



# **Independent Examiners** **Report of the** **Wellesbourne and Walton** **Neighbourhood** **Development Plan**

*Author*

*Deborah McCann BSc MRICS MRTPI Dip Arch Con Dip LD*

*Planning Consultant*

*NPIERS Examiner*

*CEDR accredited mediator*



## SECTION 1

### SECTION 1

#### CONTENTS

Section 1 Contents.....	2
Section 2 Summary.....	3
Section 3 Introduction.....	4-5

#### Section 4

The Report.....	6-34
1. Appointment of the Independent Examiner.....	6
2. Qualifying Body.....	6
3. Neighbourhood Plan Area.....	6
4. Plan Period.....	6
5. Stratford-on-Avon District Council Initial Assessment of the Plan.....	6
6. Site Visit.....	6
7. Consultation Process.....	6
8. Regulation 16 Consultation and Record of Responses .....	6
9. Compliance with the Basic Conditions.....	7-8
10. Planning Policy.....	8-9
11. Other relevant Policy Considerations.....	9-12
12. Wellesbourne and Walton NDP Neighbourhood Plan Policies.....	13-34

#### Section 5

Conclusions and Recommendations.....	35
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## **SECTION 2**

### **Summary**

*As the Independent Examiner appointed by Stratford on Avon District Council to examine the Wellesbourne and Walton Neighbourhood Development Plan, I can summarise my findings as follows:*

- 1. I find the Wellesbourne and Walton Neighbourhood Development Plan and the policies within it does, subject to the recommended modifications meet the Basic Conditions.*
- 2. I am satisfied that the Referendum Area should be the same as the Plan Area, should the Wellesbourne and Walton Neighbourhood Development Plan go to Referendum.*
- 3. I have read the Wellesbourne and Walton Consultation Statement and the representations made in connection with this subject I consider that the consultation process was robust and that the Neighbourhood Plan and its policies reflects the outcome of the consultation process including recording representations and tracking the changes made as a result of those representations.*
- 4. I find that the Wellesbourne and Walton Neighbourhood Development Plan can, subject to the recommended modifications proceed to Referendum.*
- 5. At the time of my examination the Development Plan was the Stratford-on-Avon District Council Core Strategy 2011-2031 which was adopted on 11th July 2016.*

## **SECTION 3**

### **Introduction**

#### **1. Neighbourhood Plan Examination.**

*My name is Deborah McCann and I am the Independent Examiner appointed to examine the Wellesbourne and Walton Neighbourhood Development Plan.*

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

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

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

*The expectation is that the examination of the issues by the examiner is to take the form of the consideration of the written representations. However, there are two circumstances when an examiner may consider it necessary to hold a Hearing. These are where the examiner considers that it is necessary to ensure adequate examination of an issue or to ensure a person has a fair chance to put a case. Having read the plan and considered the representations I did require some additional information, which was provided by email. This additional information is publicly available on the Stratford-on-Avon District Council website.*

#### **2. The role of examiner including the examination process and legislative background.**

*The examiner is required to check whether the neighbourhood plan:*

- Has been prepared and submitted for examination by a qualifying body*
- Has been prepared for an area that has been properly designated for such plan preparation*
- Meets the requirements to i) specify the period to which it has effect; ii) not include provision about excluded development; and iii) not relate to more than one neighbourhood area and that*
- Its policies relate to the development and use of land for a designated neighbourhood area.*

*The examiner must assess whether a neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).*

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

1. *The Plan can proceed to a Referendum*
2. *The Plan with recommended modifications can proceed to a Referendum*
3. *The Plan does not meet the legal requirements and cannot proceed to a Referendum*

*I am also required to recommend whether the Referendum Area should be different from the Plan Area, should the Wellesbourne and Walton Neighbourhood Development Plan go to Referendum.*

*In examining the Plan, I am required to check, under Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, whether:*

- the policies in the Plan relate to the development and use of land for a designated Neighbourhood Area are in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act 2004:*
- The Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 to specify the period for which it has effect*
- the Plan has been prepared for an area designated under the Localism Act 2011 and has been developed and submitted for examination by a qualifying body.*

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

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

*The Plan must also not breach, and otherwise be compatible with European Union (EU) obligations and Human Rights requirements.*

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

## **SECTION 4**

### **The Report**

#### **1. Appointment of the Independent Examiner**

*Stratford-on-Avon District Council appointed me as the Independent Examiner for the Wellesbourne and Walton Neighbourhood Development Plan with the agreement of Wellesbourne and Walton Parish Council.*

#### **2. Qualifying body**

*I am satisfied that Wellesbourne and Walton Parish Council is the Qualifying Body.*

#### **3. Neighbourhood Plan Area**

*The designated Wellesbourne and Walton Neighbourhood Area covers the parish of Wellesbourne and Walton*

*The Basic Conditions Statement submitted with the Wellesbourne and Walton Neighbourhood Development Plan confirms there are no other Neighbourhood Plans covering the Area of the Wellesbourne and Walton Neighbourhood Development Plan.*

#### **4. Plan Period**

*It is intended that the Wellesbourne and Walton Neighbourhood Development Plan will cover the period 2016-2031 to align with the Development Plan.*

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

*Wellesbourne and Walton Parish Council, the Qualifying Body for preparing the Wellesbourne and Walton Neighbourhood Development Plan, submitted it to Stratford-on-Avon District Council for consideration. Stratford-on-Avon District Council has made an initial assessment of the Plan and the supporting documents and is satisfied that these comply with the specified criteria under Regulation 15.*

#### **6. Site Visit**

*I carried out an unaccompanied site visit on Friday 19<sup>th</sup> of April 2018 to familiarise myself with the Neighbourhood Plan Area. In particular, I looked at the sites which relate to policies:*

*WW2, WW3, WW4, WW6 and WW7*

#### **7. The Consultation Process**

*The Wellesbourne and Walton Neighbourhood Development Plan has been submitted for examination with a Consultation Statement which sets out the consultation process that has led to the production of the plan, as set out in the regulations in the Neighbourhood Planning (General) Regulations 2012.*

*The Statement describes the approach to consultation, the stages undertaken and explains how the Plan has been amended in relation to comments received. It is set out according to the requirements in Regulation 15.1.b of the Neighbourhood Planning (General) Regulations 2012):*

*(a) It contains details of the persons and bodies who were consulted about the proposed neighbourhood development plan;*

*(b) It explains how they were consulted; (c) It summarises the main issues and concerns raised by the persons and bodies consulted; and*

*(c) It describes how these issues and concerns were considered and, where relevant, addressed in the proposed neighbourhood development plan.*

*Examination of the documents and representations submitted in connection with this matter have led me to conclude that the consultation process was thorough, well conducted and recorded.*

*A list of statutory bodies consulted is included in the Consultation Statement.*

#### **8.Regulation 16 consultation by Stratford-on-Avon District Council and record of responses.**

*The District Council placed the Wellesbourne and Walton Neighbourhood Development Plan out for consultation under Regulation 16 from the 12<sup>th</sup> October 2017 to the 24<sup>th</sup> November 2017.*

*A number of representations were received during the consultation period and these were supplied by the District Council as part of the supporting information supplied for the examination process. I considered the representations, have taken them into account in my examination of the plan and made reference to them where appropriate.*

#### **9. Compliance with the Basic Conditions**

*The Wellesbourne and Walton Neighbourhood Development Plan working Group produced a Basic Conditions Statement. The purpose of this statement is for the Neighbourhood Development Plan Working Group to set out in some detail why they believe the Neighbourhood Development Plan as submitted does meet the Basic Conditions. It is the Examiner's role to take this document into consideration and take an independent view as to whether or not the assessment as submitted is correct.*

*I have to determine whether the Wellesbourne and Walton Neighbourhood Development Plan:*

- 1. Has regard to national policies and advice*
- 2. Contributes to sustainable development*
- 3. Is in general conformity with the strategic policies in the appropriate Development Plan*
- 4. Is not in breach and is otherwise compatible with EU obligations and Human Rights requirements.*

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

*(a) The Wellesbourne and Walton Neighbourhood Development Plan:*

*This is the main document, which includes the policies developed by the community.*

*(b) The Consultation Statement:*

*This is a statement setting out how the community and other stakeholders have been involved in the preparation of the Wellesbourne and Walton Neighbourhood Development Plan and is supported by an evidence base, which arose from the consultation.*

*(c) Basic Conditions Statement.*

*This is a statement setting out how Wellesbourne and Walton Neighbourhood Development Plan Working Group consider that the Neighbourhood Development Plan meets the Basic Conditions. This statement also includes the screening report for the Strategic Environmental Appraisal and Habitat Regulations Assessment.*

*(d) Strategic Environmental Assessment (SEA)- Screening Report.*

#### *Comment on Documents submitted*

*I am satisfied having regard to these documents and other relevant documents, policies and legislation that the Wellesbourne and Walton Neighbourhood Development Plan does, subject to the recommended modifications, meet the Basic Conditions.*

### **10.Planning Policy**

#### **10.1. National Planning Policy**

*National Planning Policy is set out in the National Planning Policy Framework (NPPF) 2012.*

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

*The Wellesbourne and Walton Neighbourhood Development Plan does not need to repeat these national policies, but to demonstrate it has taken them into account.*

*I have examined the Wellesbourne and Walton Neighbourhood Development Plan and consider that, subject to modification, the plan does have “regard for National Policy and Advice” and therefore the Plan does meet the Basic Conditions in this respect.*



## **10.2. Local Planning Policy- The Development Plan**

*The Parish of Wellesbourne and Walton lies within the administrative area covered by Stratford-on-Avon District Council. The relevant development plan is Stratford-on-Avon District Core Strategy 2011- 2031 adopted 11th July 2016.*

*I have considered the Strategic policies of the Development Plan and the Policies of the Wellesbourne and Walton Neighbourhood Development Plan and consider that, subject to the recommended modifications, the Plan does meet the Basic Condition in this respect and is in general conformity with the Strategic policies of the Stratford-on-Avon District Core Strategy 2011-2031, adopted 11th July 2016.*

## **11. Other Relevant Policy Considerations**

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

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

*A Strategic Environmental Assessment (SEA) screening opinion was sought as required from the following statutory consultees during the formal consultation period:*

- *Natural England*
- *Historic England*
- *Environment Agency*
- *Stratford-on-Avon District Council*

*The conclusion of the screening of the Plan and its policies was that the Wellesbourne and Walton NDP would not result in significant environmental effects in relation to criteria set out in the SEA Regulations and a SEA was not required.*

### **Habitat Regulations Assessment**

*It was considered that a Habitat Regulations Assessment (HRA) would not be required as long as the Neighbourhood Plan made reference to or included a link to the relevant section within the Stratford-on-Avon District Council adopted Core Strategy, which has been done.*

### **11.2 Sustainable development**

*The Wellesbourne and Walton NDP includes a number of policies, which positively address the NPPF policies relating to 'Delivering Sustainable Development'.*

*The Basic Conditions Statement sets out how the Plan is considered to be in compliance with the NPPF objectives of sustainable development by:*

- *conforming with the Stratford-on-Avon District Core Strategy 2011-2031.*
- *protecting green space and expanding open space, including sports fields and play areas, for community use*
- *preserving the character of the conservation area and other locations recognised as being of significance*
- *highlighting the locations of cherished views and historic sites/monuments that should not be harmed through development*
- *specifying the mix of housing types that should feature as part of any development, including the provision of housing that meets the needs of the elderly and people with disabilities*
- *reinforcing the SDC policy for prioritising people with local family or work connections for housing*
- *ensuring that the impact on services and amenities infrastructure is taken fully into account as part of any development, including access to public transport*
- *stipulating the requirement for a full flood risk assessment to be undertaken as part of any new development with the purpose of ensuring no increased risk of local flooding*
- *promoting the retention and expansion of retail and commercial businesses including the provision of improved local parking to encourage local people to shop locally*
- *requiring new developments to be linked, by a combination of footpaths, footways and cycle paths to the centre of Wellesbourne in support of enhancing the vitality of the area*

*I am satisfied that the Wellesbourne and Walton Neighbourhood Development Plan subject to the recommended modifications addresses the sustainability issues adequately.*

*The Neighbourhood Development Plan is required to take cognisance of the European Convention of Human Rights and to comply with the Human Rights Act 1998. I am satisfied that the Wellesbourne and Walton Neighbourhood Development Plan has done so.*

*I am therefore satisfied that the Wellesbourne and Walton Neighbourhood Development Plan, subject to modification meets the basic conditions on EU obligations.*

### **11.3 Excluded development**

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

### **11.4 Development and use of land**

*I am satisfied that the Wellesbourne and Walton Neighbourhood Development Plan covers development and land use matters.*

*I am satisfied having regard to the documents submitted as part of the examination process and other relevant documents, policies and legislation that the Wellesbourne and Walton Neighbourhood Development*

*Plan does, subject to the recommended modifications, meet the Basic Conditions.*

### **11.5 The Neighbourhood Plan Strategic Aims and Policies**

*The Wellesbourne and Walton Neighbourhood Development Plan Vision is:*

*“Our overall vision is to create a place where people are proud to live and work.*

*Based on feedback received from the Neighbourhood Plan questionnaire survey, the wishes of residents are that by 2031 the Parish of Wellesbourne and Walton will be:*

*The Neighbourhood Plan Vision by 2031*

- a vibrant and safe place to live that has a strong sense of community where amenities exist which allow clubs and societies to thrive.*
- an inclusive society in which the needs and aspirations of people of all ages, genders and abilities are met.*
- a Parish where the character, history and heritage of our villages is celebrated and sustained and where the individual identities of Wellesbourne and Walton are preserved.*
- a place in which new housing has been built to high standards of sustainability and energy efficiency within attractive developments where adequate capacity has been provided in services and amenities infrastructure.*
- an area where there is access to open land for recreation purposes and picturesque views can be appreciated along the river corridor, the surrounding countryside and within the villages.*
- a location with a strong business community, both in terms of retail provision and commercial enterprise, which protects existing and supports new opportunities to establish high employment in the area.*
- a recognised destination for tourism, which attracts visitors to our Parish.*

*The Neighbourhood Plan Objectives.*

*In order to achieve the vision for Wellesbourne and Walton, the following objectives must be fulfilled by 2031:*

- 1. Accessibility to open spaces, allotments, local woodlands and enjoyment of views across the pleasant rural landscape within the Parish will have been maintained and extended.*
- 2. The heritage assets of our villages, their character and distinctive features, will have been conserved and enhanced. This includes the preservation of listed buildings plus specific locally listed sites and monuments along with overall street scenes within the conservation area.*
- 3. The biodiversity and historic environment within our Parish will have been recognised and preserved.*
- 4. High quality agricultural land and hedgerows will have been retained.*

5. *The separate identity of Wellesbourne and Walton villages will remain.*
6. *New developments will have been located in designated areas that help to preserve the balance of housing around the traditional centre of Wellesbourne, taking due account of landscape and biodiversity factors.*
7. *New developments will contain a mix of house size and styles and include a minimum of 35% affordable homes. Priority will have been given to people from the local community in the allocation of affordable homes in the first instance.*
8. *High standards of quality and sustainability will have featured in all developments. Street configurations will be sympathetic to the character of the surrounding area, incorporating attractive walkways and cycle paths that link to the rest of the village.*
9. *No housing will have been permitted within the River Dene and Newbold Brook flood plain and no increased flood risk will have resulted from any development.*
10. *A robust and comprehensive utilities and service infrastructure will have been established throughout the Parish which supports the needs of residents and the business community and where the existing flood risk management system will have been maintained.*
11. *Access to sports and leisure activities will have been improved and additional amenities made available including a new sports complex plus extra play areas and pitches for the enjoyment of all residents and visitors.*
12. *Adequate places will have been maintained at the local primary school and no young children will need to leave the village to receive an education.*
13. *Local retail and commercial businesses will have been retained and strengthened, and the area will have become a popular tourist destination."*

#### **COMMENT**

*Having read the Plan and supporting documents, including the Consultation Statement, I am satisfied that the vision, aims and objectives have been developed as a direct result of the consultation process and that the policies of the Wellesbourne and Walton NDP policies reflect these.*

## **12. Wellesbourne and Walton Neighbourhood Development Plan Policies**

*My comments are in blue, with modifications in red.*

### **Heritage and Environment**

#### **WW1 Designation of Local Green Space**

*The following areas (including their flora and fauna) are to be designated as “Local Green Space” in order to protect them from development, unless under exceptional circumstances, so that they can remain accessible for leisure pursuits by the community. See Map 3 for extent of the protected areas.*

**1. Hopkins Way Green**

**2. Hammond Green**

**3. Frost Road playground**

**4. River Dene floodplain (near “white” bridge)**

**5. Oak tree field**

**6. Dog Close (part not designated for new medical centre) 7. Willow Drive green**

**8. Chestnut Square**

**9. Mountford sports field and community land**

**10. Dovehouse sports field and community land**

**11. Dovehouse play area**

**12. Green off Grantham Road**

***Any new areas of green space established, as part of future developments must include an undertaking that they will remain as green space.***

***If any of this green space is considered for building as part of a planning application, an area of at least equivalent size and amenity value, as deemed by the Parish Council, should be made available by the developer.***

## COMMENT

*Criteria for the designation of and the protection for Local Green Spaces is set out in paragraphs 76 and 77 of the National Planning Policy Framework. Local Green Space designation cannot be used to protect future green space and the protection offered by this designation is very specific. Whilst I am satisfied that the areas detailed within the policy meet the requirements to be designated as Local Green Spaces, the current wording does not have regard for the Framework and the last two paragraphs should be deleted and the first paragraph modified as follows:*

***The following areas are to be designated as Local Green Spaces; inappropriate development will not be approved except in very special circumstances. See Map 3 for extent of the protected areas.***

### **WW2 Preservation of Allotments**

***The allotments provide a valuable contribution to biodiversity and the healthy lifestyle of many residents within the Parish. Any consideration for development of the site occupied by the existing allotments would need to satisfy the following conditions, and would require the approval of the Wellesbourne Allotment and Garden Holders' Association.***

- a) alternative land should provide a net increase in open space for allotments which has equivalent or preferably improved soil quality***
- b) the new site is at a convenient location near to the village which includes access by both roadway and existing or extended new footpaths and public rights of way***
- c) the area is made more accessible for use by people with disabilities, general mobility problems, and children***
- d) services to the new site should include the provision of distributed water supply to all plots, toilets, car parking and perimeter security fencing***
- e) the site should be located outside recognised flood zones (2,3) and surface water flooding areas associated with both the River Dene and the Newbold Brook.***

## COMMENT

***Allotments sites are already protected under existing legislation and under paragraph 74 of the National Planning Policy Framework:***

***“74. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:***

*an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements*

*the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location*

*the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.”*

*The policy, as currently worded does not have adequate regard to national policy and In order to meet the Basic Conditions; the policy should be modified as follows:*

#### ***Preservation of Allotments***

***The allotments provide a valuable contribution to biodiversity and the healthy lifestyle of many residents within the Parish. Any consideration for development of the sites occupied by the existing allotments would need to comply fully with paragraph 74 of the National Planning policy Framework and other relevant legislation.***

#### ***WW3 Protection of Local Heritage***

***New developments should not reduce the significance of, or cause harm, to the character or appearance of:***

***a) buildings and street scenes within the conservation area***

***b) designated listed buildings throughout the Parish***

***c) items contained within the Local List of Heritage Sites which can be found in Appendix 2b***

#### ***COMMENT.***

*The definition of a Non-Designated Heritage Asset is a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated heritage assets. The inclusion on a Local List provides no additional planning controls, the fact that a building or site is on a local list means that its conservation as a heritage asset is an objective of the NPPF and a material consideration when determining the outcome of a planning application.*

*In deciding any relevant planning permission that affects a locally listed heritage asset or its setting, the NPPF requires amongst other things that local planning authorities should take into account the desirability of sustaining and enhancing the significance of such heritage*

*assets and of putting them to viable uses consistent with their conservation. They are also obliged to consider the positive contribution that conserving such heritage assets can make to sustainable communities including their economic vitality.*

*The NPPF contains policies that apply to heritage assets regardless of whether or not they are locally listed. However, local listing provides a sound, consistent and accountable means of identifying local heritage assets to the benefit of good strategic planning for the area and to the benefit of owners and developers wishing to fully understand local development opportunities and constraints.*

*Local listing does not affect the requirements for planning permission.*

*I have reviewed the Local List of Heritage Sites contained within appendix 2b and considered representations in relation to it. In particular, I have received objection to the inclusion of Wellesbourne Airfield including the Vulcan bomber, on the basis that all World War Two buildings at the airfield have been lost and that the site of hangers, the control tower, workshops and technical buildings has been redeveloped as a modern distribution and employment area and that the site no longer has the appearance or character of a wartime aerodrome*

On balance, having considered the evidence I conclude that the only item I consider it necessary to remove from the Local List is the Vulcan Bomber as this is clearly not a “building, monument, site, place, area or landscape”. I acknowledge the strength of local feeling associated with this iconic plane however I cannot agree that it meets the definition necessary for inclusion on the list. I do however, consider that the airfield along with the airfield museum does satisfy the criteria and can remain on the list. I do not agree that this will necessarily frustrate future development of the site, but it will allow for any future proposals to be assessed appropriately against the significance of the non designated Heritage Asset.

*In conclusion, Heritage Assets (designated and non-designated) and Conservation Areas are already protected by policy and guidance contained within the NPPF and the Stratford-on-Avon District Core Strategy (Policy CS.8). The policy as currently worded does not conform with these policies and in order to meet the Basic Conditions, the policy should be modified as follows:*

### ***Protection of Local Heritage***

***Proposals affecting the conservation area, Designated and Non Designated Heritage Assets within the Parish including items contained within the Local List of Heritage Sites (which can be found in Appendix 2b) must comply with the requirements of the National Planning Policy Framework and Policy CS.8 of the Stratford on Avon District Core Strategy 2011-2031.***



#### **WW4 Preservation of Landscape and Views**

***All new housing or commercial developments need to demonstrate how the recommendations contained within the landscape report prepared by Warwickshire County Council (see Appendix F) have been taken into consideration. The following specific points should be addressed:***

***1) The open spaces surrounding Wellesbourne and Walton, including the area covered under Policy CS.13 of the Core Strategy as an Area of Restraint, must be retained. Of particular importance is the corridor on either side of the River Dene, which affords residents and visitors easy access to the surrounding countryside and assists in the dispersal of water during times of flooding.***

***2) The impact on the following cherished views of any planning application in respect of the design, size, or materials used in developments should be taken into account.***

***a) Jubilee Drive towards Walton Hall***

***b) Walton Village towards Walton Hall***

***c) Conservation area towards Friz Hill and Red Hill***

***d) Bypass along the River Dene towards St Peter's Church***

***e) Footpath SD84b towards Walton Hall***

***f) Jubilee Drive towards Wellesbourne Wood***

***g) Kineton Road towards Staple Hill***

***3) The Parkland setting of Walton Hall must be preserved. New developments will only be supported in this area where it can be demonstrated to have a positive impact on the historic setting of the Hall.***

***4) Any development to the north of Wellesbourne adjacent to the Newbold Brook should incorporate the floodplain area as community open space linking the new development to the village.***

***5) Existing hedgerows must be retained. The establishment of new native hedges, the gapping up of existing hedgerows and the planting/replacement of hedgerow trees is to be encouraged but this should not create a constraint in the dispersal of flood water.***

***6) The rural nature of the narrow Walton Road and the historic field patterns of the adjacent land towards the River Dene must be preserved.***

## COMMENT

*I have received representation that this policy is overly restrictive and not in general conformity with the strategic policies of the Development Plan. I am satisfied that subject to the following minor modification the policy does meet the Basic Conditions:*

### ***Preservation of Landscape and Views***

***All new large-scale housing or commercial developments need to demonstrate how the recommendations contained within the landscape report prepared by Warwickshire County Council (see Appendix F) have been taken into consideration. The following specific points should be addressed:***

- 1) Development within the open spaces surrounding Wellesbourne and Walton, including the area covered under Policy CS.13 of the Stratford-on-Avon District Core Strategy 2011-2031 as an Area of Restraint, will not be supported unless:***
  - a scheme would have demonstrable community benefits and contribute significantly to meeting an objective of the Neighbourhood Plan. It will also need to be demonstrated that no suitable alternative site outside the Area of Restraint is available for the proposed development.***

***Of particular importance is the corridor on either side of the River Dene, which affords residents and visitors easy access to the surrounding countryside and assists in the dispersal of water during times of flooding.***

***2) Planning applications that impact on the following cherished views should demonstrate how the impact has been mitigated through design, size and use of materials.***

***a) Jubilee Drive towards Walton Hall***

***b) Walton Village towards Walton Hall***

***c) Conservation area towards Friz Hill and Red Hill***

***d) Bypass along the River Dene towards St Peter's Church***

***e) Footpath SD84b towards Walton Hall***

***f) Jubilee Drive towards Wellesbourne Wood***

***g) Kineton Road towards Staple Hill***

***3) The Parkland setting of Walton Hall should be preserved. New developments will only be supported in this area where it can be demonstrated to have a positive impact on the historic setting of the Hall.***

***4) Any development to the north of Wellesbourne adjacent to the Newbold Brook should incorporate the floodplain area as community open space linking the new development to the village.***

***5) Existing hedgerows should be retained where possible. The establishment of new native hedges, the gapping up of existing hedgerows and the planting/replacement of hedgerow trees is to be encouraged but this should not create a constraint in the dispersal of flood water.***

***6) The rural nature of the narrow Walton Road and the historic field patterns of the adjacent land towards the River Dene should be preserved.***

#### ***WW5 Retention of Biodiversity and Historic Sites***

***Developers will be expected to assess the impact of any planning application on the following aspects of biodiversity and historic environment.***

***a) designated ancient woodlands, wildlife sites, eco sites and linking wildlife corridors between them.***

***b) identified local habitats and wildlife areas***

***c) designated historic sites, archaeological events and monuments and historic landscape characteristics***

***Details of all these designated items and locations are contained in the local biodiversity and historic environment reports (2015) prepared by Warwickshire County Council, which can be accessed, from Appendix F.***

***Developers should be encouraged to contribute towards the creation of a nature reserve along the River Dene in support of enhancing the biodiversity of the area.***

#### ***COMMENT***

***Replace the word “should” in the final sentence with “will”.***

#### ***WW6 Separation between Wellesbourne and Walton***

***The location of any development should take into consideration the desire to maintain the separation between Wellesbourne and Walton in order to:***

***a) maintain the distinctive character of both locations***

*b) avoid the loss of picturesque views across the open countryside between the villages (see Policy WW4)*

*c) preserve the wide range of historic sites and monuments that have been identified in the area between Wellesbourne and Walton, as designated in the local biodiversity and historic environment reports (2015) prepared by Warwickshire County Council which can be found in Appendix F. (see Policy WW5)*

#### **COMMENT**

*I have no comment on this policy.*

### **Housing and Land Use**

#### **WW7 Location of New Houses**

*1. New housing, other than infill, should be contained within the Area 1 shown on Map 11, which, in accordance with the wishes of residents, is north of the village, near existing housing, and in close proximity to the traditional centre. This location has been identified by the Environment Agency as containing areas within flood zones 2 and 3*

*2. The extent of the flood zone and surface water flooding area should be confirmed as part of any development by detailed hydraulic modeling, taking into account the prevailing climate change allowances.*

*The following conditions will apply to any consideration for development within Area 1. See Map 11.*

*a) the site should be considered as a reserved area and will only be released for development if a clear requirement to do so is identified by SDC and in any event not before 2021, when it is anticipated that the development of houses with already approved planning permissions within Wellesbourne, will have been completed.*

*b) no housing shall be built within the zone 2 or 3 flood areas designated by the Environmental Agency. The distance that buildings will be permitted from the edge of the zone 2 and 3 areas is specified in WW13.*

*c) development proposals must incorporate a scheme to help redress the deficit of community open space in Wellesbourne by allocating the areas contained within flood zone 2 and 3 as community open space. This open space should link through to existing local green space and the public footpath to the north of Hopkins Way, immediately adjacent to Area 1*

*d) there should be minimal removal of existing trees and hedgerows in providing pathway links between the existing green space and the new open space areas.*

***e) proposals for development of Area 1 must include a master plan to address site specific constraints including:***

***i) flood risk management incorporating sustainable drainage systems (SUDS) to cope with both river flooding and surface water run-off, taking account of the predicted impact of climate change.***

***ii) noise impact and mitigation measures especially with regard to traffic on A429.***

***iii) ecological assessment including perimeter hedgerows and trees, which should be retained and extended.***

***iv) transport impact and access strategy for the site.***

***v) a future site management plan for the public use of the available open space, including transfer of ownership of this land to the Parish Council along with funding for the ongoing upkeep of the area.***

***2) Area 2 on Map 10 is to the east of Wellesbourne and adjacent to both existing housing and the allotments and includes flood zone 2 and 3 areas. The site should be safeguarded from any development that might compromise its future release for possible residential housing use beyond 2030. The extent of the flood zone and surface water flooding area should be confirmed as part of any development by detailed hydraulic modeling, taking into account the prevailing climate change allowances.***

***3) Area 3 on Map 10 is the allotments and any consideration for use as a location for housing development is subject to policy WW2. The extent of the flood zone and surface water flooding area should be confirmed as part of any development by detailed hydraulic modeling, taking into account the prevailing climate change allowances.***

***4) Areas 4 to 9 on Map 10 are rejected from consideration as sites for additional housing.***

***No new housing will be allowed outside the built-up area boundary. In the event that planning approval is granted for development on a reserved site area, an adjustment to the built-up area boundary should be established in conjunction with SDC.***

***Replacement and small infill developments of fewer than 10 dwellings within the built-up boundary will be supported in principle in other parts of Wellesbourne, where these complement the design of surrounding buildings and provide satisfactory arrangements for access and off road parking.***

## COMMENT

*Stratford-on-Avon District Council adopted its Core Strategy on 11<sup>th</sup> July 2016. It seeks to deliver over 16,000 homes to meet its Objectively Assessed Housing Needs 2011 to 2031, including through joint working with other Authorities across the Coventry, Warwickshire and Greater Birmingham housing market areas. The Council can also currently demonstrate the equivalent of 6.67 years of housing land supply.*

*Policy CS.15 of the Core Strategy sets out the distribution of development, including identifying Wellesbourne as one of eight Main Rural Centres, after the Main Town of Stratford-upon-Avon. In accordance with Policy AS.9, within the plan period, development will take place on identified sites, sites identified in the NDP and on other suitable sites within the Built-up Area Boundary. Policy CS.16 requires the MRC's collectively to deliver some 3,800 homes, although this figure is exceeded as set out in Figure 1 Housing trajectory. Wellesbourne itself will deliver some 830 homes on identified sites with planning consent. As such, save for a small on going contribution to windfall, the District Council does not require Wellesbourne (or any NDP for that matter) to identify additional housing sites, although it encourages NDPs to do so.*

*The District Council is also preparing a Site Allocations Plan (SAP) to identify reserve housing sites in accordance with Policy CS.16 Part D. A six-week public consultation on the revised scope of the SAP concluded on 9 March this year. Whilst the remaining stages of the Plan's preparation have yet to be finalised, the District Council hope to adopt the SAP summer/autumn 2019. The SAP is a Development Plan Document in its own right and when adopted, will sit alongside the Core Strategy. The District Council is supportive of NDPs where they are looking to also identify reserve housing sites.*

*I am satisfied that the Wellesbourne and Walton Neighbourhood Plan addresses the provision of housing across the plan period adequately including identifying potential reserved housing sites. I find no conflict with the Strategic Policies of the Development Plan. However, the policy is long, lacks clarity and in some parts does not meet the Basic Conditions and should be modified as follows:*

### **WW7 Location of New Houses**

**1. New housing, other than infill should be contained within the Area 1 shown on Map 11. This location has been identified by the Environment Agency as containing areas within flood zones 2 and 3.**

**The following conditions will apply to any consideration for development within Area 1.**

**a) the site should be considered as a Reserved Site and will only be released for development if a clear requirement to do so is identified by Stratford-on-Avon District Council and in any event not before 2021, when it is anticipated that the development of houses with already approved planning permissions within Wellesbourne, will have been completed.**

**b) developers are encouraged to incorporate a scheme to help redress the deficit of community open**

*space in Wellesbourne by allocating the areas contained within flood zone 2 and 3 as community open space. This open space should link through to existing local green space and the public footpath to the north of Hopkins Way, immediately adjacent to Area 1*

*c) there should be minimal removal of existing trees and hedgerows in providing pathway links between the existing green space and the new open space areas.*

*d) proposals for development of Area 1 must include a master plan to address site specific constraints including:*

*e) The management of flood risk in compliance with Policy CS.4 of the Stratford-on-Avon District Core Strategy and the requirements of the NPPF*

*ii) noise impact and mitigation measures especially with regard to traffic on A429.*

*iii) ecological assessment including perimeter hedgerows and trees which should be retained and extended.*

*iv) transport impact and access strategy for the site.*

*v) a management plan for the public access of the open space, possibly including transfer of ownership of this land to the Parish Council along with funding for the ongoing upkeep of the area subject to agreement.*

## **2) Area 2 on Map 10**

*This site is identified as a Reserved Site for possible residential housing use beyond 2030. The extent of the flood zone and surface water flooding area should be confirmed as part of any development proposals.*

**3) Area 3 on Map 10, allotments, any consideration for development for housing is subject to policy WW2.**

*No new housing will be allowed outside the built-up area boundary other than for development on a Reserved Site.*

*Replacement dwellings and small infill developments within the built- up boundary will be supported in principle, where these complement the design of surrounding buildings and provide satisfactory arrangements for access and off road parking.*

## **WW8 Mix of New Housing Types**

***All new developments within the Parish must contribute towards the achievement of sustainable development through the provision of (amongst other things) a balanced mix and range of dwelling types and sizes. The range and mix of dwelling types must be considered against the provision of the Core Strategy Policy CS.19, apart from the following derogation to reflect identified local needs.***

***Approximately 25% of 2 bedroom rented affordable homes shall be provided in the form of bungalows, unless a specific case for not doing so with reference to site-specific circumstances can be demonstrated. Elderly people and those with disabilities should be prioritised for allocation of these bungalows.***

#### **COMMENT**

***The word “must” in the first sentence should be replaced with “should”.***

#### **WW9 Affordable Housing for Local People**

***New affordable homes within the Parish of Wellesbourne and Walton will continue to be allocated through the SDC “cascade” system, which prioritises households with a qualifying local connection. This process is to be ensured through the imposition of occupancy restrictions under the terms of planning obligations (Section 106 agreements) associated with any new developments.***

***The detailed steps involved in this SDC cascade process are contained within the Home Choice Plus Allocation report (see Appendix F) and include the following criteria, which are applied when determining priority for housing allocation within the Parish:***

- a) Current and previous residence***
- b) Close family connections with existing residents***
- c) Working in the Parish***

#### **COMMENT**

***The allocation of housing is carried out through Stratford District Council adopted policy and is not appropriate as a land use policy within a neighbourhood Plan and should either be moved to another section of the plan or deleted.***

#### **WW10 Design of New and Modified Housing**

***New and modified housing should be constructed in accordance with the prevailing standards of design excellence, in accordance with SDC Design Guide (currently 2001 issue), encompassing:***



- a) mitigation of climate change, energy efficiency and environmental sustainability standards*
- b) water saving technologies aimed at reduced consumption and increased recycling*
- c) flood protection measures in modified houses considered at risk of flooding. (Note: All new housing should be located outside Flood Zone 2 and 3 and therefore will not require specific flood protection measures.)*
- d) architectural design of a height, scale and form, including roofline and fenestration, which does not detract from the visual amenities of the street scene, and typically uses materials that are traditional to the area*
- e) plot layout that respects established building lines and boundaries along with attractive landscaping, where such features are important to the character of the area*
- f) plot size that makes provision for at least 2 vehicle spaces for off-road parking, which meets highway standards and provides adequate separation for privacy between properties*
- g) area configuration and housing density which includes a variety of property designs and size that are sensitive to adjacent properties. No property should exceed 2 and a half storeys height in order to blend in with the overall street scene prevailing within Wellesbourne and avoid obscuring wider views across the village*
- h) street layout which is characterised by short and curved roads to the extent this is practical*

*Alterations, modifications, or replacement of existing dwellings should be of an appropriate scale, meeting the prevailing design standards for new housing and in keeping with surrounding properties.*

*Developers must be encouraged to build sustainable and flexible living into house design to meet the requirements of people throughout their lives. In particular, accommodation should be provided that can be easily adapted to suit changing household needs and circumstances, including to cater for home working and people with disabilities and older residents who may need care and support. The optional Building Regulations Part M4 (2) should be adopted in order to help fulfill these requirements.*

## **COMMENT**

*For clarity and in order to have regard to national policy the policy should be modified as follows:*

### **Design of New and Modified Housing**

**Where planning permission is necessary and where appropriate, proposals for new and modified**

*housing should be constructed in accordance with the prevailing standards of design excellence, in accordance with SDC Design Guide (currently 2001 issue) or any subsequent adopted design policy including:*

- a) mitigation of climate change, energy efficiency and environmental sustainability standards*
- b) water saving technologies aimed at reduced consumption and increased recycling*
- c) flood protection measures in modified houses considered at risk of flooding.*
- d) architectural design of a height, scale and form, including roofline and fenestration, which does not detract from the visual amenities of the street scene, and typically uses materials that are traditional to the area*
- e) plot layout that respects established building lines and boundaries along with attractive landscaping, where such features are important to the character of the area*
- f) plot size that makes provision for at least 2 vehicle spaces for off-road parking, which meets highway standards and provides adequate separation for privacy between properties*
- g) layout and density which includes a variety of property designs and size that are sensitive to adjacent properties. Properties will not normally exceed 2 and a half storeys height in order to blend in with the overall street scene prevailing within Wellesbourne and avoid obscuring wider views across the village*
- h) street layout which is characterised by short and curved roads to the extent this is practical*

*Alterations and modifications to, or replacement of existing dwellings should be of an appropriate scale, meeting the prevailing design standards for new housing and in keeping with surrounding properties.*

*Developers are encouraged to build sustainable and flexible living into house design to meet the requirements of people throughout their lives. In particular, accommodation that can be easily adapted to suit changing household needs and circumstances, including to cater for home working and people with disabilities and older residents who may need care and support.*

*Developers are encouraged to adopt Building Regulations Part M4 (2) in order to help fulfill these requirements.*

#### ***WW11 Pathways Linking to New Housing***

***Any new developments must include:***

- a) footways, footpaths and the safe provision of signed cycleways within the site, which, where possible, connect to the equivalent existing networks towards Wellesbourne*
- b) footways that are sufficiently wide to accommodate passing buggies and wheelchairs*
- c) links, where possible, to the open countryside to encourage walking and cycling within the village and beyond*
- d) contribution towards bike storage near community facilities (Library, Medical Centre, Village Hall and the new Wellesbourne Sports and Community Centre (WSCC)) secured through section 106 funding*
- e) a contribution to the development of signed cycleways in and around the village secured through section 106 funding*

#### **COMMENT**

*Paragraphs (d) and (e) should be removed from this policy and included in the list of priorities for local CIL expenditure. To meet the Basic Conditions, the policy should be modified as follows:*

#### **Pathways Linking to New Housing**

*New housing developments should include:*

- a) footways, footpaths and the safe provision of signed cycleways within the site which, where possible, connect to the equivalent existing networks towards Wellesbourne*
- b) footways that are sufficiently wide to accommodate passing buggies and wheelchairs*
- c) links to the open countryside to encourage walking and cycling within the village and beyond*

#### **WW12 Landscape Design of New Housing**

*All developments will be required to demonstrate excellent landscape design, and encouraged to preserve the existing mature tree population along with the planting of new trees and hedges to form a landscape buffer around the development to soften its impact on the surrounding countryside.*

*Sufficient land for these trees is to be provided by the developer. Funding should be provided as a commuted sum by the developer to the Parish Council, which is considered by both parties as sufficient for the Parish Council to care for the newly planted trees. Trees should be native species and at least 2 metres in height when planted.*

#### **COMMENT**

*Developers cannot be required to enter into agreements with Parish Councils to transfer landscaped areas from private developments. The penultimate sentence:*

*“Funding should be provided as a commuted sum by the developer to the Parish Council which is considered by both parties as sufficient for the Parish Council to care for the newly planted trees.”*

*Should not form part of this policy. It could be reworded to encourage developers to do this but should then be included in the context part of the policy.*

*In order to meet the Basic Conditions, the policy should be modified as follows:*

### ***Landscape Design of New Housing***

***All developments will be required to demonstrate excellent landscape design, and encouraged to preserve existing mature trees along with planting new trees and hedges to form a landscape buffer around the development to soften its impact on the surrounding countryside, where appropriate.***

***Trees should be native species.***

### **WW13**

#### ***Flood Risk Management of New and Modified Housing***

***No new development will be supported within Flood Zones 2 and 3 as defined by the Environment Agency, taking into account prevailing contingencies for the impact of climate change. Hydraulic modeling should take place as part of any development within an area to confirm the extent of the flood plain. Finished floor levels should be a minimum of 0.6 metres above the 1 in 100 years plus climate change contingency flood level.***

***Any modified housing that is located within Flood Zones 2 and 3 must be designed to reduce the consequences of flooding and to facilitate recovery from the effects of flooding. Design features are recommended to include the following measures:***

- a) use of water-resistant materials for ground level floors, wall and fixtures***
- b) siting of electrical equipment at least 1metre above the floor.***
- c) incorporating flood-restraint systems (drain covers/removable door guards) to reduce the chance of water entering the property.***
- d) parking areas and driveways should be constructed with porous materials where possible to improve local drainage.***

***The provision of Sustainable Urban Drainage Systems (SUDS) as flood water storage areas should be installed in order to avoid any increase in the rate of surface water runoff from the site. The use of bund walls is to be avoided.***

***Storage of rainwater for non-drinking water uses such as garden watering and/or toilet flushing is encouraged as a sustainable initiative within any new development.***

***No development should take place within 8 metres from the edge of the water course in order to provide an easement to allow access for maintenance and to create a wildlife corridor.***

#### **COMMENT**

***A framework of policy and guidance for development generating a flood risk already exists, including within the NPPF. Policy CS.4 of the Stratford-on-Avon District Core Strategy 2011-2031 also covers this in detail. As such it is not necessary for the Neighbourhood Plan to repeat this. My concern in relation to Policy WW13 is that it in part repeats policy and guidance but also seeks to include additional requirements not part of the existing Flood Risk regime. In order to meet the Basic Conditions, it is necessary for the policy to be modified as follows:***

#### ***Flood Risk Management of New and Modified Housing***

***Where planning permission is required, proposals for development affected by Flood Risk will be required to comply with the provisions of the National Planning Policy Framework and policy CS.4 of the Stratford-on-Avon District Core Strategy 2011-2031.***

***Where modification of an existing dwelling located within Flood Zones 2 and 3 is proposed applicants are encouraged to ensure that the design reduces the consequences of flooding and facilitates recovery from the effects of flooding. Design features are recommended to include the following measures:***

- a) use of water-resistant materials for ground level floors, wall and fixtures***
- b) siting of electrical equipment at least 1metre above the floor.***
- c) incorporating flood-restraint systems (drain covers/removable door guards) to reduce the chance of water entering the property.***
- d) parking areas and driveways replaced with porous materials where possible to improve local drainage.***

***Where appropriate the provision of Sustainable Urban Drainage Systems (SUDS) as flood water storage areas should be installed in order to avoid any increase in the rate of surface water runoff***

*from the site. The use of bund walls is to be avoided.*

*Storage of rainwater for non-drinking water uses such as garden watering and/or toilet flushing is encouraged as a sustainable initiative within any new development.*

*Where appropriate and achievable, no development should take place within 8 metres from the edge of the water course in order to provide an easement to allow access for maintenance and to create a wildlife corridor.*

## **Community**

### **WW14 Infrastructure associated with New Housing**

*Developers will be required to demonstrate robust provision of utilities to new sites, which may include the funding of upgrades in offsite utilities infrastructure to ensure that there will be no increased constraints in the capacity of services delivered to existing properties. This is to include the provision of new flood risk management schemes, such as flood storage areas, along with funding towards the maintenance of existing defences on the River Dene.*

*Site specific infrastructure projects for junction improvements and cycle/ pedestrian links to new housing developments should be provided through Section 106 and Section 278 funding. Where necessary, this could include traffic calming measures that directly relate to a specific development.*

*A contribution towards investment in infrastructure developments on a District-wide basis will be secured from developers through a Community Infrastructure Levy (CIL).*

## **COMMENT**

*The delivery of offsite infrastructure is dealt with by the utility authorities. Developers cannot be compelled to make contributions to offsite infrastructure for existing developments or outside the existing CIL regime, which sets out the contributions to be made and the identified infrastructure to receive funding.*

*Any additional planning obligations required for individual developments will be identified by the Local Planning Authority.*

*This policy is unnecessary, doesn't meet the test to be included as a neighbourhood plan policy and should be deleted.*

### **WW15 Contribution towards New Community Amenities**

*All new housing development with a net gain of one dwelling or an extension of 100 sqm or above to a dwelling house will be liable to pay a Community Infrastructure Levy (CIL) towards the provision of*

*new or improved community amenities within Wellesbourne. Section 106 agreements will only be used, where required, for on-site provision of infrastructure to make the development acceptable in planning terms.*

*The allocation of funding, in accordance with Regulation 123 of CIL regulations 2010 (as amended), towards improvements in community infrastructure should be prioritised by the Parish Council and is recommended to include:*

- a) the provision of a sports hall*
- b) the purchase of land to provide additional playing fields/pitches*
- c) the reinstatement/expansion of play areas for children*
- d) the improvement and expansion of car parking facilities near the village centre and near the Primary School*
- e) the provision of flood storage to reduce the risk of flooding*
- f) the expansion of natural accessible green space for leisure activities*
- g) the provision of a new community hub*
- h) a network of signposted cycle paths linking the commercial centre to more remote parts of the village*
- i) the widening of footpaths to permit use by wheelchair users and prams and the provision of new pathways where these currently do not exist.*

*In addition, any housing development of greater than 50 houses should ensure that there is no more than a 10 minutes' walk to public transport.*

#### **COMMENT**

*The application of the adopted CIL regime and the negotiation of S106 Agreements lies with the Local Planning Authority. This is not a land use policy. It is appropriate to include a list of the Parish's priority list for the expenditure of the element of CIL which will come direct to the Parish but not as a policy and should be moved from this section of the plan.*

*The final sentence does not fit with the CIL priorities and could not form part of a policy in its current wording as it is overly restrictive and does not have regard to national policy. If retained it should be*

*reworded as follows:*

***Any housing development of greater than 50 houses should, where achievable and viable ensure that there is no more than a 10 minutes' walk to public transport.***

#### **WW16 Capacity at Primary Schools**

***Developments will only be supported if adequate places are available, or made available, for children to attend the existing or an extended Wellesbourne Primary School or through the provision of an additional primary school.***

#### **COMMENT**

*The determination of planning applications based on the capacity of local schools is not a matter that can be controlled through the Neighbourhood Plan. The CIL regime will include provision for education. In order for the Neighbourhood Plan to meet the Basic Conditions this policy should be deleted.*

#### **Economy and Jobs**

##### **WW17 Support for Retail Businesses**

***Premises for retail businesses will be retained and encouraged to expand. The conversion of retail businesses to residential use at ground floor level will not be supported. Any commercial premises that become available for sale in Wellesbourne should be encouraged to consider conversion to retail use.***

***Existing areas for car parking near the centre of Wellesbourne should be safeguarded and opportunities sought to expand available space for additional car parking along with improved access for all through restricted periods of stay.***

#### **COMMENT**

*This policy doesn't acknowledge that permitted development allows for the change of use of retail units to other uses in certain circumstances without the need for Planning permission. The tone of the policy is overly restrictive and on the basis that I have not been provided with any evidence to support the blanket prevention of a change of use the policy as currently worded doesn't meet the Basic Conditions. The first sentence should be moved to the policy context/justification. In order to meet the Basic Conditions, the policy should be modified as follows:*

***In order to support the provision of retail within the Parish and where planning permission is required, the conversion of retail businesses to residential use at ground floor level will not be supported***



*unless evidence is provided to prove that the use is no longer viable. Any commercial premises that become available for sale in Wellesbourne will be encouraged to consider conversion to retail use.*

*Existing areas for car parking near the centre of Wellesbourne should where possible be safeguarded and opportunities sought to expand available space for additional car parking.*

#### **WW18 Support for Commercial Businesses**

*Existing commercial business premises and employment sites should be safeguarded within Wellesbourne and Walton, including the airfield and local manufacturing and distribution park. Expansion of existing businesses should be encouraged in support of creating more local jobs particularly within the manufacturing and distribution park and through attracting new businesses to the proposed reserved area shown on Map 13. Warwickshire County Council historic environment records show no evidence of archaeological events or monuments associated with this field.*

*Any new commercial buildings should consider the provision of alternative energy devices.*

*The retention of flying activities at the Wellesbourne Airfield is supported. The role of the airfield must take account of, and safeguard, the needs of associated business, leisure and training activities and enable them to grow.*

#### **COMMENT**

*Elements of this policy are not land use. In addition, it is necessary to ensure that the policy has regard to national policy. Paragraph 22 of the National Planning Policy Framework states:*

*22. Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.*

*The second sentence of this policy would be better located within the context section of this policy.*

*In order to meet the Basic Conditions, the policy should be modified as follows:*

*Existing commercial business premises and employment sites should be safeguarded within Wellesbourne and Walton, including the airfield and local manufacturing and distribution park. Alternative uses will only be considered if there is no reasonable prospect of the sites being used for employment purposes in the long term.*

***Any new commercial buildings should consider the provision of alternative energy devices.***

***The retention of flying activities at the Wellesbourne Airfield is supported. The role of the airfield must take account of, and safeguard, the needs of associated business, leisure and training activities and enable them to grow.***

## **Tourism**

### ***WW19 Support for Tourism***

***Tourism should be encouraged through the safeguarding and promotion of Chedham's Yard and Wellesbourne Airfield as local attractions and the establishment of a series of circular walks around Wellesbourne and Walton that pass places of interest.***

## **COMMENT**

***This is not a land use policy and should be moved to a different section of the plan.***

## **SECTION 5**

### **Conclusion and Recommendations**

1. *I find that the Wellesbourne and Walton Neighbourhood Development Plan 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 subsequent Neighbourhood Planning (General) Regulations 2012.*
2. *The Neighbourhood Plan does not deal with County matters (mineral extraction and waste development), nationally significant infrastructure such as highways and railways or other matters set out in Section 61K of the Town and Country Planning Act 1990.*
3. *The Wellesbourne and Walton Neighbourhood Development Plan does not relate to more than one Neighbourhood Area and there are no other Neighbourhood Development Plans in place within the Neighbourhood Area.*
4. *The Strategic Environmental and Habitats Regulations Assessment screening, meet the EU Obligation.*
5. *The policies and plans in the Wellesbourne and Walton Neighbourhood Development Plan, subject to the recommended modifications would contribute to achieving sustainable development. They have regard to national policy and to guidance, and generally conform to the strategic policies of the Stratford-on-Avon District Core Strategy 2011-2031.*
6. *I therefore consider that the Wellesbourne and Walton Neighbourhood Development Plan subject to the recommended modifications can proceed to Referendum.*

*Deborah McCann BSc MRICS MRTPI Dip Arch Con Dip LD*

*Planning Consultant*

*NPIERS Examiner*

*CEDR accredited mediator*

*23<sup>rd</sup> April 2018*

