



DECISION STATEMENT

NEIGHBOURHOOD PLAN PROCEEDING TO REFERENDUM

1. Shipston-on-Stour Neighbourhood Development Plan

1.1 I confirm that the Shipston-on-Stour Neighbourhood Development Plan (NDP), as revised according to the modifications set out below, complies with the legal requirements and Basic Conditions set out in the Localism Act 2011, and with the provision made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004. The Plan can therefore proceed to referendum. It is anticipated that the referendum will be held on 06 09 2018.

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

Signed

A handwritten signature in black ink that reads "JCP Careford". The signature is written in a cursive style with a horizontal line underneath the name.

John Careford,
Policy Manager (Planning and Housing)

2. Background

2.1 On 20 December 2012 Shipston-on-Stour Town Council requested that, in accordance with section 5(1) of the Neighbourhood Planning (General) Regulations 2012 ("The Regulations"), their Parish area be designated as a Neighbourhood Area, for which a Neighbourhood Development Plan will be prepared.

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

2.3 In accordance with section 6 of the Regulations, Stratford-on-Avon District Council placed on their website this application, including a parish boundary map, details of where representations could be sent, and by what date, for a six week period between 10 January and 22 February 2013. In addition, it publicised the application by issuing a press release. Similarly, the relevant application, together with details of where representations could be sent, and by what date, was advertised within the appropriate parish via the Parish Council.

2.4 The District Council designated the Ettington and Fulready Neighbourhood Area by way of The Cabinet meeting on 8 April 2013.

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

2.6 The Town Council consulted on a pre-submission version of their draft Neighbourhood Development Plan between 7th November and 31st December 2016 fulfilling all the obligations set out in Regulation 14 of The Regulations.

2.7 The Town Council submitted their Neighbourhood Development Plan to Stratford-on-Avon District Council on 19 October 2017 in accordance with Regulation 15 of The Regulations.

2.8 The District Council publicised the submitted Plan and its supporting documents for 6 weeks between 2nd November and 15th December 2017 in accordance with Regulation 16 of The Regulations.

2.9 Mr Robert Bryan was appointed by the District Council to examine the Plan, and the Examination commenced on 16 November 2017, with his final report being issued on 13 February 2018.

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

2.11 Schedule 4B s.12 to the Town and Country Planning Act 1990, as inserted by the Localism Act 2011, requires that a Local Authority must consider each of the recommendations made in the Examiner's report and decide what action to take in response to each recommendation. If the authority is satisfied that, subject to the modifications made, the draft Neighbourhood Development Plan meets the legal requirements and Basic Conditions as set out in legislation, a referendum must be held on the making of the Plan by the Local Authority. If the Local Authority is not satisfied that the plan meets the basic conditions and legal requirements then it must refuse the proposal. A referendum must take place and a majority of residents who turn out to vote must vote in favour of the Neighbourhood Plan (50% plus one vote) before it can be 'made'.

2.12 The Basic Conditions are:

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

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

Examiner’s Recommendation (incl. page number in his report)	Section/page no. in submission draft NDP	SDC Decision and reason	New text or amendment to original text, as applicable – as shown in Referendum version NDP
Policies Map Page 11			
The Policies map appears to be slightly misaligned at the join in the pages. This should be corrected.	Page50/51	<i>Modification agreed</i> Officers and the TC agreed that this was an important clarification to make.	Correction made to Policies map
Policy EC1 keeping land available for employment uses (page 11)			
<p>Alter the first sentence of the policy to the following:</p> <p>“ Proposals for the change of use or redevelopment of land or premises identified for or in employment use (including vacant sites which have a lawful use which provides employment) will not be permitted unless:</p> <p>Delete criterion c).</p> <p>In the final paragraph of the policy delete “allocated” and after “merits” insert “and in accordance with statutory planning policies,”</p> <p>In the paragraph titled “Explanation” after the fourth sentence insert the</p>	Page 23	<p><i>Modification agreed</i></p> <p>The Examiner felt that the policy did not include reference to sites that were formerly in employment use and are vacant but possess a lawful use and that this should be corrected in the opening sentence of the policy.</p> <p>He considered that criterion c) was rather vague and could be difficult to interpret in complex situations.</p> <p>He considered that the</p>	<p>Policy: <u>Proposals for the change of use or redevelopment of land or premises identified for or in employment use (including vacant sites which have a lawful use which provides employment) will not be permitted unless:</u></p> <p>e) Development of the site for other appropriate uses will facilitate the relocation of an existing business to a more suitable site; or</p> <p>Where there is no reasonable prospect of a site being used for the allocated employment use planning applications for alternative uses will be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities. and</p>

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<p>following:</p> <p>"Documentary evidence provided by professional sources, such as Chartered Surveyors will often be necessary to demonstrate a site is no longer capable of employment use or that it has been properly marketed for employment use with no success."</p> <p>The sentence beginning 'The Tileman's Lane business" should be a separate paragraph.</p>		<p>last paragraph of the policy is misleading in stating that development will be simply "treated on its merits" where a compelling case is demonstrated that there is no reasonable prospect of redevelopment. The development will still have to conform to other planning policies, which needed to be reaffirmed. Also there was reference to "allocated employment use" when the policy should refer to all employment sites including those which are allocated.</p> <p>In the Explanation he considered that in the event of a dispute about evidence of a compelling case being made to justify re-use of a site for other than employment purposes use of professional evidence will</p>	<p><u>in accordance with statutory planning policies.</u></p> <p><u>Documentary evidence provided by professional sources, such as Chartered Surveyors will often be necessary to demonstrate a site is no longer capable of employment use or that it has been properly marketed for employment use with no success.</u></p> <p>The sentence beginning 'The Tileman's Lane business" has been made a separate paragraph</p>

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		<p>"often" be required.</p> <p>Officers agree with the Examiner on these issues and the policy has been amended as per the Examiner's modification. It is therefore considered that the policy as amended now complies with Local and national policy and meets the Basic Conditions test.</p>	
<p>Policy EC2 Creating more business space to meet local needs (page 13)</p>			
<p>Alter the title as follows:</p> <p>"Creating more space to meet local employment needs"</p> <p>Add the following second paragraph to the policy:</p> <p>"This policy relates to all business proposals including Classes B1, B2, and B8 of the Town and Country Planning (Use Classes) Order 1987 and any subsequent amendments. It does not include main town centre uses as defined in the NPPF as follows:</p>	<p>Page 24</p>	<p><i>Modification agreed</i></p> <p>The Examiner noted that the policy is aimed at meeting employment need and encouraging business. The policy as worded refers to business generically which technically in terms of the Use Classes Order definition could be interpreted only as B1 Business, which, does not include general industry and other businesses. He</p>	<p>Policy EC2 Creating more business-space to to meet local employment needs.</p> <p>The following has therefore been added to policy EC2</p> <p><u>"This policy relates to all business proposals including Classes B1, B2, and B8 of the Town and Country Planning (Use Classes) Order 1987 and any subsequent amendments. It does not include main town centre uses as defined in the NPPF as follows:</u></p> <p><u>Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment facilities the more intensive</u></p>

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<p>Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment facilities the more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres, and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).</p> <p>The above town centre uses will be considered in relation to the National Planning Policy Framework and policy CS.23 in the Core Strategy "Retail development and Main Centres.</p> <p>Proposals will have to conform to other statutory planning policies and development management considerations particularly those relating to protection of residential amenity and highway safety."</p> <p>In the Explanation Section include the following extra paragraph:</p>		<p>considered that there is no apparent justification to limit the need to foster business development to just those businesses in Class B1. The policy therefore needed to be more explicit and clear regarding the scope for businesses development and should refer to a wider range of small businesses.</p> <p>Officers agree with the Examiner on these issues and the policy has been amended as per the Examiner's modification. It is therefore considered that the policy as amended now complies with Local and national policy and meets the Basic Conditions test.</p>	<p><u>sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres, and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).</u></p> <p><u>The above town centre uses will be considered in relation to the National Planning Policy Framework and policy CS.23 in the Core Strategy "Retail Development and Main Centres".</u></p> <p><u>Proposals will have to conform to other statutory planning policies and development management considerations particularly those relating to protection of residential amenity and highway safety."</u></p> <p>In Explanation following sentence added; <u>"Main town centre uses of limited scale may be acceptable but are governed by specific locational criteria in Core Strategy policy CS.23, which primarily seeks to limit their location to the defined town centre."</u></p>

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Main town centre uses of limited scale may be acceptable but are governed by specific locational criteria in Core Strategy policy CS.23, which primarily seeks to limit their location to the defined town centre.			
Policy EC3 retaining employment components within mixed-use projects (page 14)			
Delete policy EC3.	Page 24	<p><i>Modification agreed</i></p> <p>The Examiner considered that this policy effectively seeks the implementation of planning permissions with employment components but discourages their amendment to delete the employment element and concluded that there is no legislative basis to justify a policy. Proposals to develop a site in a different manner to that previously granted have to be considered on their merits and other statutory policies.</p> <p>Officers agree with the Examiner that planning</p>	<p>Policy EC3 has been deleted</p> <p>Policy: proposals for changes of use to remove employment components from developments with planning permission will not be supported unless robustly justified</p>

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		applications must be considered on a case by case basis and the policy has been deleted as per the Examiner's modification. It is therefore considered that deletion of the policy complies with Local and national policy and meets the Basic Conditions test.	
Policy EC4 Encouraging employment uses on the former Turbine Blading site (page 14/15)			
<p>Amend the policy as follows:</p> <p>"Proposals for the redevelopment of the former Turbine Blading site, including a mixed use, will be supported if a minimum of 50% of the floor space of the scheme is in an employment creating use as described in policy EC2. An exception may be allowed if the redevelopment proposal satisfies a local need and is in conformity with other statutory local and national planning policies.</p> <p>Development shall conform to any planning brief which has been prepared for the site."</p>	Page 25	<p><i>Modification agreed</i></p> <p>The Examiner considered that the policy was vague in its reference to a "significant" business space component. The policy needed to have more clarity to avoid protracted dispute as to what is considered "significant". He considered it reasonable to delineate the preference for the majority of the site to be in business use as a</p>	<p>proposals for the mixed-use redevelopment of the former Turbine Blading site, <u>including a mixed use</u>, will be supported if a <u>minimum of 50% of the floor space of the scheme is in an employment creating use as described in policy EC2</u> significant business space component is included. An exception will be allowed if the redevelopment proposal <u>satisfies</u> meets one or more of: satisfying a local need ; creates significant local employment; and conforms to objectives and policies elsewhere within this plan. and is in conformity with other <u>statutory local and national planning policies</u>.</p>

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<p>In the Explanation section include a further paragraph as follows: "It is intended that a development brief be prepared for the site, see below section 2.5."</p>		<p>threshold of a minimum of 50 %.He also felt it needed to cross-refer to other national and local planning policies as well as those within this Plan and to refer to the potential planning brief.</p> <p>Officers agree with the Examiner on these issues and the policy has been amended as per the Examiner's modification. It is therefore considered that the policy as amended now complies with Local and national policy and meets the Basic Conditions test.</p>	<p><u>Development shall conform to any planning brief which has been prepared for the site.</u></p> <p>In the Explanation section text added as follows: <u>It is intended that a development brief be prepared for the site and locality, see Document 2, paragraph 2.9.</u></p>
<p>Policy EC5 Encouraging live/work format developments (page 15)</p>			
<p>Alter the definition of live-work units in footnote 15 as follows: " The dual use of a purpose built or converted building as a combination of dwelling and business space as defined by Class B1 of the Town and Country Planning (Use Classes) Order 1987. The</p>	<p>Page 26</p>	<p><i>Modification agreed</i> The Examiner felt that the definition of live -work units needed to be altered to ensure the two uses are compatible.</p> <p>He did not consider it was</p>	<p>Footnote 14 added in section 3 Appendices page 46 <u>The dual use of a purpose built or converted building as a combination of dwelling and business space as defined by Class B1 of the Town and Country Planning (Use Classes) Order 1987. The ratio of uses in floor space terms must be relatively equal.</u></p>

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<p>ratio of uses in floor space terms must be relatively equal. "</p> <p>Delete criterion d).</p> <p>In criterion f) delete "Good" and insert "The" in its place.</p>		<p>clear why criterion d) has been included in this policy and not others relating to residential and employment development.</p> <p>Furthermore, he felt that policy ENV 1 establishes a settlement boundary and contains development to a reasonably accessible area. He was concerned that the term "reasonably accessible to local services" is too imprecise for effective implementation at neighbourhood plan level and therefore recommended that this criterion be deleted.</p> <p>Officers agree with the Examiner on these issues and the policy has been amended as per the Examiner's modification. It is therefore considered that the policy as amended now complies</p>	<p>d) be in locations which are reasonably accessible to local services and amenities by walking or using public transport;</p> <p>f) good <u>the</u> layout and design ensures that residential and work uses can operate without conflict; and</p>

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		with Local and national policy and meets the Basic Conditions test.	
Policy EC6 Raising the leisure and tourism profile of the town (page 16)			
Delete policy EC6	Page 27	<p><i>Modification agreed</i> The Examiner felt that this policy supported tourism development but had none of the qualifications applied in Core Strategy policy CS.24 "Tourism and Leisure Development". It is therefore contrary to basic conditions and should be deleted.</p> <p>Officers agree with the Examiner on this issue and the policy has been deleted as per the Examiner's modification. It is therefore considered that the amendment now complies with Local and national policy and meets the Basic Conditions test.</p>	Policy EC 6 deleted Policy: development proposals that will increase the amount and range of visitor attractions and accommodation in the town will be strongly supported.

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Policy EC7 A better location for visitor and tourism information page 16			
<p>In the policy, delete "new town centre", add at the end of the sentence "within the town centre boundary highlighted on the policies map."</p> <p>Insert as a new first paragraph in the Explanation section, the paragraph from Explanation to EC6. At the end of this paragraph add "in accordance with the Core Strategy policy CS.24 "Tourism and Development".</p> <p>The Explanation section to policy EC7 can remain as the second paragraph.</p>	Page 27	<p><i>Modification agreed</i></p> <p>The Examiner considered that the need to site such development within the Town centre area as defined on the policies map needed to be more explicit and the desire to promote tourism as referred to in now deleted EC6 should be re-asserted.</p> <p>Officers agree with the Examiner on these issues and the policy (and Explanation) has been amended as per the Examiner's modification. It is therefore considered that the policy as amended now complies with Local and national policy and meets the Basic Conditions test.</p>	<p>Policy: development proposals that singly or jointly create new town centre facilities for providing visitor and tourist information and a town heritage centre will be supported <u>within the town centre boundary highlighted on the policies map.</u></p> <p>Explanation: <u>expanding the leisure and tourism role of the town is a priority. Despite good highways links and proximity to widely recognised destinations such as the Cotswolds, Stratford-upon-Avon, and Oxford, the town is not prominent on the tourism map. There is some visitor accommodation, with recent investment evident. But the capacity is low, and the range offered quite limited. More and a bigger range of attractions and overnight accommodation will encourage people to visit, stay and spend. This will add to the vibrancy of the town centre and will strengthen the local economy, in accordance with the Core Strategy policy CS.24 Tourism and Development.</u></p> <p><u>A more obviously signposted visitor information centre located in or very close</u></p>

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			to the High Street is desirable. The current facility is not well located or signed. Getting visitors into the town centre and providing services and information will increase local expenditure. The existing town heritage centre would arguably be improved by relocating it with or near to a visitor information centre.
Policy INF1 Contributions to essential new infrastructure and community facilities (page 16/17)			
<p>Add the following new paragraph after paragraph 2.3.3: "Developers will need to make contributions to support Local Infrastructure via the Community Infrastructure levy and the requirements of Core Strategy policy CS.27 "Developer Contributions".</p> <p>Delete Policy INF1 and supporting text. The policy aspirations and supporting text could be replicated in slightly modified form in Document 2 The Consequent Local Projects.</p>	Page 29	The Examiner felt that the reference to the need to pay CIL is covered by Core Strategy policy CS.27 "Developer Contributions" and that it was confusing and unnecessary to repeat this policy in this Plan. Nevertheless he felt it appropriate that the Plan signals likely projects in the Plan and makes reference to CIL contributions towards infrastructure but considered that this would be best located in the "Consequent Local	<p>2.3.3 A summary of the town's infrastructure needs is given within the Core Strategy 16 Schedule of Infrastructure Projects. That list is confirmed by the in-depth evidence for this Neighbourhood Plan. The following policies and the consequent projects will help to deal with the backlog, and to ensure that the upcoming developments fully contribute to meeting the further loads they impose.</p> <p><u>2.3.4 Developers will need to make contributions to support Local Infrastructure via the Community Infrastructure Levy and the requirements of Core Strategy policy CS.27 Developer Contributions.</u></p> <p>Policy INF1: Development proposals will be supported when related tariffs and</p>

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		<p>Projects" forming Document 2 to the Plan. Officers agree with the Examiner on these issues and the policy has been deleted as per the Examiner's modification. It is therefore considered that this section of the plan as amended now complies with Local and national policy and meets the Basic Conditions test</p>	<p>obligations trigger financial contributions through the Community Infrastructure Levy [CIL] and applicable other mechanisms. Contributions will be required as appropriate from each developer to fund additional healthcare, education, leisure facilities, green infrastructure, highways and transportation, and measures to improve flood resilience. Upgraded or additional local facilities or services [no priority is implied by this list which will vary over time] to be provided are:</p> <ul style="list-style-type: none"> • High School expansion • Primary School expansion • Flood mitigation measures • Town centre traffic management improvements and related public realm upgrades • Support for public transport services • Additional car parking capacity • Additional sports hall capacity • Works to the Townsend Hall • Additional Medical Centre healthcare capacity • More recreational public open space • Conservation of the natural environment,

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			and <ul style="list-style-type: none"> • The creation and maintenance of riverside and countryside public footpaths.
Policy INF2 Town centre traffic and parking (page 17)			
Delete policy INF2 and consider inserting in "Consequent Local Projects" forming Document 2 to the Plan.	Page 30	The Examiner commented that works within the highway do not require planning permission and are projects entered into by the Highway Authority, the County Council. This is therefore not suitable as a Plan policy but could be an aspiration to be included in "Consequent Local Projects" forming Document 2 to the Plan. Officers agree with the Examiner on these issues and the policy has been deleted as per the Examiner's modification. It is therefore considered that this section of the plan as amended now complies with Local and national policy and meets the Basic Conditions test	Policy INF2 Town centre traffic and parking: support will be given to proposals for highways works and related hard landscaping to better and more safely manage traffic flows and parking, and make visiting, working and living within the town centre a better experience

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Policy INF3 Pedestrian and cyclist access (page 17)			
<p>Amend the first sentence of the policy as follows:</p> <p>"Where possible development shall provide effective links to pedestrian and cycle networks and to and from the town centre and community facilities."</p> <p>Delete the last sentence in the policy beginning "Opportunities.... etc. " and consider inserting in "Consequent Local Projects" forming Document 2 to the Plan.</p>	Page 31	<p>The Examiner considered that this policy is justified as a means of ensuring new development has connectivity with pedestrian and cycle routes. He felt that the expression "support will be given" in this instance is rather open to interpretation and would be clearer and more effective if the requirement was expressed in stronger terms.</p> <p>He also considered that the second part of the policy relating to opportunities to create new public rights of way etc. is an aspiration rather than a policy and should be included in</p>	<p>Policy INF3 Pedestrian and cyclist access: Support will be given to development proposals that include, where practical, pedestrian and cycle route linkages within those developments and to and from the town centre and community facilities. Where possible development shall provide effective links to pedestrian and cycle networks and to and from the town centre and community facilities. This will include improvements to existing such linkages, or the creation of new linkages to and within older developments where such infrastructure was not originally put in place. Opportunities will be sought through negotiations with land owners to create additional permissive public rights of way, extending the existing rights of way network way to better connect the town with the adjoining open countryside.</p>

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		<p>"Consequent Local Projects" forming Document 2 to the Plan.</p> <p>Officers agree with the Examiner on these issues and the policy has been amended as per the Examiner's modification. It is therefore considered that this section of the plan as amended now complies with Local and national policy and meets the Basic Conditions test.</p>	
Policy FLD1 effective surface water drainage (page 18)			
<p>Delete policy FLD1 and supporting text</p> <p>Insert two new paragraphs after paragraph 2.4.3 as follows:</p> <p>" 2.4.4 The Town Council fully supports the flood prevention policies in the National Planning Policy Framework and expressed in more detail in Core Strategy policy CS.4 "Water Environment and Flood Risk".</p> <p>Retain paragraph 2.4.4 but change the</p>	Page 33	<p>The Examiner felt that this policy was a repeat of flood prevention policies in the NPPF and Core Strategy policy CS.4 "Water Environment and Flood Risk". He considered that nevertheless there is a clear specific problem of flooding in the Plan area and it is appropriate to incorporate references to</p>	<p>Policy FLD1: Development should not increase flood risk. Planning applications for development within the plan area must be accompanied by a site specific flood risk assessment in line with the requirements of national policy and advice, but may also be required on a site by site basis based on locally available evidence.</p> <p>All proposals must demonstrate that flood risk will not be increased elsewhere and that the proposed development is appropriately flood resilient and resistant.</p> <p>Information accompanying applications</p>

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<p>format to indicate it is not supporting a Plan policy by omitting "Objective:" and replacing this with "The aim is...to encourage etc."</p> <p>Retain the Explanation section as a paragraph but alter the first sentence as follows:</p> <p>"The aim of the policies is to ensure...development proposals etc."</p>		<p>national and local policy regarding flood prevention.</p> <p>Officers agree with the Examiner on these issues and the policy has been deleted and explanatory text amended as per the Examiner's modification. It is therefore considered that this section of the plan as amended now complies with Local and national policy and meets the Basic Conditions test.</p>	<p>should demonstrate how any mitigation measures will be satisfactorily integrated into the design and layout of the development. The use of sustainable drainage systems and permeable surfaces will be expected where appropriate. Development proposals within Flood Zones categories 1 and 2 must demonstrate that they will not reduce the capacity and capability of the flood plain. Water compatible uses within Flood Zone category 3 may be acceptable in certain circumstances but other forms of development will be strictly resisted. All development proposals must incorporate suitable and sustainable means of drainage. Where site conditions are proven to be unsuitable an alternative drainage solution will need to be agreed with the local planning authority and the relevant water authority. The re-use and recycling of water within developments will be encouraged. Proposals which do not satisfactorily demonstrate secure arrangements for the prevention of fluvial and pluvial flooding will not be supported.</p> <p><u>2.4.4 The Town Council fully supports the flood prevention policies in the National Planning Policy Framework and expressed in more detail in Core Strategy policy CS.4</u></p>

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			<u>Water Environment and Flood Risk. The aim of those policies is to encourage future developments that attain a 'better than flood neutral' position by reducing the overall level of on-site and off-site flood risk from surface water run-off. This will ensure that current surface water drainage deficiencies and the flood risk consequences are not compounded by additional development, and that future increased flood risks are anticipated and a provision is made.</u>
Policy FLD2 Keeping watercourses and ditches as open channels			
<p>Delete policy FLD2 and all the supporting text.</p> <p>Add a paragraph as follows "It is important in accordance with Core Strategy policy "CS.4 B Water Environment and Flood Risk –Surface Water Run-off and Sustainable Urban Drainage Systems" that watercourses and ditches are kept as open channels and where possible opened up in order to help provide flood alleviation and less opportunity for blocked culverts. Furthermore, the open river environments are a valuable amenity for recreation and supporting wildlife."</p>	<p>Page 34</p>	<p>The Examiner considered that this policy is a repetition of Core Strategy policy "" CS.4 B Water Environment and Flood Risk –Surface Water Run-off and Sustainable Urban Drainage Systems". It is a partial rendition of the strategic policy, which could result in confusion and should be deleted. He felt that it was however appropriate to retain a reference to the policy relating to this issue.</p>	<p>Policy FLD2 Keeping watercourses and ditches as open channels Objective: to retain watercourses and ditches as an effective component of the surface water drainage system. Policy: development proposals that will result in the loss of existing watercourses and ditches will not be supported. Opportunities to open up existing culverts will be supported. Explanation: Open watercourses have better flood alleviation properties than closed culverts which require maintenance and can become blocked. <u>2.4.5 It is important in accordance with Core Strategy policy 'CS.4B Water</u></p>

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		Officers agree with the Examiner on these issues and the policy has been deleted and explanatory text amended as per the Examiner's modification. It is therefore considered that this section of the plan as amended now complies with Local and national policy and meets the Basic Conditions test.	<u>Environment and Flood Risk – Surface Water Run-off and Sustainable Urban Drainage Systems' that watercourses and ditches are kept as open channels and where possible opened up in order to help provide flood alleviation and less opportunity for blocked culverts. Furthermore, the open river environments are a valuable amenity for recreation and supporting wildlife.</u>
Policy FLD3 Not reducing the effectiveness of the flood plain (page 19)			
Delete policy FLD3 and all supporting text.	Page 34	The Examiner did not consider that this policy was in accordance with national policy, which allows scope for some limited development in "flood water containment areas" and that it should be deleted. The reference to the appropriate national and local policies regarding the general approach to development in flood risk areas is covered by the Examiner's	2.4.6 Policy FLD3 Not reducing the effectiveness of the flood plain¹⁸ Objective: to ensure the designated flood plain area as a minimum maintains its current capacity in line with published Environment Agency policy. Policy: development will not be supported within designated flood water containment areas in the River Stour flood plain. Explanation: the local characteristics and performance of the river and flood plain results in significant and increasing flood risks. It is inappropriate to compound these risks by adding development within the designated flood water containment areas.

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		<p>previous suggested modifications and references to the national policy and the Core Strategy.</p> <p>Officers agree with the Examiner that the policy should be deleted. It is therefore considered that this amendment now complies with Local and national policy and meets the Basic Conditions test.</p>	
Protecting a valued environment (page19)			
<p>In paragraph 2.5.5 at the end of the first sentence insert "as identified in the Core Strategy policy AS.6 with respect to issues in the Plan area."</p>	<p>Page 35</p>	<p>The Examiner considered that in paragraph 2.5.5 there is reference to a "substantial shortfall of recreational public open space in the town." And that this reference needed to be evidenced by reference to the Core Strategy.</p> <p>Officers agree with the Examiner that this amendment is required. It is therefore considered that this amendment now</p>	<p>2.5.5 There is a substantial shortfall of recreational public open space in the town <u>as identified in the Core Strategy policy AS.6 with respect to issues in the Plan area.</u></p>

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		complies with Local and national policy and meets the Basic Conditions test.	
Policy ENV1 A defined Built-Up Area Boundary (page 19)			
<p>Add a sentence to the policy as follows: "Development outside the boundary will be limited in accordance with Core Strategy policy CS.15 "Distribution of Development".</p> <p>Include a new penultimate sentence in the explanation section as follows: "Development outside of the boundary will be limited in accordance with Core Strategy policies CS.13 "Areas of Restraint" and CS.15 "Distribution of Development" which is concerned to protect landscape character and avoid the coalescence of settlements."</p> <p>Include the following in the Higher Level Policies: "CS.13 "Areas of Restraint" protects the landscape and visual amenity in the Stour Valley east of the town.</p>	Page 36	The Examiner considers that there is a clear justification for the establishment of this "Built-Up Area Boundary" which is based on the planning commitments and the need to fulfill its role as a Main Rural Centre as defined in the Core Strategy. There is clear public support for the policy of relative containment but accepting a degree of growth in accordance with the role of the town as a Main Rural Centre. He therefore felt that there should be a clearer statement regarding development outside of the boundary and the strategic Core Strategy policies CS.3 "Areas of Restraint" and	Policy: a boundary at the edge of the built-up area of the settlement is identified and shown on the Policies Map at Page 50. Development will take place within this Built-Up Area Boundary on sites identified and allocated in this plan and more generally through the re-use of suitable land and buildings. <u>Development outside the boundary will be limited in accordance with Core Strategy policy CS.15 'Distribution of Development'.</u>

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		CS. 15 "Distribution of Development." Officers agree with the Examiner that this amendment is required. It is therefore considered that this amendment now complies with Local and national policy and meets the Basic Conditions test.	
Policy ENV2 Conserving the adjoining countryside (pages 22/23)			
<p>Delete the green space designation LGS 2 Land adjacent to the Hanson Track public right of way on the upper slopes and tops of Hanson Hill. Remove all references to it in the supporting text and Box 8. All plural references to green space must be made singular.</p> <p>Add a further sentence to the policy as follows: "All development shall be designed to minimize its impact on the green space and it's setting. "</p> <p>In Box 8 in the first sentence alter "ENV 1" to "ENV 2".</p> <p>Delete the second and final paragraph in Box 8 and replace with the following as a new second paragraph: " The designation</p>	Page 37	The Examiner considered that in the case of designation at Hanson Hill the site at 18.24 ha. was too large to fulfill the NPPF criteria that it should be local in character and not an extensive tract of land. This requirement is to ensure that larger areas are not designated in an attempt to fulfill the same purpose as Green Belt or other strategic policies to protect the countryside from the encroachment of built development. In this case,	<p>Policy ENV2 Conserving the adjoining countryside: the following areas are designated as Local Green Spaces [LGS] as shown on the Policies Map:</p> <ul style="list-style-type: none"> • LGS1: Land close to the River Stour near Barcheston; and • LGS2: Land adjacent to the Hanson Track public right of way on the upper slopes and tops of Hanson Hill. <p>Proposals for any development on this land will be resisted other than in very special circumstances, for example to meet essential utility infrastructure needs and where no alternative location is feasible. <u>All development shall be designed to minimize its impact on the green space and it's setting.</u></p>

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<p>is based on criteria in paragraph 77 of the NPPF which state "This designation should only be used</p> <ul style="list-style-type: none"> ● where the green space is in reasonably close proximity to the community it serves; ● where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and ● where the green area concerned is local in character and is not an extensive tract of land." <p>In the remaining existing third paragraph delete sentences three, four and five.</p>		<p>he felt that Core Strategy policy CS.15 Policy "Distribution of Development" controls development outside of the built-up area boundary. He did not accept that the quoted Natural England "Nature Nearby Accessible Natural Greenspace Guidance" offers a justification as it precedes the NPPF and is primarily aimed at promoting access to nature. He also did not consider the advice in the Cotswold DC "Local Green Space Designation toolkit" offered a justification for designation of such a large area.</p> <p>Officers agree with the Examiner on these issues and the policy has been amended as per the Examiner's modification. It is therefore considered that the policy as</p>	<p>Box 8: Local Green Space Designations The designation is based on criteria in <u>paragraph 77 of the NPPF which state This designation should only be used; where the green space is in reasonably close proximity to the community it serves; where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and where the green area concerned is local in character and is not an extensive tract of land.</u> Policy ENV1 2 seeks the designation of a two Local Green Spaces-[LGS]. LGS1 is land close to the River Stour at the southern edge of the town. LGS2 is part of the prominent upper slopes and tops of Hanson Hill. A sound planning case must be made for such designations. The objective is protection of those green spaces as much valued landscapes. In the absence of available guidance from the District Council about making such designations a toolkit published by Cotswold District Council has been used with their permission. This provides a comprehensive and proven set of tests, and</p>

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		<p>amended now complies with Local and national policy and meets the Basic Conditions test.</p>	<p>applies definitions on such as what constitutes an 'extensive tract of land'. Designations must be local and reasonably proportionate in area. Natural England guidance on maximum suitable areas has been applied via the toolkit.</p> <p>Also of significance is the written acceptance of the land owners. For LGS1 the land owner wishes to 'gift' the land to the community, and there will be full public access.</p> <p>For LGS2 the land owner has recognised the landscape value of the upper slopes and tops, and agrees with the conservation objective. Importantly there will not for LGS2 be public access other than along existing public rights of way and subject to landowner agreement, a new permissive public right of way to complete a circular walk. The designated land will remain in agricultural use.</p> <p>For more information about the planning case for LGS designations refer to the Environment 'Audit and Issues Report' evidence document, in particular the explanation of the use of the Cotswold District Council toolkit.</p>

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Policy ENV3: Ensuring development respects the local landscape and townscape (page 23)			
<p>Delete the last sentence in criterion 1.</p> <p>Under (2) Responding to local character: a) is the opening paragraph and should not have a letter, the principles below should then all be 're-lettered', accordingly. In criterion 2 e) clarify that it is the "Warwickshire Landscape Guidelines" insert "prepared by Warwickshire County Council."</p> <p>In criterion 2 f) delete "can continue to be enjoyed" insert "are maintained free from intrusive development."</p> <p>Alter criterion i) as follows: " When there are archaeological deposits which may be affected or it is considered there may be such deposits in the vicinity then a full survey shall be carried out and adequate protection afforded where necessary."</p> <p>Delete criterion 2 j).</p>	Page 39	<p>The Examiner felt that whilst this policy helps to ensure development respects the local distinctiveness of the area and complements strategic policies, there is some overlap with Core Strategy policy CS.8 "Historic Environment" but the policy adds some design criteria and therefore considered that the policy met basic conditions but required modifications to ensure it offers more clear advice.</p> <p>Officers agree with the Examiner on these issues and the policy has been amended as per the Examiner's modification. It is therefore considered that the policy complies with Local and national policy and meets the</p>	<p>Policy: (1) Design and character All development in the Neighbourhood Area should be well designed and inclusive, in keeping and scale with its location, and sensitive to the character of the countryside and local distinctiveness. Development proposals that do not demonstrate high standards of design will be resisted. (2) Responding to local character a) All development proposals must demonstrate how the requirement to positively contribute to local character has been embedded during the design process, in accordance with the following principles: b-a) Be compatible with the distinctive character of the area, respecting the local settlement pattern building styles and materials whilst taking a positive approach to innovative, contemporary designs that are sensitive to their setting. Existing open green spaces within the settlement should be retained where they make an important contribution to the character and local distinctiveness of the area; b e) Be of a density and scale that is in keeping with the character of the</p>

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		Basic Conditions test.	<p>surrounding development and landscape; c d) Preserve or enhance heritage assets including listed buildings and the designated Conservation Area; d e) Protect or enhance landscape and biodiversity by incorporating landscaping consistent with the published Warwickshire Landscape Guidelines <u>prepared by Warwickshire County Council</u>; e f) Sustain key landscape features such as ensuring views to and from higher slopes and across the wider landscape can <u>continue to be enjoyed are maintained free from intrusive development</u>; f g) Have regard to the impact on tranquillity, including dark skies; g h) Not increase the likelihood of surface water flooding within the town or exacerbate foul drainage capacity problems; h i) <u>When there are archaeological deposits which may be affected or it is considered there may be such deposits in the vicinity then a full survey shall be carried out and adequate protection afforded where necessary. Be preceded by an appropriate archaeological survey to ascertain the implications of development on below ground heritage assets; and</u> j) Proposals that do not positively contribute to local character will be resisted.</p>

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			<p>(3) Use of Design Codes</p> <p>a) All proposals for large scale development [10 or more dwellings or 1000 square metres or more of non-residential floor space] will be expected to demonstrate design rationale through the appropriate use of design codes and master planning.</p> <p>b) All large-scale housing developments should be accompanied by a master plan [for outline applications] or a contextual plan [for detailed applications] which demonstrates how the development integrates with the existing community by encouraging social cohesion and how it delivers the necessary infrastructure to support the development.</p> <p>c) The master plan or contextual plan should include consideration of existing or proposed developments in the locality to enable a holistic approach to be developed wherever possible.</p> <p>d) The plan must include consideration of means to mitigate the additional demand that the development would place on the highway system, and on services such as schools and medical facilities, as well as the need to provide public open space and environmental improvements.</p> <p>e) Development will not be supported if detrimental impacts on existing</p>

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			infrastructure cannot be mitigated
Policy ENV4: Protecting designated heritage assets (page 24)			
<p>Delete "Policy ENV4" from the title</p> <p>Delete the policy wording ENV4 but retain the supporting paragraphs as follows:</p> <p>"In the Objective paragraph delete "Objective" Add a new first sentence to this paragraph as follows; The Town Council is concerned that the NPPF policies and the Core Strategy policy CS.8 "Historic Environment" are closely adhered to.</p> <p>Delete "explanation" from that paragraph but retain the rest of the paragraph</p>	Page 40	<p>The Examiner considered that this policy was a repeat of policies in the NPPF relating to "Conserving and enhancing the historic environment " and Core Strategy policy CS.8 "Historic Environment". He felt it did not add anything and should be deleted in the interests of clarity. He did however feel that it was appropriate to make reference and signpost these higher policies.</p> <p>Officers agree with the Examiner on these issues and the policy has been deleted as per the Examiner's modification. It is therefore considered that the amendment</p>	<p>2.5.10 Policy ENV4: Protecting designated heritage assets <u>The Town Council is concerned that the NPPF policies and the Core Strategy policy CS.8 'Historic Environment' are closely adhered to.</u> Objective: The the historic heart of the town includes an extensive designated Conservation Area with many listed buildings and structures, and retains important historic characteristics such as a distinctive network of streets and alleys. The town centre contains many businesses and community facilities as well as a surprisingly large number of dwellings. The requirement is to successfully maintain the functions and vitality of the town centre whilst modernising and adapting buildings and improving public spaces. Policy: Protecting Designated Heritage Assets 1) Proposals which harm the special historic or architectural fabric and interest of listed buildings and scheduled monuments and their settings will be resisted.</p>

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		<p>complies with Local and national policy and meets the Basic Conditions test.</p>	<p>2) Proposals, including changes of use, which enable the appropriate and sensitive repair and reuse of listed buildings will be supported. 3) All proposals must preserve the important physical fabric, appearance, scale and settings of listed buildings and scheduled monuments. 4) Development which would harm or fail to preserve the character or appearance of the Neighbourhood Area's Conservation Area will be resisted. This includes development outside the boundary of the Conservation Area which due to its design, scale or materials would nevertheless impact the character and setting of each area. Explanation: M maintaining the viability and vitality of town centres is at the forefront of higher level planning policy aims. So too is the conservation and enhancement of the historic environment and heritage assets including the Conservation Area and many individual listed buildings. A balance is required. Locally the mix and range of uses in what is a distinctive and historic town centre will continue to evolve to meet the changing needs of a rising population, to enable investment in new and updated properties, and to accommodate different ways of doing business. Making more</p>

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			of the town centre as a visitor and tourist destination is also important. When new buildings or modifications are proposed this puts particular emphasis on the need for good design solutions, with due attention to the essentials of layout, scale, mass, and materials. Applicants will be expected to show that they are using the available local design guidance to good effect, and to submit design statements to demonstrate sound design solutions
Policy ENV5 Improving and adding play areas, parks and public open spaces (page 25)			
Delete ENV5 and associated supportive text as a policy and delete the "Wellbeing" allocations from the Policies map. Transfer the text to Document 2 "The Consequent Local Projects" with appropriate re-wording. A map of the Well-Being Zones could be included in that section. Attention should be given to re-wording of other references in the Plan e.g. Box 1 to "Wellbeing" issues to ensure these are aspirations and not policies.	Page 41	The Examiner considered that the policy seeks to achieve public access some of which is private land and encourage recreation. The scope to achieve this is not within the legal remit of planning and is a matter for negotiation and project planning to be included in Document 2 "The Consequent Local Projects". Officers agree with the	2-5.11 Policy ENV5 Improving and adding play areas, parks and public open spaces Objective: to address the current shortfall of conveniently located and available public parks and open spaces within the town which greatly limits the opportunities for informal recreation to improve health and wellbeing. This will be achieved by improving public access to existing facilities and adding new ones with two recreational 'wellbeing zones' being designated. Improving play areas, parks and open spaces Policy: to substantially increase the area, quality, and accessibility of public parks and

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		<p>Examiner on these issues and the policy has been deleted as per the Examiner's modification. It is therefore considered that the amendment complies with Local and national policy and meets the Basic Conditions test</p>	<p>open spaces throughout the town to meet recognised space standards. Two public wellbeing zones will be locally designated as shown on the Policies Map. Explanation: evidence produced by Arup for SDC in 2014 for the then emerging Core Strategy indicated a shortfall of public open spaces and recreation land measured against the relevant national standards. NPPF objective [Paragraph 73] apply via related NPPG guidance on open spaces, sports and recreation facilities, public right of way and local green spaces. The 2014 Arup report also applied 2013 Sport England guidance on assessing the need for sports and recreation facilities. This is particularly so in the older areas of the town. More recent developments from the 1980s onward have as matter of course included such facilities as play areas, and future developments will provide these facilities. The issue is to do with the older areas of the town, and a lack of opportunities therein to retrospectively provide such public land. There are several possible responses. There may be some limited and local opportunities in the town's older areas to create and manage small recreation and play areas where land is currently just grassed open space or</p>

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			<p>shrubby. Policy ENV2 will create additional public recreation land. Creating better public access to the adjoining countryside opens up recreational use, Policy INF3 introduces this action. It will be possible to negotiate greater public access to three extensive areas of land used as sports pitches: land adjoining Sheldon Bosley Hub; the rugby club; and the London Road sports ground owned by the Town Council and very actively used by several clubs and for occasional public events. The focus of this initiative will be within two designated 'wellbeing zones'. The southern zone will extend from the London Road sports ground in an arc including Hardimans Field [the Scouts and Guides land] and a designated Local Green Space [see Policy ENV2], then across London Road through the cemetery and ending at the adjacent allotment gardens. The northern zone will extend from the football field next to the Sheldon Bosley Hub through the High School grounds and adjoining vacant Warwickshire County Council land to conclude at the Leisure Centre. Within both zones the aim is to work collaboratively with land owners, tenants, and the various sports and social clubs and other organisations to increase public</p>

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			<p>access and encourage more take up of the facilities and activities to improve the wellbeing of residents and visitors.</p> <p><i>Following text moved to page 59 of Document 2.</i></p> <p>Box 9: Wellbeing Zones [WBZs] Policy ENV5 includes the local designation of two areas as 'Wellbeing Zones'. The planning case for doing this starts with the recognised health and wellbeing benefits of public access to good quality open and green spaces. Such land is in short supply in the town, and there is little prospect of adding to it. An alternative approach is to collaborate with the owners and users of recreation land such as the High School and Leisure Centre grounds and the London Road Sports Club. The aim is to increase public access on a limited and managed basis by way of permissive rights of way. It should be possible to do this and to address concerns about safety and security.</p> <p>Relevant to the planning case is published Warwickshire County Council guidance. This notes that people living in areas with large amounts of green space are three times more likely to be physically active than people living in areas with little green</p>

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			space. With 50% of the town population aged upwards of 50 years, an increasing trend, the health and wellbeing benefits for all age groups but especially older persons are obvious. Providing better access for active use is therefore an important component of the plan, such access to be into and through the two WBZ areas, to the designated Local Green Spaces, and generally into the adjoining countryside using public rights of way. Work to scope and negotiate access into and within the WBZs is described in the companion document to the plan, the Consequent Local Projects.
Meeting Housing Requirements (page 25)			
Delete paragraphs 2.6.7 to 2.6.10. Insert in their place the following paragraphs: "The Core Strategy allocates approximately 3,800 homes to be provided in Main Rural Centres such as Shipston. It states further in paragraph 6.6.21 that based on the strategy set out in Section 5 for distributing housing development in the District, and taking into account the number of dwellings built and granted planning permission	Page 42/43	The Examiner noted that the figures used in the Plan are not the same as those used in the Core Strategy, which is confusing without some explanation. He therefore recommended that these paragraphs be altered to reflect those that appear in the Core Strategy with a clear reference that they are indicative and can	2.6.7 Shipston on Stour is one of 8 'Main Rural Centres' [MRC]. Together these MRC settlements will meet 24% of District growth requirements, totalling 3839 dwellings over the plan period 2011 – 2031. 2.6.8 Other settlement categories and rural locations will contribute the rest of the requirement. 2.6.9 The town, as a Main Rural Centre, is expected to provide a housing land supply for 499 additional new dwellings over the period 2011-2031. Note that this figure excludes Extra Care format accommodation.

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<p>since 2011, an indicative figure of a minimum of 510 homes are to be provided in Shipston over the plan period. Since the Core Strategy was adopted this figure has been slightly revised by SDC in 2017, on account of the latest figures for dwellings completed, dwellings under construction and planning permissions granted for dwellings since 2011. It is now envisaged that Shipston will provide an indicative minimum figure of 516 dwellings which excludes extra care units specialising in provision for the elderly."</p> <p>In the Higher Level policies box include: CS.19 Housing Mix.</p>		<p>change over time.</p> <p>Officers agree with the Examiner on these issues and that a clear explanation should be provided. It is therefore considered that the Plan as amended complies with Local and national policy and meets the Basic Conditions test</p>	<p>Putting aside the Extra Care component [148 units] since 2011 new housing commitments total 512 dwellings. This comprises dwellings already built since 2011, those under construction, and those with planning permission but not started. The specified Core Strategy requirement of 499 additional dwellings has therefore been met by September 2017. 2.6.10 The Inspector's June 2016 report, as noted above in 2.6.5, refers to Shipston on Stour, commenting that: "based on the strategy for distributing housing development in the District, and taking account of the number of dwellings built and granted planning permission since 2011, a minimum of 500 homes are to be provided in the town over the plan period. Reserve sites may need to be identified in the town through the Site Allocations Plan and/ or the Neighbourhood Plan. As such the figure should be seen as the minimum to be provided over the plan period".</p> <p><u>2.6.7 The Core Strategy allocates approximately 3,800 homes to be provided in Main Rural Centres such as Shipston. It states further in paragraph 6.6.21 that based on the strategy set out in Section 5 for distributing housing development in</u></p>

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			<p><u>the District, and taking into account the number of dwellings built and granted planning permission since 2011, an indicative figure of a minimum of 510 homes are to be provided in Shipston over the plan period.</u></p> <p><u>2.6.8 Since the Core Strategy was adopted this figure has been slightly revised by SDC in 2017, on account of the latest figures for dwellings completed, dwellings under construction and planning permissions granted for dwellings since 2011. It is now envisaged that Shipston will provide an indicative minimum figure of 516 dwellings which excludes extra care units specialising in provision for the elderly.</u></p>
<p>Policy HSG1 Ensuring a supply of affordable rental and shared equity homes (page 27)</p>			
<p>Amend the title of the policy to "Policy HSG1 ensuring a supply of Affordable Homes (include the reference to the definition in the Glossary)</p> <p>in the Objective section delete "particularly after 2021"</p>	<p>Page 44</p>	<p>The Examiner felt that title of the policy was confusing in referring only to "affordable rental and shared equity homes" which did not encapsulate the full Core Strategy definition of affordable housing by excluding</p>	<p>2.6.14 Policy HSG1 Ensuring a supply of affordable rental and shared equity Homes</p> <p>Objective: to locally maintain an adequate supply of affordable rented, intermediate rented and shared equity owned dwellings throughout the plan period and particularly after 2021.</p>

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<p>Amend the policy as follows: " Development proposals of exclusively affordable homes will be supported within and adjacent to the built-up-area boundary and where they are seeking to meet needs identified in the most recent local housing needs survey. These proposals shall conform to Core Strategy policy CS.15 "Distribution of Development". Such housing shall be occupied by persons with a local connection in a cascade system as described in section 3.2 below (see further amendment below to create a new definition of local connection), which gives priority to local people. This housing shall remain affordable in accordance with Core Strategy policy CS.18 Affordable Housing "</p> <p>In the Explanation section, first paragraph delete the following from the last sentence: "every three years from 2016 onwards." Insert ""at least every 5 years."</p> <p>Delete the second paragraph in the Explanation section.</p> <p>Add a further paragraph to the</p>		<p>intermediate housing. He therefore felt that the policy should therefore be adjusted to give priority to persons with a local connection but in the event there are no persons qualifying as local then the housing is offered to others on a cascade basis as suggested by SDC to take into account the wider District and even beyond.</p> <p>Whilst he appreciated that the anticipated trajectory of housing delivery is expected to decrease through the Plan period, he could not see any reason in the Objective to emphasise the delivery after 2021. This reference should be removed in the interests of clarity.</p> <p>Officers agree with the Examiner on these issues and that a clearer</p>	<p>Policy: Development proposals <u>of exclusively of affordable homes will be supported within and adjacent to the built-up area boundary</u> will be supported where such dwellings are for rental or shared ownership by occupants with a local connection, and their needs, as identified by periodic surveys, are not being met by available market housing. <u>Planning permissions for such developments will include provisions to ensure the dwellings remain available and affordable upon resale for eligible occupants, and where they are seeking to meet needs identified in the most recent local housing needs survey.</u> <u>These proposals shall conform to Core Strategy policy CS.15 "Distribution of Development". Such housing shall be occupied by persons with a local connection in a cascade system as described in section 3.2 below which gives priority to local people. This housing shall remain affordable in accordance with Core Strategy policy CS.18 Affordable Housing.</u></p> <p>Explanation ...The numbers and timings of such requirements will be identified by periodic surveys of local housing needs, such</p>

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<p>Explanation section as follows: "The term local connection is defined in section 3.2 below. The housing shall remain affordable and available to persons with a local connection. " In exceptional cases it may be possible to allow a relaxation from the affordability requirement, for example in respect of shared ownership "staircasing" and "mortgagee protection" clauses.</p> <p>"Insert a new definition of local connection criteria in footnote 24 of section 3.2 as follows:</p> <p>"For affordable rental and shared equity housing, a local connection is defined as:</p> <ul style="list-style-type: none"> • having lived in the parish of Shipston (by choice) for a minimum period of two years, immediately prior to the application for accommodation; or • having been in permanent, paid employment for a minimum period of six months, within the parish of Shipston, immediately prior to the application for accommodation; or • having a close family member (mother, father, sister, brother, or adult child aged 18 and over) living in the parish of Shipston and their having done 		<p>explanation should be provided and that there should be greater alignment of policies with the Core Strategy. It is therefore considered that the Plan as amended complies with Local and national policy and meets the Basic Conditions test.</p>	<p>surveys to be conducted every 3 years from 2016 onwards. at least every 5 years.</p> <p>The term 'local connection' applies to occupants who live and/or work in, or have a close family connection to the administrative area of Stratford-on-Avon District Council. A selection hierarchy will apply, first preference given to those with a local connection to the Parish of Shipston on Stour; second preference to those with a local connection in the surrounding area of a 5 mile radius from the town centre; and third preference to those with a local connection within the District Council administrative area. This definition may be modified by the District Council from time to time and the updated version will apply.</p> <p><u>The term local connection is defined in section 3.2 below. The housing shall remain affordable and available to persons with a local connection. In exceptional cases it may be possible to allow a relaxation from the affordability requirement, for example in respect of shared ownership 'staircasing' and 'mortgagee protection' clauses.</u></p>

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<p>so for a minimum period of five years, immediately prior to the application for accommodation; or</p> <ul style="list-style-type: none"> • having lived in the parish of Shipston for three out of the last five years immediately prior to the application for accommodation; or • having a local connection as a result of special circumstances (as defined in Stratford District Council's Home Choice Plus Allocations Policy 2015). <p>If sufficient occupants cannot be found who meet at least one of these criteria, then the affordable homes may be occupied by those:</p> <ul style="list-style-type: none"> • having lived in Shipston or one or more of the adjoining parishes of Tredington, Stretton-on-Fosse, Tidmington, Honington or Barcheston & Willington (by choice) for a minimum period of two years, immediately prior to the application for accommodation; or • having been in permanent, paid employment for a minimum period of six months, within one or more of those parishes, immediately prior to the application for accommodation; or • having a close family member (mother, father, sister, brother, or adult 			

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<p>child aged 18 and over) living in one or more of those parishes and their having done so for a minimum period of five years, immediately prior to the application for accommodation; or</p> <ul style="list-style-type: none"> • having lived in one or more of those parishes for three out of the last five years immediately prior to the application for accommodation. <p>If sufficient occupants cannot be found who meet at least one of these criteria, then the affordable homes may be occupied by those:</p> <ul style="list-style-type: none"> • having lived in the area of Stratford District Council (by choice) for a minimum period of two years, immediately prior to the application for accommodation; or • having been in permanent, paid employment for a minimum period of six months, within the area of Stratford District Council, immediately prior to the application for accommodation; or • having a close family member (mother, father, sister, brother, or adult child aged 18 and over) living in the area of Stratford District Council and their having done so for a minimum period of five years, immediately prior to the 			

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<p>application for accommodation; or</p> <ul style="list-style-type: none"> • having lived in the area of Stratford District Council for three out of the last five years immediately prior to the application for accommodation. <p>If sufficient occupants cannot be found who meet at least one of these criteria, then the affordable homes may be occupied by those:</p> <ul style="list-style-type: none"> • having lived in the Coventry and Warwickshire Strategic Housing Market Area (by choice) for a minimum period of two years, immediately prior to the application for accommodation; or • having been in permanent, paid employment for a minimum period of six months, within the Coventry and Warwickshire Strategic Housing Market Area, immediately prior to the application for accommodation; or • having a close family member (mother, father, sister, brother, or adult child aged 18 and over) living in the Coventry and Warwickshire Strategic Housing Market Area and their having done so for a minimum period of five years, immediately prior to the application for accommodation; or • having lived in the Coventry and Warwickshire Strategic Housing Market 			

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Area for three out of the last five years immediately prior to the application for accommodation. "			
Policy HSG2 ensuring a supply of low cost market housing(pages 30/31)			
<p>In the Higher Level Policies include the following as a second paragraph; "The National Planning Policy Guidance (Paragraph 001 Reference ID: 55-001-20150318 to Paragraph: 012 Reference ID: 55-012-20150318) offers advice on provision of starter homes on sites which are no longer viable for industrial or commercial use"</p> <p>Introduce the a footnote at the end of the policy title and include the following reference in section 3.2 (as renumbered) List of references and background information:</p> <p>"Low Cost Market Housing: Low cost market housing is sold at a price lower than the normal market value. By definition, although it is more 'affordable' to potential purchasers, low cost market housing does not fall within the planning definition of affordable housing as set out</p>	Page 45	<p>The Examiner considered that the Core Strategy clearly establishes that low cost market housing is not to be regarded as affordable housing. There is clear evidence in the Explanation section of the need for this type of housing which can be regarded as a local needs scheme identified by the community to which Core Strategy policy CS.15G "Distribution of Development refers. This policy allows these types of Local Needs Schemes within or outside the built-up-area boundary. This needs to be made explicit in the policy. He also considers that the</p>	<p>Higher level policies Relevant aims within the National Planning Policy Framework [refer to numbered paragraphs as below] are:</p> <ul style="list-style-type: none"> • Delivering a wide choice of high quality homes, wider opportunities for home ownership, and creating sustainable, inclusive and mixed communities [47 - 55], and • Mixed-use developments, strong neighbourhood centres, and active street frontages which bring people together [69] <p>The National Planning Policy Guidance (Paragraph 001 Reference ID: 55-001-20150318 to Paragraph: 012 Reference ID: 55-012-20150318) offers advice on provision of starter homes on sites which are no longer viable for industrial or commercial use</p> <p>Key policies within the Core Strategy are:</p> <ul style="list-style-type: none"> • CS.15 role of Main Rural Centres [MRCs]

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<p>in the NPPF. "</p> <p>Amend the policy as follows: "</p> <p>Development proposals will be supported where they are within and adjacent to the built-up-area boundary and in accordance with Core Strategy policy CS.15G "Distribution of Development". The housing shall meet the needs identified in the latest housing needs survey at a price lower than the normal market value and be for those with a local connection, as defined in section 3.2 of this Plan.</p> <p>Add a new second paragraph to the Explanation section as follows:</p> <p>Policies in the National Planning Policy Guidance regarding Starter Homes for persons of less than 40 years old at lower than average prices have overlaps with this policy. Starter Homes are encouraged on "exception sites" and are expected to be on land that has been in commercial or industrial use, and which has not currently been identified for residential development. Suitable sites are likely to be under-used or no longer viable for commercial or industrial purposes, but with remediation and</p>		<p>definition of starter homes in the NPPG overlaps with that of low cost market housing and therefore reference should be made in the Explanation section to reflect the policies in the national planning policy guidance (NPPG) with respect to starter homes on exception sites.</p> <p>Officers agree with the Examiner that there should be greater alignment of NDP policies with National Guidance and the Core Strategy. It is therefore considered that the Plan as amended complies with Local and national policy and meets the Basic Conditions test.</p>	<p>as suitable locations for housing and business development and provision of local services;</p> <ul style="list-style-type: none"> • Note that varying amount of development is proposed in MRCs reflecting specific constraints and opportunities and the importance of retaining their individual character and distinctiveness; • CS.16 housing development numbers and trajectory for MRCs including Shipston-on-Stour; • CS.18 thresholds for Use Class C3 housing development above which an affordable housing component will be required, to provide additional rented or intermediate housing where the market is not meeting local needs; • CS.20 adding to the housing stock by conversions subject to retaining ground floor commercial space. <p>Policy: Development proposals will be supported where <u>they are within and adjacent to the built-up-area boundary and in accordance with Core Strategy policy CS.15G "Distribution of Development". The housing shall meet the needs identified in the latest housing needs survey at a price lower than the normal market value and be for those with a local connection, as defined</u></p>

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<p>infrastructure costs that are not too great so as to render Starter Homes financially unviable.</p>			<p>in section 3.2 of this Plan, such schemes provide low cost market housing specifically for sale at a price lower than the normal market value to those with a local connection whose housing needs are not met by the open market. Low cost market housing schemes should include provisions to ensure that the homes remain available on resale at a price below normal market value to meet future requirements of eligible households with a local connection. In Explanation add: <u>Policies in the National Planning Policy Guidance regarding Starter Homes for persons of less than 40 years old at lower than average prices have overlaps with this policy. Starter Homes are encouraged on "exception sites" and are expected to be on land that has been in commercial or industrial use, and which has not currently been identified for residential development. Suitable sites are likely to be under-used or no longer viable for commercial or industrial purposes, but with remediation and infrastructure costs that are not too great so as to render Starter Homes financially unviable.</u></p>
<p>Policy HSG3 meeting the Housing Needs of older persons (page 32)</p>			

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<p>In the policy title at the end insert "for persons of more than 55 years of age" In the policy after accommodation insert "for persons of more than 55 years of age"</p> <p>Alter the policy as follows:</p> <p>Policy: Development of Extra Care or Sheltered Housing for persons of over 55 years of age will be supported on sites within and adjacent to the built-up-area boundary and in accordance with Core Strategy policy CS.15G "Distribution of Development". The housing shall meet the needs identified for older persons in the latest housing needs survey and be for those with a local connection, as defined in section 3.2 of this Plan. The policy only relates to Extra Care Housing and Sheltered Housing as defined in section 3.2 of this Plan.</p> <p>In the definition of Extra Care Housing alter the first sentence as follows:</p> <p>"Extra Care and Sheltered Housing comprises self-contained homes with design features and varying levels of care services but essentially to enable self-</p>	<p>Page 46</p>	<p>The Examiner considered that as the policy objective defines older persons as aged 55 plus, this is an important definition and needs to be in the policy itself in the interests of clarity.</p> <p>He did not consider that the policy would therefore not be in conformity with the Core Strategy if C2 type institutionalized accommodation were included it in the same policy as Extra Care or Sheltered Housing.</p> <p>Officers agree with the Examiner that there should be greater alignment of NDP policies with the Core Strategy and legislation. It is therefore considered that the Plan as amended complies with Local and national policy and meets the Basic Conditions test.</p>	<p>2.6.13 Policy HSG3 Meeting the housing needs of older persons <u>of more than 55 years of age</u></p> <p>Policy: Development proposals for the following categories of accommodation will be supported on suitable sites:</p> <ul style="list-style-type: none"> • Care homes providing personal care and/or nursing care; • 'Extra Care' housing format for those with a local connection; • 'Sheltered Housing' format for those with a local connection; and • Other accommodation specifically designed for older persons. <p>Extra Care and Sheltered housing should include provisions to ensure that the homes remain available upon resale for future eligible households with a local connection.</p> <p><u>Policy: Development of Extra Care or Sheltered Housing for persons of over 55 years of age will be supported on sites within and adjacent to the built-up-area boundary and in accordance with Core Strategy policy CS.15G "Distribution of Development". The housing shall meet the needs identified for older persons in the latest housing needs survey and be for those with a local connection, as defined</u></p>

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care and independent living. At the end of the definition insert the following sentence: "This type of accommodation does not include institutional residential or nursing care described as Class C2 in the Town and Country Planning (Use Classes) Order 1987 or any subsequent re-enactment."			<u>in section 3.2 of this Plan. The policy only relates to Extra Care Housing and Sheltered Housing as defined in section 3.2 of this Plan.</u>
Policy HSG4 Development on windfall sites (page 33)			
<p>Include a footnote to windfall sites in the policy title and use the following definition in section 3.2:</p> <p>"Windfall Sites: Sites which have not been specifically identified as available in the Development Plan process. They normally comprise small, previously developed sites that have unexpectedly become available and are suitable for certain forms of redevelopment."</p>	Page 47	<p>The Examiner considered that in the interests of clarity the definition of windfall sites, as it appears in the Core Strategy, should be repeated in this Plan.</p> <p>Officers agree with the Examiner that there should be consistency in interpretation of terms. It is therefore considered that the Plan as amended complies with Local and national policy and meets the Basic Conditions test.</p>	Footnote 24 added <u>Windfall Sites: Sites which have not been specifically identified as available in the Development Plan process. They normally comprise a small, previously developed sites that have unexpectedly become available and are suitable for certain forms of redevelopment.</u>
Policy HSG5 safeguarding committed sites (page 33)			

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Delete policy HSG5	Page 47	<p>The Examiner commented that it is not possible to require those sites with unimplemented residential planning permissions are protected for a future housing unless there is an allocation on the policies map. In accordance with the NPPF any application for sustainable development should be approved even if it reduces or replaces existing housing commitments and therefore he considered that this policy should be deleted.</p> <p>Officers agree with the Examiner that the policy should be deleted as it was unlawful. It is therefore considered that the Plan as amended complies with Local and national policy and meets the Basic Conditions test.</p>	<p>Policy: an edge-of-settlement site with an estimated capacity of between 25 to 30 dwellings, as shown on the Policies Map, is safeguarded as a reserve housing site. It will be released for residential development in the event of the earlier of the following trigger events occurring:</p> <p>(a) A community led housing scheme is brought forward as an alternative to the site allocated with Policy HSG7, or</p> <p>(b) A scheme providing plots for exclusively custom and self building housing and which meets the criteria for regulating its development as set out in Policy HSG8 is brought forward, or</p> <p>(c) Its release, after 2021, is required to meet the requirements set out in Part D of Core Strategy Policy CS.16.</p> <p>The extent, especially upslope, layout, built form and capacity of the site will be confirmed ahead of any planning application by preparing a masterplan. Key issues to be satisfactorily resolved include: landscape and visual impact; compatibility with existing and prospective adjacent development; and the need for an adequate surface water drainage solution.</p>

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Policy HSG6 Allocating housing land to contribute to strategic housing requirements (page 35)			
<p>Amend the policy as follows:</p> <p>" A site on land south of Oldbutt Road, as shown on the policies map, is allocated as a reserve housing site which should accommodate 25 to 30 dwellings. It will be released after 2021 if it is required to meet the housing requirements set out in Part D of the Core Strategy policy CS.16. The development of the land is subject to meeting other planning policy requirements and the achievement of satisfactory access arrangements which, if necessary, should be phased in connection with the development of the site to the north." Add to the key of the Policies map in reference to this site "Proposed housing reserve site on land south of Oldbutt Road (HSG 6).</p> <p>Add extra paragraphs to the Explanation section as follows;</p> <p>" The identified site is subject to a requirement that it's development be phased in accordance with the</p>	Page 48	<p>The Examiner considers that in the interests of clarity the site should be referred to as land south of Oldbutt Road.</p> <p>He considers that the last paragraph of the policy is superfluous bearing in mind the need for a master plan is essentially a planning application validation issue and also policy ENV 3 is directed to "Ensuring development respects the local landscape and townscape.</p> <p>He considers that the Explanation section should be embellished to point out that the provision of housing reserve sites should be reviewed at regular intervals</p>	<p>Policy: an edge of settlement site with an estimated capacity of between 25 to 30 dwellings, as shown on the Policies Map, is safeguarded as a reserve housing site. It will be released for residential development in the event of the earlier of the following trigger events occurring:</p> <p>(a) A community led housing scheme is brought forward as an alternative to the site allocated with Policy HSG7, or</p> <p>(b) A scheme providing plots for exclusively custom and self building housing and which meets the criteria for regulating its development as set out in Policy HSG8 is brought forward, or</p> <p>(c) Its release, after 2021, is required to meet the requirements set out in Part D of Core Strategy Policy CS.16.</p> <p>The extent, especially upslope, layout, built form and capacity of the site will be confirmed ahead of any planning application by preparing a masterplan. Key issues to be satisfactorily resolved include: landscape and visual impact; compatibility with existing and prospective adjacent</p>

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<p>development of sites to the north, in particular to achieve a satisfactory access provision.</p> <p>The provision of reserve hosing sites to meet the housing needs as expressed in the Core Strategy will continue to be reviewed throughout the plan period, at least every five years "</p>		<p>throughout the Plan period. It is important to specify that this should be done at least every five years to ensure Core Strategy policies regarding housing delivery are met.</p> <p>Officers agree with the Examiner that these amendments should be made for clarity and resilience. It is therefore considered that the Plan as amended complies with Local and national policy and meets the Basic Conditions test.</p>	<p>development; and the need for an adequate surface water drainage solution.</p> <p><u>Policy: A site on land south of Oldbutt Road, as shown on the policies map, is allocated as a reserve housing site which should accommodate 25 to 30 dwellings. It will be released after 2021 if it is required to meet the housing requirements set out in Part D of the Core Strategy policy CS.16. The development of the land is subject to meeting other planning policy requirements and the achievement of satisfactory access arrangements which, if necessary, should be phased in connection with the development of the site to the north.</u></p> <p>Explanation: To respond to the Core Strategy requirement that a suitable housing land reserve is locally identified, a 'call for sites' was made, and technical assessments carried out to confirm the suitability of the possible sites and the likely capacity. The possible sites were subjected to community consultations in March/April 2016. A viable site, in an edge-of-settlement location adjoining two large commitments sites with planning permission, as shown on the Policies Map,</p>

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			<p>was identified by this work and the pre-submission draft plan consultations. <u>The identified site is subject to a requirement that it's development be phased in accordance with the development of sites to the north, in particular to achieve a satisfactory access provision.</u> <u>The provision of reserve housing sites to meet the housing needs as expressed in the Core Strategy will continue to be reviewed throughout the plan period, at least every five years.</u></p>
<p>Policy HSG7 Allocated housing land to meet currently identified local needs (page 36)</p>			
<p>Amend the policy as follows:</p> <p>"Policy: an edge of settlement site at land at Ridgeway, east of London Road, as shown on the Policies Map, is allocated for a community-led housing development to meet currently identified local housing need in accordance with latest housing needs information. This shall contain a mix of open market, affordable and homes with a specific local connection in accordance with the</p>	<p>Page 48</p>	<p>The Examiner considered that in the interests of clarity the site should be referred to as land at Ridgeway, east of London Road. He did not consider that there was any apparent robust justification for the housing mix as expressed in the policy and that it was sufficient to refer</p>	<p>Policy: an edge-of-settlement site <u>at land at Ridgeway, east of London Road, with an estimated capacity of 18 dwellings,</u> as shown on the Policies Map, is allocated for a community-led housing development from 2018 to meet currently identified local housing need <u>in accordance with latest housing needs information. This shall contain a mix of open market, affordable and homes with a specific local connection in accordance with the provisions of section 3.2 of this Plan. The scheme shall involve</u></p>

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<p>provisions of section 3.2 of this Plan. The scheme shall involve the provision of local green space with pedestrian access as shown on the Policies map and in accordance with details to be agreed with Stratford-on-Avon District Council. "</p> <p>In the Explanation section amend as follows: In the third sentence delete "starting in 2018". Alter the final sentence, as follows: "A developer has expressed a strong interest in providing a scheme directed at local housing needs and provision of green space which will be viable."</p> <p>In the key to the Policies map reference this site as "Proposed housing land allocation at Ridgeway, east of London Road (HSG 7)".</p>		<p>generically to the latest housing needs assessment. He felt that the reference in the policy to commencement from 2018 was unnecessary.</p> <p>Officers agree with the Examiner that these amendments should be made for clarity. It is therefore considered that the Plan as amended complies with Local and national policy and meets the Basic Conditions test.</p>	<p><u>the provision of local green space with pedestrian access as shown on the Policies map and in accordance with details to be agreed with Stratford-on-Avon District Council. The development will consist of 6 affordable homes, 3 local market homes, and 9 open market homes</u></p>
<p>Policy HSG8 Encouraging custom and self-build housing opportunities (page 37)</p>			
<p>Delete the second bullet point.</p> <p>Add a further bullet point as follows; "In the case of a fractional requirement</p>	<p>Page49</p>	<p>The Examiner considered that the criterion requiring completion of self-build plots within 3 years is not reasonable as a planning</p>	<p>Policy: to support prospective custom and self-builders on sites of more than 20 dwellings. Developers will be encouraged to supply at least 5% of dwelling plots for sale to custom</p>

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<p>the provision of a self-build plot will be rounded upwards in any circumstance.”</p>		<p>obligation. He also felt that it should be clarified that in the case of fractional figures the requirement should be rounded upwards even in the case of a 0.5 outcome e.g. a 30 dwelling scheme shall provide 2 self-build plots in accordance with the policy.</p> <p>Officers agree with the Examiner that these amendments should be made for clarity and consistency with legislation. It is therefore considered that the Plan as amended complies with Local and national policy and meets the Basic Conditions test.</p>	<p>and self-builders, which dwelling plots will be controlled by the following means:</p> <ul style="list-style-type: none"> • The resulting custom and self-build development will conform to an agreed design code; • Planning permissions should include conditions requiring custom and self-build developments to be completed within 3 years of plots being purchased; and • Where plots are marketed appropriately for at least 12 months and have not sold such plots may either remain on the open market as custom or self-build plots or revert to the developer to be built out. Development proposals for custom or self-build on smaller sites with a capacity of less than 20 dwellings will be strongly supported, subject to meeting the other relevant policy requirements within this plan. • <u>In the case of a fractional requirement the provision of a self-build plot will be rounded upwards in any circumstance.</u>

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

Sustainable Development Role (NPPF)	Neighbourhood Development Plan's Contribution
Economic	<p>The Neighbourhood Plan seeks to support the local economy through policies for the protection of existing employment sites; by creating more business space to meet local needs; by retaining employment components within mixed-use projects; encouraging live/work format developments and by improving visitor and tourism information facilities in the Town.</p> <p>If implemented these policies will have a positive impact on the local economy, safeguarding jobs and local services.</p>
Social	<p>The Neighbourhood Plan sets a framework that will help to support the achievement of sustainable social development.</p> <p>Policy seeks to improve and make safer the pedestrian and cyclist networks.</p> <p>The Plan also seeks to provide a range of housing to meet local and District needs.</p>
Environmental	<p>The Neighbourhood Plan includes a number of policies that support environmental sustainability for the community.</p> <p>The Plan has policies that seek to protect designated heritage assets; ensure that development does not increase flood risk; designating areas of Local Green Space and ensuring development respects the local landscape and townscape.</p> <p>The NDP includes policies to protect the natural environment for future generations which have a positive impact on the environmental sustainability of the plan.</p>

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

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

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

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

www.stratford.gov.uk/shipstonnp

And can be viewed in paper form at:

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