Policy H.18 is in general conformity with CS Policy CS.23 that states:</p> <p><i>“Throughout the District, the change of use of a property from one falling within Class A1 of the Town and Country Planning (Use Classes) Order to one within another class will be resisted unless the proposal satisfies the provisions of Policy CS.25 Healthy Communities.</i></p> <p><i>The provision of new shops in neighbourhood centres and villages will be encouraged.”</i></p> <p>Policy H.18 is in general conformity with criteria (k) to (r) of CS Policy AS.10.</p>
<p>Policy H.19 - Protecting Local Heritage</p> <p>Development should conserve the following local non-designated heritage assets listed below and identified on Map 6:</p> <ol style="list-style-type: none"> 1. Pillar Box on Old New Inn Green 2. Pump and well at Hill Cottage, Farm Street 3. Pump at Montgomery House, Mill Lane 4. Pump at Denys Close, Temple End <p>Fire Plate and Plaques:</p> <ol style="list-style-type: none"> 5. Newend House 6. 35 Farm Street 	<p>Policy H.19 is in general conformity with CS Policy CS.8 that seeks to protect and enhance “non-designated heritage assets and their settings” (criterion 2). Policy H.19 identifies, after consultation. the local non-designated heritage assets in the neighbourhood area.</p>

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<p>Stone Walls</p> <ul style="list-style-type: none"> 7. Stone wall on site of Old New Inn 8. Stone wall to Pan’s Garden, Farm Street 9. Stone wall to Temple House, Temple End 10. Stone wall corner Vicarage Lane/Dovehouse Lane 11. Stone wall round Cemetery corner 12. Stone wall to rear of Chapel Street Green 13. Stone wall adjacent to Co-op on Mill Lane 14. Stone wall to Village Club, Crown Street <p>Ironwork</p> <ul style="list-style-type: none"> 15. Iron railings to front of Village Hall and Play Area, South Parade 16. Iron gates to the Cemetery <p>Development proposals should take full account of known surface and sub-surface archaeology and ensure unknown and potentially significant deposits are identified and appropriately considered during development after consultation with the Warwickshire Historic Environment Record (HER). Lack of current evidence of sub-surface archaeology must not be taken as proof of absence</p>	

Be Compatible with EU Obligations

The Submission Neighbourhood Plan is fully compatible with EU Obligations.

The Neighbourhood Plan has been subjected to an SEA Screening Assessment undertaken by Stratford on Avon Council. This concluded that the Neighbourhood Development Plan will not have significant effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations, and therefore does not need to be subject to a SEA report. Furthermore, as there are no internationally designated wildlife sites within the Neighbourhood Plan Area or within 20km of it, the Plan will not have an adverse effect on the integrity of internationally designated sites either on its own or in combination with other plans and does not need to be subject to a Habitats Regulations Assessment.

The Submission Neighbourhood Plan is fully compatible with the European Convention on Human Rights. It has been prepared with full regard to national statutory regulation and policy guidance, which are both compatible with the Convention. The Plan has been produced in full consultation with the local community. The Plan does not contain policies or proposals that would infringe the human rights of residents or other stakeholders over and above the existing strategic policies at national and district-levels, as demonstrated below.

The Human Rights Act 1998 incorporated into UK law the European Convention on Human Rights (“The Convention”). The Convention includes provision in the form of Articles, the aim of which is to protect the rights of the individual.

Section 6 of the Act prohibits public bodies from acting in a manner, which is incompatible with the Convention. Various rights outlined in the Convention and its First Protocol are to be considered in the process of making and considering planning decisions, namely:

Article 1 of the First Protocol protects the right of everyone to the peaceful enjoyment of possessions. No one can be deprived of possessions except in the public interest and subject to the conditions provided by law and by the general principles of international law. The Submission Neighbourhood Plan is fully compatible with the rights outlined in this Article. Although the Submission Plan includes policies that would restrict development rights to some extent, this does not have a greater impact than the general restrictions on development rights provided for in national law, namely the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011. The restriction of development rights inherent in the UK’s statutory planning system is demonstrably in the public interest by ensuring that land is used in the most sustainable way, avoiding or mitigating adverse impacts on the environment, community and economy.

Article 6 protects the right to a fair and public hearing before an independent tribunal in determination of an individual’s rights and obligations. The process for Neighbourhood Plan production is fully compatible with this Article, allowing for extensive consultation on its proposals at various stages, and an independent examination process to consider representations received.

Article 14 provides that “The enjoyment of the rights and freedoms set forth in ... [the] ... European Convention on Human Rights shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.” The Parish Council has developed the policies and proposals within the Plan in full consultation with the community and wider stakeholders to produce as inclusive a document as possible. In general, the policies and proposals will not have a discriminatory impact on any particular group of individuals.

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