



DECISION STATEMENT

NEIGHBOURHOOD PLAN PROCEEDING TO REFERENDUM

1. Stratford-upon-Avon Neighbourhood Development Plan

- 1.1 I confirm that the Stratford-upon-Avon Neighbourhood Development Plan (SUANDP), 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. A provisional date has been set for the referendum of 29 November 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 The District Council confirms that for the purposes of section 5 (1) of The Regulations the Town Council is the "Qualifying Body" for their area.
- 2.2 On 28 August 2012 Stratford-upon-Avon Town Council requested that, in accordance with section 5(1) of the Neighbourhood Planning (General) Regulations 2012 ("The Regulations"), their Parishes of Stratford-upon-Avon and Old Stratford and Drayton be designated as a Neighbourhood Area, for which a Neighbourhood Development Plan will be prepared.
- 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, for a 6 week period between 11 October and 7 December 2012. 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 Town Council.

- 2.4 The District Council designated the Stratford-upon-Avon Neighbourhood Area by way of approval of The Cabinet on 18 February 2013.
- 2.5 In May 2013, a further area designation application was submitted to the District Council by Stratford-upon-Avon Town Council to reflect the Parish boundary changes set out in the Community Governance Review report and approved at the Council's on 22 April 2013.
- 2.6 Since the amended area application did not include any additional land within the proposed Stratford-upon-Avon Neighbourhood Plan Area boundary, it was considered that no further consultation would be necessary.
- 2.7 The District Council therefore designated the revised Stratford-upon-Avon Neighbourhood Area by way of approval of The Cabinet on 20 May 2013.
- 2.8 In accordance with Regulation 7 of The Regulations, the decision to designate the Stratford-upon-Avon Neighbourhood Area was advertised on the Council website together with the name, area covered and map of the area.
- 2.9 The Town Council consulted on a pre-submission version of their draft Neighbourhood Development Plan between 21 May and 27 July 2015 fulfilling all the obligations set out in Regulation 14 of The Regulations.
- 2.10 The Town Council submitted their Neighbourhood Development Plan to Stratford-on-Avon District Council on 25 April 2017 in accordance with Regulation 15 of The Regulations.
- 2.11 The District Council publicised the submitted Plan and its supporting documents for 6 weeks between 25 May and 7 July 2017 in accordance with Regulation 16 of The Regulations.
- 2.12 Dr Louise Brooke-Smith was appointed by the District Council to examine the Plan, and the Examination took place between September 2017 and January 2018, with the final Examiner's report being issued on 6 April 2018.
- 2.13 The Examiner concluded she was satisfied that the Stratford-upon-Avon 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 her report, as set out in the table below.
- 2.14 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 Local 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' (adoption) 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. Should a referendum take

place, 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'.

2.15 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 and para number in her report)	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
<p>Basic Conditions Statement (p.15, para 4.4.3)</p>			
<p>The 'Development Plan' for Stratford upon Avon Neighbourhood Area comprises the Stratford on Avon District Core Strategy (2011-2031) which was adopted in July 2016. The Development Plan also comprises policies of the Waste Core Strategy for Warwickshire (2013) and policies from the County Minerals Plan, currently being revised. No reference is made of the latter two documents.</p> <p>It would be important to add a reference to the Waste Core Strategy and Minerals Plan, as these complete the full suite of the Development Plans for the area, and to explain in the Basic Conditions Statement, if applicable, that complicity has been achieved.</p>	<p>Not Applicable. Refers to associated Basic Conditions Statement.</p>	<p><i>Modification agreed.</i></p> <p>On the basis that Waste Core Strategy and the County Minerals Plan are part of the Development Plan for the District, and the Basic Conditions require the NDP to be in general conformity with the Development Plan, SDC officers agree with the Examiner that an amendment to the Basic Conditions Statement (BCS) in order to explain their inclusion would be beneficial.</p> <p>There does not appear to be any law or guidance on whether the BCS can be amended and re-issued post Examination, but since it is a modification recommended by the Examiner, SDC officers do not consider the LPA can be criticised for carrying out this request. As such, SDC officers</p>	<p>The Qualifying Body has amended the Basic Conditions Statement to include reference to the Warwickshire County Council Waste Core Strategy and Minerals Plan. The document has been re-issued to be endorsed alongside the Neighbourhood Plan.</p>

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		recommend that a reference be made to the Waste Core Strategy and the County Minerals Plan within the BCS. This revised document can then accompany the Referendum Version of the NDP through to adoption.	
Additional NDP Appendix (p.18, para 5.1.3)			
A list of the evidence base (i.e. key documents and surveys with dates) should be included as an Appendix to the Plan. This would provide some comfort to any reader of the document that a robust evidence base supports the policies.	Not Applicable. Requested Appendix did not exist in Submission version NDP.	<i>Modification agreed.</i> Both the Qualifying Body (QB) and SDC officers consider this modification would be helpful to the reader in understanding the basis upon which policies have been formulated. It is not considered that this is a Basic Conditions compliance issue and the addition of the appendix would be seen as good practice.	A list of the evidence base documents has been included at new Appendix 3 of the Neighbourhood Plan.
Section 3.0: History and Future. Future Development Issues (p.20, para 5.2.4)			
I advise that the following modifications are made: Paragraph 3.9; "Stratford-upon-	Section 3.0, p.16	<i>Modification agreed.</i> Given the findings of the SEA and the reference to flooding	Paragraph 3.9 – additional bullet point added: "Stratford upon Avon is at risk of flooding. New development within the identified floodplain and

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<p>Avon is at risk of flooding. New development within the identified floodplain and any new development or works to the River Avon should assist in reducing the risk of flooding”.</p>		<p>therein, the modification proposed by the Examiner reflects the stance of the Environment Agency and has been accepted by the Qualifying Body as being necessary to be compliant with the Basic Conditions. SDC officers concur with this view and consider this amended paragraph now meets the Basic Conditions.</p>	<p><u>any new development or works to the River Avon should assist in reducing the risk of flooding”</u></p>
<p>Section 4.0: Vision Statement (p.20, para 5.2.4)</p>			
<p>paragraph 4.1 should be replaced as follows:</p> <p>“The Neighbourhood Area will be greener with the addition of appropriate landscaping; green corridors linking the built-up areas to the adjacent countryside, and appropriate blue infrastructure which can restore and enhance waterways and sustainably manage water”.</p>	<p>Section 4.0, p.17</p>	<p><i>Modification agreed.</i></p> <p>Given the findings of the SEA and the reference to flooding therein, the modification proposed by the Examiner reflects the stance of the Environment Agency and has been accepted by the Qualifying Body as being necessary to be compliant with the Basic Conditions.</p> <p>SDC officers concur with this view and consider this amended paragraph now meets the Basic Conditions.</p>	<p>Bullet point 7 of paragraph 4.1 to be replaced as follows:</p> <p>“Stratford upon Avon will be greener with more soft landscaping, trees, open spaces and green corridors linking the town to the countryside. The Neighbourhood Area will be greener with the addition of appropriate landscaping; green corridors linking the built-up areas to the adjacent countryside, and appropriate blue infrastructure which can restore and enhance waterways and sustainably manage water”.</p> <p><u>“The Neighbourhood Area will be greener with the addition of appropriate landscaping; green corridors linking the built-up areas to the adjacent countryside, and appropriate blue infrastructure which can restore and enhance waterways and sustainably manage water”.</u></p>

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Figure 2: Proposals Map (p.20, para 5.2.5)			
<p>Figure 2 should be fully titled as The Proposals Map and should be of a size to properly and clearly identify the whole of the NDP area. In its current form (and when printed at A2 size) parts of the periphery of the area is omitted.</p>	<p>Not Applicable. Figure 2 separate to the NDP.</p>	<p><i>Modification agreed [in part].</i></p> <p>The amendments proposed by the Examiner were to rectify certain anomalies with the Proposals Map. SDC officers agree with these proposed modifications, for reasons of accuracy and clarity.</p> <p>However, officers consider the requirement to include the entire neighbourhood area to be impractical and unnecessary. The settlements to which all the policies and designations apply are included on the map and extending the map to include all peripheral elements of the area will make the map more difficult to interpret, for no real gain. As such, officers do not agree with this proposed modification. Since the entire designated neighbourhood area is clearly shown on Figure 1 and none of the policies within the NDP relate specifically to the rural</p>	<p>The Proposals Map [now <u>Figure 3</u> in Referendum version Plan] has been revised to take account of necessary amendments to other Figures and maps within the NDP, as requested by the Examiner.</p>

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		hinterland of the Parish, there is no need to replicate this boundary in the Proposals Map. Officers do not consider this to be a Basic Conditions matter and is acceptable as shown in the referendum NDP.	
The Local Wildlife Site designation in Bishopton Lane has been queried by a Regulation 16 party. This should be clarified as a matter of fact by the LPA and if found to be erroneous, amended on the Proposals Map.	Not Applicable. Figure 2 separate to the NDP.	<i>No action required.</i> Checks were made by SDC officers and the LWS designation was found to be accurately illustrated. No modification was therefore necessary.	The Local Wildlife Site designation at Bishopton Lane has been checked and confirmed to be accurate. As such, there is no requirement to amend the map in relation to this designation [Now Figure 3].
Figure 15: Strategic Employment Allocation SSB2 (p.20, para 5.2.5)			
Figure 15 should accurately replicate Core Strategy Policy SUA.2/SSB2 to avoid confusion.	Figure 15, p.154	<i>Modification agreed.</i> SDC officers agree with the Examiner that, for reasons of accuracy and clarity, the housing commitment adjacent to Employment Allocation SUA.2/SSB2 should be removed from Figure 15.	The map showing the Strategic Employment Allocation SUA.2/SSB2 [now Figure 22 in Referendum version NDP] has been amended to remove the housing allocation [the triangular piece of land to the eastern 'tip' of site SUA.2 in the Submission version Plan] from the site earmarked specifically for employment use.

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<p>Figure 16: Tiddington Fields SSB3 (p.20, para 5.2.5)</p>			
<p>There should be consistency between the Proposals Map (Fig 2) and other maps within the NDP including Fig 16. The latter indicates an existing housing commitment. While this may not be a Core Strategy Allocation, it is helpful to illustrate all committed housing development across the Plan area.</p> <p>It would also help the reader when considering Policy H3 in that it refers to the Proposals Map and housing commitments. This matter should be addressed by the LPA.</p>	<p>Figure 16, p.157</p>	<p><i>Modification agreed [in part].</i></p> <p>SDC officers agree with the Examiner that it would be beneficial to the reader to include a map within the NDP to illustrate housing commitments within the Plan area. However, where SDC officers disagree with the Examiner is the extent to which housing commitments need to be recorded.</p> <p>SDC officers have therefore concluded that a more appropriate and proportionate approach would be to illustrate the 'large-scale' housing commitments within the Town rather than every individual site, particularly since this modification is to aid the reader, as opposed to meet the Basic Conditions test.</p>	<p>The Proposals map [now <u>Figure 3</u> in the referendum version NDP] has been amended to take account of minor amendments to other 'inset' maps within the NDP. A new map [Figure 2] has been included within Section 5 of the referendum version Plan to illustrate all committed large-scale housing development [i.e. sites over 25 dwellings] across the Plan area.</p> <p>It was decided to illustrate large-scale sites only due to the fact that given the large area covered by the NDP, attempting to show all housing schemes on a map appropriate to be included as an inset map within the Plan would result in a map that was impossible to interpret given the large number of sites and their close proximity to one another.</p>

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Figure 17: Alveston Village Built-Up Area Boundary (p.20, para 5.2.5)			
Figure 17 identifies a Built Up Area Boundary (BUAB) around Alveston but this appears to unnecessarily sever garden land to the rear of property at Hillside. This should be rectified and the land in question included within the BUAB.	Figure 17, p.158	<p><i>Modification agreed.</i></p> <p>SDC officers raised concerns at Reg.16 consultation stage that an arbitrary line had been drawn at the Hillside property that did not seem to follow the criteria seemingly used for the remainder of the village.</p> <p>SDC officers agree with the Examiner that the built-up area boundary should therefore be re-drawn and are content with the Examiner's request that the entire residential curtilage of the property known as 'Hillside' be included within the village boundary for purposes of consistency and accuracy.</p>	The Alveston Village Built-up Area Boundary map [now <u>Figure 24</u> in the NDP] has been revised to include the entire residential curtilage of the property known as 'Hillside', in accordance with the Examiner's proposed modification.

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List of Figures (p.20, para 5.2.5)			
The List of Figures would be better positioned to follow the Contents page.	List of Figures, p.2	<i>Modification agreed.</i> Whilst not a Basic Conditions issue, SDC officers agree with the Examiner that it would seem to be more appropriate for the list of Figures to follow the Contents page.	The referendum version NDP has now been amended to position the List of Figures after the Contents pages, as suggested by the Examiner.
Contents: Infrastructure Objective C (p.20, para 5.2.5)			
Correct the title of Objective C [on the contents page] to reflect the content of the NDP.	Contents, p.7	<i>Modification agreed.</i> SDC officers agree with the Examiner that the Objective should be listed consistently throughout the Plan, for purposes of clarity and accuracy. This is not deemed to be a Basic Conditions matter.	Amend Objective title to read: " To prepare a roads and transport strategy to serve the growing town. <u>To prepare a Strategic Roads and Transport Strategy to serve the growing town and District in which through and peripheral traffic is taken off Town Centre routes</u> ".

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Contents: Policy SSB2 (p.20, para 5.2.5)			
Correct the title of Policy SSB2 [on the contents page] to reflect the content of the NDP.	Contents, p.8	<i>Modification agreed.</i> SDC officers agree with the Examiner that the Policy title should be listed consistently throughout the Plan, for purposes of clarity and accuracy. This is not deemed to be a Basic Conditions matter.	Amend the title of the Policy to read: “ Strategie <u>Stratford-upon-Avon</u> Employment Allocation - Land South of the Alcester Road (A46) and West of the Wildmoor Roundabout”.
Section 2.0: 'The Neighbourhood Development Plan' (p.21, para 5.2.5)			
Paragraph 2.1 should refer to the 'neighbourhood area', as opposed to the 'district'.	Section 2.0, p.13	<i>Modification agreed.</i> SDC officers agree with the Examiner that it would be more accurate to state that, when 'made', the Plan would become part of the statutory Development Plan for the neighbourhood area, as opposed to the wider District. This would ensure compliance with the Basic Conditions test.	Fourth sentence of paragraph 2.1 to be amended to read: “This Plan will become part of the statutory Development Plan for the district <u>Neighbourhood Area</u> alongside the District Council's Core Strategy”.

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Section 6.0: Employment – Existing Commercial Provision (p.20, para 5.2.5)			
Employment sites referenced within paragraphs 6.8 and 6.9 should be identified on a suitable map. Clifford Park Business Park should be noted as lying beyond the NDP area.	Section 6.0, p.36-37	<i>Modification agreed.</i> SDC officers agree with the Examiner that it would be helpful to the reader to be able to locate each of the employment sites on a location map. SDC officers also agree that since Clifford Park Business Centre is located outside the neighbourhood area, any reference to it should be removed from the Plan. This is not deemed to be a Basic Conditions matter.	Clifford Park Business Centre has been omitted from the table set out at paragraph 6.8 of the NDP. A new map [Figure 5] has also been included to show the locations of each of the employment sites listed in paragraph 6.8 and can be found on p.39 of the referendum version NDP.
General: Projects within the NDP (p.21, para 5.2.8)			
Improved explanation or annotation that these are aspirational matters, should be included whenever they arise in the document.	All projects within 'Green boxes', throughout the Plan.	<i>Modification agreed.</i> SDC officers agree with the Examiner that, whilst not a Basic Conditions issue, it would be helpful to include a standard explanation for each group of projects in the Plan to ensure the reader understands	At the beginning of each section of projects set out in the referendum version of the Plan, the following paragraph has been inserted: <u>"Although these projects are not binding in the same way as the policies contained within this Plan, they relate to matters which have been highlighted during public consultation as being important to residents."</u>

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		clearly that they are aspirational initiatives and have not been assessed as formal policies of the NDP. Officers are content that the standard paragraph proposed by the Qualifying Body is acceptable for this purpose.	
Section 3.0: History and Future – Future Development Issues (p.21, para 5.3.1)			
The housing allocation for the Town is referenced in paragraph 3.9. This should be noted a 'minimum' and not as a target.	Section 3.0, p.16	<p><i>Modification agreed.</i></p> <p>SDC officers agree with the Examiner that in order for the NDP paragraph to be in conformity with the provisions of the Core Strategy, the housing allocation must be written as a minimum, and certainly not as a target figure.</p> <p>Officers concur that the amended paragraph meets the Basic Conditions test.</p>	<p>Paragraph 3.9 amended to read:</p> <p>"The District Council has allocated <u>made provision for at least 14,600 additional homes across the District, of which approximately 3,500 new homes are allocated</u> to Stratford-upon-Avon during the Core Strategy plan period which started in 2011. The Neighbourhood Development Plan must accommodate this level of development although approximately 2,400 have already been committed (built or granted planning permission) since 2011. This means that the Neighbourhood Development Plan must allow for approximately <u>a minimum of 1,100 more dwellings in the town...</u>"</p>

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Section 5.0: Development Strategy and Housing (p.22, para 5.3.4)			
<p>I suggest that the introductory text to Section 5 of the NDP includes:</p> <p>“Development within areas identified as Flood Zone 3 will be resisted unless a deliverable strategy is presented that will reduce flood risk to the site in question and wider community.</p> <p>Any land identified for flood risk management, by the Environment Agency, or equivalent statutory body holding similar such powers, will be safeguarded from new development, unless exceptional circumstances are presented”.</p>	<p>Section 5.0, p.21</p>	<p><i>Modification agreed.</i></p> <p>The Examiner noted that there was an absence of specific policies within the Plan to address flooding issues in the Plan area. The SEA associated with the NDP referred to flooding and the Environment Agency commented that due to the lack of guidance on local issues, the Plan would be reliant on relevant ‘higher level’ flood risk policies in the NPPF and Core Strategy. The EA recommended inserting some additional text in order to provide a local context for flooding issues.</p> <p>SDC officers agree with the EA and the Examiner that the addition of appropriate supporting text to relevant policies in the NDP would provide some helpful local context and would ensure compliance with the Basic Conditions test.</p>	<p>Two new paragraphs [5.12 and 5.13] created as follows:</p> <ul style="list-style-type: none"> • <u>“Development within areas identified as Flood Zone 3 will be resisted unless a deliverable strategy is presented that will reduce flood risk to the site in question and wider community.</u> • <u>Any land identified for flood risk management, by the Environment Agency, or equivalent statutory body holding similar such powers, will be safeguarded from new development, unless exceptional circumstances are presented”.</u> <p>N.B. All subsequent paragraphs in this section have been re-numbered, accordingly.</p>

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Policy H1: Built-Up Area Boundaries (p.22-23, para 5.3.8)			
<p>I consider poor reference has been made to exceptions to Policy H1. As such reference should be made to conversion of property and to construction of houses of exceptional design (paragraph 55 of the NPPF). Appropriate development of brownfield land beyond any BUAB should also be accepted – which would also accord with NDP Policy H4.</p>	<p>Section 5.0, p.21</p>	<p><i>Modification agreed.</i></p> <p>The Examiner was accepting of the rationale to propose built-up area boundaries around the two smaller settlements and SDC officers were also accepting of such a principle during consultation on the Plan. However, the Examiner considered poor reference had been made to potential exceptions to policy H1.</p> <p>This issue was considered important, given that associated Strategic Policy AS.10 within the Core Strategy relates to the appropriateness of development in all parts of the District other than Stratford Town and the eight Main Rural Centres.</p> <p>SDC officers therefore agree with the Examiner on this point and consider the proposed modifications are pertinent and</p>	<p>Penultimate paragraph of Policy H1 to be amended to read:</p> <p>“Proposals for new housing within these built up area boundaries will be supported in principle. All areas outside of the built up area boundaries are classed as Countryside. New housing within the Countryside will be strictly controlled and limited to dwellings for rural workers, Rural Exception Sites, and replacement dwellings, <u>conversion of buildings of a permanent construction, construction of houses with exceptional design and appropriate development of brownfield land beyond any built-up area boundary, in accordance with Policy H4.</u>”</p>

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		necessary in order to ensure the Policy complies with the NPPF and meets the Basic Conditions test.	
Policy H1: Built-Up Area Boundaries (p.23, para 5.3.10)			
<p>Some Regulation 16 parties consider the Alveston village BUAB is too restrictive. I have reviewed the evidence base and consider that the wording of Policy H1 would allow for flexibility, as a 5 years housing land supply is reviewed by the LPA, if the following modification is made to the last paragraph:</p> <p>"If during the Neighbourhood Plan period, the strategic housing allocation for the Plan area increases, any new residential development should be located to make the best use of existing infrastructure or new infrastructure to accompany the new residential units".</p>	Section 5.0, p.21	<p><i>Modification agreed.</i></p> <p>SDC officers agree that the revised wording proposed by the Examiner would build-in the required flexibility to take account of any future review of the Council's 5 year housing land supply figure during the lifetime of the NDP and is required in order for the policy to meet the Basic Conditions test.</p> <p>[Note: There is a very minor wording change from Examiner's modification, at the beginning of the first sentence, as suggested by the Qualifying Body. SDC officers are content that this minor amendment does not alter the overall objective of the policy and is acceptable, since the policy still</p>	<p>Final paragraph of policy H1 to be amended to read:</p> <p><u>"In the event that</u> during the plan period the strategic housing allocation for the Neighbourhood Area increases, at any new residential development should be located to make best use of existing or planned infrastructure <u>or new infrastructure to accompany the new residential units</u> including easy access to public transport and the highways network."</p>

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		meets the Basic Conditions test in this amended form].	
Policy H1: Explanatory Text (p.23, para 5.3.11)			
<p>The supporting explanatory text should also include reference to:</p> <p>"...any development that is required, subsequent to a future housing needs assessment and that this should be located to make best use of public transport and highways that have capacity or potential to serve the new development".</p>	Section 5.0, p.22	<p><i>Modification agreed.</i></p> <p>SDC officers are in agreement with the Examiner that the proposed additional explanatory text is necessary to ensure compatibility with the policy and confirm that future development should be located in the most appropriate locations, to accord with the provisions of the NPPF and Core Strategy.</p> <p>Officers are content that the revised wording will ensure compliance with the Basic Conditions test.</p>	<p>Paragraph 5.16 amended to read:</p> <p>"New development will be focussed on the most sustainable locations within the Neighbourhood Area. <u>Any development that is required, subsequent to a future housing needs assessment and that this should be located to make best use of public transport and highways that have capacity or potential to serve the new development</u>".</p>
Figure 17: Alveston Village Built-Up Area Boundary (p.23, para 5.3.12)			
The Alveston BUAB unnecessarily cuts through land at Hillside and I concur that it should be redrawn to enclose the entire domestic garden	Section 12.0, p.158	<p><i>Modification agreed.</i></p> <p>SDC officers raised concerns at Reg.16 consultation stage that the built-up area boundary at</p>	Figure 17 [now <u>Figure 24</u> in the referendum version Plan] indicating the built-up area for Alveston has been amended to include the entire domestic garden associated with the property known as 'Hillside'. The Proposals Map [<u>Figure 3</u> in

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within the built-up area.		<p>the Hillside property had not been drawn in accordance with the criteria seemingly used for the remainder of the village, thus lacking consistency and introducing an arbitrary boundary line.</p> <p>SDC officers agree with the Examiner that the built-up area boundary should be re-drawn and are content with the Examiner's recommendation that the entire site be included within the village boundary, for consistency of approach and accuracy. Officers are of the opinion that the revised built-up area boundary ensures the policy and associated Figure comply with the Basic Conditions test.</p>	the referendum version NDP] has also been amended to take account of this modification.
Policy H2: Strategic Gaps (p.23, 5.3.15)			
Whilst I endorse the identification of the strategic gaps between Stratford-upon-Avon, Tiddington and Alveston and consider that they are reasonably clear on the	Figure 3, p.23	<p><i>Modification agreed.</i></p> <p>Whilst not a 'Basic Conditions' issue, SDC officers agree that the minor modifications to the aerial photograph proposed by</p>	Figure 3 [now <u>Figure 4</u> in the referendum version Plan] comprising an aerial photograph showing part of the strategic gap between Tiddington and Alveston, has been annotated to include road names.

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Proposals Map (Figure 2), the aerial photograph at Figure 3 is difficult to orientate for anyone not cognisant with the area. Modifications should be made so this is better annotated with road names and a compass north sign.		the Examiner will enable readers to better locate the strategic gap in the wider landscape.	
Policy H3: Development in the LSVs – Explanatory Text (p.23-24, para 5.3.16)			
I note the concern raised by some Regulation 16 parties over a perceived limit on housing numbers and advise that the accompanying text in paragraphs 5.19 and 5.20 is modified to replace "limits" and "provides for up to" with "identifies at least" and to remove the reference to "no minimum".	Section 5.0, p.24	<i>Modification agreed.</i> SDC officers agree with the Examiner in terms of the use of the term 'limits' and consider the explanatory text for Tiddington and Alveston villages must be brought in line with Policy CS.16 of the Core Strategy to ensure the necessary flexibility and confirm compliance with the Basic Conditions test.	Paragraph 5.19 [now <u>paragraph 5.21</u> in the referendum version NDP] has been amended to read: "Policy CS.16 of the Core Strategy <u>limits states that development in Tiddington to approximately should be 'no more than around' 113 dwellings (being 25% of approximately 450 houses allocated to Category 1 Local Service Villages) with no minimum.</u> This Neighbourhood Development Plan proposes that the allocation for Tiddington should be limited to windfall development and the specific sites indicated in Section 12 for the following reasons:" [N.B. The two associated bullet points will remain as originally drafted].

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Policy H3: Development in the LSVs – Explanatory Text (p.24, para 5.3.18)			
I am content that sufficient opportunity lies within the Alveston BUAB to address currently identified housing needs and that to support any further housing needs. However, I consider that the accompanying text to Policy H3 should either clarify a definition or provide a cross reference to 'windfall'.	Section 5.0, p.24	<i>Modification agreed.</i> Whilst not a 'Basic Conditions' issue, SDC officers agree that the modification proposed by the Examiner would ensure the reader has an opportunity to research the origins of the term 'windfall' in order to understand the premise of the policy associated policy.	Footnote 1 on p.26 of the referendum version of the NDP has been included to meet this request. The footnote confirms 'Windfall development' being defined in the Annex of the NPPF.
Policy H3: Development in the LSVs – Explanatory Text (p.24, para 5.3.19)			

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<p>The last two sentences of Paragraph 5.20 should also be modified as follows:</p> <p>"The position of this Neighbourhood Plan is therefore to support appropriate windfall development within the built-up areas boundary of Alveston and Tiddington. A further review of the District's 5-year housing supply may result in a need for additional housing land, when the BUAB for the two settlements will be reviewed".</p>	<p>Section 5.0, p.24</p>	<p><i>Modification agreed.</i></p> <p>Whilst not a modification proposed by the Examiner, the first two sentences of paragraph 5.20 have been amended to reflect the changes proposed by the Examiner for Tiddington (i.e. bringing text in line with Policy CS.16 of the Core Strategy to ensure flexibility and conform with associated policy). SDC officers agree that this amendment is appropriate and ensures conformity between paragraphs 5.19 and 5.20.</p> <p>SDC officers also agree with the modification to the final two sentences of paragraph 5.20 and confirm the revised wording would conform to associated Core Strategy policy and would ensure its compliance with the Basic Conditions test.</p>	<p>Paragraph 5.20 [now <u>paragraph 5.22</u> in the referendum version NDP] has been amended to read:</p> <p>"Policy CS.16 of the Core Strategy provides for up to states that development in Alveston should be 'no more than around' 32 houses in Alveston with no minimum (being 8% of approximately 400 homes allocated to Category 4 Local Service Villages). However, the majority of Alveston is a conservation area and there are a number of heritage assets within the village.</p> <p>The position of this Neighbourhood Development Plan is therefore only to support limited <u>appropriate</u> windfall development within the built up area boundary of Alveston <u>and Tiddington in accordance with Policy H5.</u> Any development must be consistent with Alveston's conservation area status.</p> <p>Paragraph 5.23 created to replace final sentence of paragraph 5.20 of the Submission version Plan:</p> <p><u>"A further review of the District's 5-year housing supply may result in a need for additional housing land, when the BUAB for the two settlements will be reviewed".</u></p>

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Policy H4: Use of Brownfield Land (p.24, para 5.3.20)			
<p>I concur with the EA and other Regulation 16 parties and advise that a further bullet point is added to this policy:</p> <p>“(d) New development will be designed to not exacerbate flood risk”.</p>	<p>Section 5.0, p.26</p>	<p><i>Modification agreed.</i></p> <p>This proposed modification relates back to the request of the Environment Agency to include reference to flood risk in appropriate policies within the Plan. SDC officers agree with the Examiner's request and concur that the modification will ensure the Policy meets the Basic Conditions test.</p>	<p>Policy H4 amended to read:</p> <p>“The redevelopment of brownfield land will be supported subject to the following criteria:</p> <ul style="list-style-type: none"> a) The new use would be compatible with the surrounding uses; b) Any remediation works to remove contaminants are satisfactorily dealt with; and c) The proposal would lead to an enhancement in the character and appearance of the site and would not result in the loss of any land of high environmental value; <u>and</u> d) <u>New development will be designed not to exacerbate flood risk.</u> <p>Proposals for development on greenfield land outside the built up area boundaries as defined on Figure 2 must clearly demonstrate specific and relevant circumstances to justify development before proposals will be looked upon favourably.”</p>
Policy H4: Use of Brownfield Land (p.24, para 5.3.21)			
<p>Little guidance is presented in the NDP as to what constitutes 'specific and relevant circumstances'. The decision whether development of</p>	<p>Section 5.0, p.26</p>	<p>As noted above, the final paragraph of the policy has been removed due to their being no national policy basis on which to underpin the</p>	<p>The final paragraph of the Policy has been omitted (see above) and Paragraph 5.24 [paragraph 5.21 of Submission version NDP] of Explanatory text has been amended to read:</p>

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<p>greenfield land outweighs its loss is a subjective one and therefore ambiguous. Hence, if the last sentence of this policy is to remain, it should be supported in the accompanying text by cross reference to national planning policy and/or guidance.</p>		<p>requirement. Officers agree with the Examiner that the term 'in preference to greenfield land' should also be removed from the explanatory text following deletion of the final paragraph of the policy.</p> <p>The term 'specific and relevant circumstances' has been retained within supporting text at para 5.24. Officers are content for this phraseology to remain as explanatory text, since it informs the reader of the importance of setting out circumstances for the release of greenfield land.</p> <p>As such, officers are content that the revised paragraph is acceptable and complies with the Basic Conditions test.</p>	<p>"This policy is designed to encourage and promote the reuse of brownfield land in preference to greenfield land. For greenfield land to be released for development, specific and relevant circumstances must be present which outweigh the harm caused through its loss".</p>

Examiner's Recommendation (incl. page and para number in her report)	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
Policy H5: Use of Garden Land (p.24-25, para 5.3.23)			
<p>This policy should clearly refer to new development requiring formal consent. Some development within the curtilage of a residence benefits from permitted development rights. As such the first line of the policy should be modified as follows:</p> <p>"Any development proposals that require formal consent, i.e. not deemed to be 'permitted' under the extant permitted development regulations or any replacement regulations, will be supported if they can demonstrate that they can.....".</p>	Section 5.0, p.28	<p><i>Modification agreed.</i></p> <p>SDC officers agree with the Examiner that the policy must be modified to acknowledge some forms of development can benefit from permitted development rights.</p> <p>This will ensure compliance with planning legislation and therefore ensure the policy meets the Basic Conditions test.</p>	<p>Policy H5 amended to read:</p> <p>"Development on garden land should only be permitted if it can be demonstrated that proposals meet the following criteria: Any development proposals that require formal consent, i.e. not deemed to be 'permitted' under the extant permitted development regulations or any replacement regulations, will be supported if they can demonstrate that they can:</p> <p>a) Preserve or enhance the character of the area; b) Are in accordance with Policy BE2 of this plan; c) Do not significantly impact on the amenities of neighbouring properties; and d) Provide satisfactory arrangements for access and parking; <u>and</u> e) <u>Development not causing new or exacerbating any existing flood risk."</u></p>
Policy H5: Use of Garden Land (p.25, para 5.3.24)			
<p>An additional criterion should refer to "development not causing new or exacerbating any existing flood risk".</p>	Section 5.0, p.28	<p><i>Modification agreed.</i></p> <p>This proposed modification relates back to the request of the Environment Agency to include reference to flood risk in appropriate policies within</p>	<p>Criterion e) added to Policy H5, as shown above.</p>

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		the Plan. SDC officers agree with the Examiner's request and concur that the modification will ensure the Policy meets the Basic Conditions test.	
Policy H5: Use of Garden Land (p.25, para 5.3.25)			
There is ambiguity as to whether this policy applies to all gardens across the NDP area, regardless of location within or beyond any BUAB. As written it is applicable across the whole Plan area. To be compliant with the Core Strategy, it should be modified to refer to gardens within the BUABs only.	Section 5.0, p.28	<i>Modification agreed.</i> SDC officers agree with the Examiner that the policy must be modified to confirm that it applies to residential land within BUABs only in order to comply with the Core Strategy and therefore meet the Basic Conditions test.	A new final paragraph has been added to Policy H5 to read as follows: <u>"For clarity, this policy applies to any garden land within the defined BUAB's only"</u> .
Policy H6: Affordable Housing (p.25, para 5.3.26)			
Reference is made to the monitoring of the ongoing provision of affordable housing throughout the plan period, and hence the implication is that the matter is to be considered, across the Plan area, but no indication is given as to how this will be done or by who. While	Section 5.0, p.29	<i>Modification agreed.</i> Reference to the Town Council being responsible for monitoring has been included within the policy to answer the Examiner's question. Whilst no mention has been made as to 'how' the monitoring will be	Final paragraph of Policy H6 amended to read: "The requirement for and provision of affordable housing within the Neighbourhood Area will continue to be monitored throughout the Plan period <u>by the Town Council</u> in order to ensure that the most up-to-date evidence is used to identify the current need. Such evidence will be used to inform the provision of affordable housing on

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not making the policy invalid, it would be helpful if this were clarified.		carried out, SDC officers do not consider this is a requirement of the policy. Since these amendments were not required in order for the policy to meet the Basic Conditions, the revision is deemed to be acceptable.	qualifying sites”.
Policy H6: Affordable Housing (p.25, para 5.3.27)			
<p>I consider that the evidence base supports the general approach taken but that a degree of flexibility needs to be introduced with its implementation. Hence, I recommend that the policy text at the second paragraph is replaced with:</p> <p>“In order to meet the specific needs of the Neighbourhood Plan area, affordable housing will be provided in general accordance with the following stock mix.....”</p>	Section 5.0, p.29	<p><i>Modification agreed.</i></p> <p>Whilst the Policy in the NDP adopts the thresholds and tenure provisions already set out in Core Strategy Policy CS.18, it adopts a different approach towards determining acceptable stock mixes on eligible sites.</p> <p>SDC officers agree with the Examiner that an element of flexibility is required in order to comply with the Core Strategy and to aid the implementation of the Policy. As such, SDC officers are content that the modification proposed by the Examiner would ensure the</p>	<p>Second paragraph of Policy H6 amended to read:</p> <p>“However, in <u>In</u> order to meet the specific needs of the Neighbourhood <u>Plan</u> Area, affordable housing will be provided with in general accordance with the following stock mix which accords with the ranges outlined in Policy CS.19 of the Core Strategy.”</p>

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		Policy meets the Basic Conditions test and must therefore be applied in this instance.	
Policy H6: Affordable Housing (p.25, para 5.3.28)			
<p>The policy refers to a cascade approach regarding the specific allocation of affordable homes. This implies a form of management, as opposed to land use or development of the stock. As such it should be removed from the main policy text and presented as accompany text in a redrafted form to 'encourage' the precedence of a local connection by any potential purchaser or occupier, as opposed to the enforcement of a strict allocation that a social provider may not be able to adopt.</p>	<p>Section 5.0, p.29</p>	<p><i>Modification agreed.</i></p> <p>SDC officers concur with the Examiner's view that this paragraph would be better positioned within the explanatory text rather than the policy, due to the cascade information relating to the management of the housing stock not relating to 'land-use' specifically.</p> <p>This modification will ensure the policy is compliant with national and local plan policy and is required in order for the policy and associated text to meet the Basic Conditions test.</p>	<p>Final paragraph of Policy H6 deleted:</p> <p>"Affordable homes will be allocated based on a cascade approach which will see those with a local connection prioritised over those living in adjoining parishes and those outside the district. A local connection will be established by those who have lived or worked in the Neighbourhood Area for at least 5 years, or whose parents or children live in the Neighbourhood Area and have been resident for at least 5 years".</p> <p>New paragraph <u>5.36</u> added to the Explanatory text as follows:</p> <p><u>"Affordable homes will be allocated based on a cascade approach but will see those with a local connection prioritised over those living in adjoining parishes and those outside the District. A local connection will be established by those who have lived or worked in the Neighbourhood Area for at least 5 years, or whose parents or children live in the Neighbourhood Area and have been resident for at least 5 years".</u></p>

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Policy H7: Market Housing (p.25-26, para 5.3.30)			
<p>The premise of part of this policy is to encourage a particular mix of market homes. However, as drafted, the policy assumes that land adjoining any development site might become available for development.</p> <p>An assumption that the land will come forward and hence capacity thresholds would be breached, could be deemed to be ultra vires and likely to be open to criticism and challenge.</p> <p>To avoid ambiguity, it is recommended that the second sentence of the first paragraph is deleted.</p>	Section 5.0, p.33	<p><i>Modification agreed.</i></p> <p>SDC officers agree with the Examiner that the policy cannot take account of potential development opportunities on adjacent sites when considering capacity thresholds, for the reasons stated in her report. Therefore, in the opinion of officers, the first paragraph must be modified as suggested by the Examiner in order for the policy to meet the Basic Conditions test.</p>	<p>First paragraph of Policy H7 amended to read:</p> <p>“Developments of 10 or more homes should seek to meet the requirements identified by current up-to-date evidence such as the Stratford-upon-Avon Housing Needs Survey. When considering these thresholds regard will be given to adjoining sites that would reasonably be expected to form a part of a larger development scheme”.</p>
Policy H7: Market Housing (p.25-26, para 5.3.31)			
If a requirement for 10% of any development site in excess of 20 units to comprise of bungalows, is to remain, it needs to be fully justified through cross reference to the Housing Needs Survey and	Section 5.0, p.33	<p><i>Modification agreed.</i></p> <p>SDC officers agree with the Examiner that without robust evidence, such a precise requirement for bungalows cannot be insisted upon within</p>	<p>Penultimate paragraph of paragraph H7 amended to read:</p> <p>“Developments of 20 or more homes should include homes designed for an ageing population through the provision of at least 10% of the total number as bungalows or other suitable</p>

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<p>reference made to the evidence base which supports both the need and the fact that housing for the elderly needs to be in bungalow form.</p> <p>I do not consider that such evidence is robust. Hence the reference to 'bungalows' should be presented as an example of one of a number of potential forms of suitable accommodation.</p>		<p>the policy. Therefore, the second paragraph needs to be modified as suggested by the Examiner to allow delivery through other potential forms of accommodation that would be able to perform the same task. It is considered this modification is required in order for the policy to meet the Basic Conditions test.</p>	<p><u>accommodation</u> unless there are site specific reasons why this would not be appropriate".</p>
<p>Policy H7: Market Housing (p.25-26, para 5.3.32)</p>			
<p>If applied on a site by site basis, the policy is overly rigid. A degree of flexibility should be given. Hence it would assist if the policy text at the second paragraph is replaced with:</p> <p>"In order to meet the specific needs of the Neighbourhood Plan area, market housing will be provided in general accordance with the following stock mix....."</p>	<p>Section 5.0, p.33</p>	<p><i>Modification agreed.</i></p> <p>The Examiner has made it very clear in her report that without this modification, policy H7 is not compliant and as such would does not meet the Basic Conditions test. Officers agree that the original drafting of the policy was too rigid and there needs to be a degree of flexibility introduced into the policy in order for it to meet the Basic Conditions test. Officers are content with the</p>	<p>Second paragraph of Policy H7 amended to read:</p> <p>"In order to meet the specific needs of the Neighbourhood <u>Plan</u> Area, market housing will be provided <u>in general accordance</u> with the following <u>stock mix, unless evidence indicates otherwise:</u>"</p>

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		wording supplied by the Examiner in this instance.	
Section 6.0: Employment (p.26, para 5.3.34)			
The introductory text to the employment policies refers in paragraph 6.7 to retail and leisure activity and while retail use classes are cited, it would consistent to also refer to D1 and D2 (leisure) uses.	Section 6.0, p.36	<i>Modification agreed.</i> SDC officers agree with this minor amendment, for clarification purposes and consistency. It is not considered to be a matter relating to compliance with the Basic Conditions test.	Paragraph 6.7 amended to read: "It is important to remember that retail and leisure activities associated with Use Classes A1, A3, A4, and A5, <u>D1</u> and <u>D2</u> are also a vital source of employment in the Neighbourhood Area but these are addressed in the Town Centre section of this Plan".
Section 6.0: Employment (p.26, para 5.3.36)			
I am advised that Clifford Park Business Centre lies within Clifford Chambers Parish and hence it is misleading to include this facility at paragraph 6.8 and in the associated table of sites. As noted above, it would also assist any reader if the employment sites noted in paragraphs 6.8 and 6.9 are indicated on a suitable map within the NDP.	Section 6.0, p.36	<i>Modification agreed.</i> SDC officers agree with the omission of Clifford Park Business Centre, since it lies outside the neighbourhood area. Officers also concur with the Examiner that the inclusion of a map indicating the location of the employment sites listed in the Employment Land Study would be helpful to the reader of the Plan. The map would be added for clarification purposes, not to meet the Basic Conditions test.	Clifford Park Business Centre has been removed from the table of Employment sites at paragraph 6.8 of the Plan. The remaining Significant Employment sites listed within the Employment Land Study (and replicated at paragraph 6.8 of the NDP) have been added to a new map [Figure 5]. The sites listed at paragraph 6.9 of the NDP have not been added to the map, since the map shows those sites listed in the Employment Land Study, only.

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Policy E1: Protecting Existing Employment Sites (p.26, para 5.3.37)			
<p>I recommend the addition of a further bullet point:</p> <p>“(g) New development that has the potential to increase flood risk, within areas identified as Flood Zone 3, should be accompanied by a deliverable flood risk strategy”.</p>	<p>Section 6.0, p.38</p>	<p><i>Modification agreed [in part].</i></p> <p>This proposed modification relates back to the request of the Environment Agency to include reference to flood risk in appropriate policies within the Plan.</p> <p>SDC officers agree with the Examiner that the issue of potential increased flood risk relating to development should be included, as per the Environment Agency's request. However, it is considered that the additional text would be better placed as a new final paragraph rather than an additional criterion. This is due to the fact that this element of the Policy should apply to all development, irrespective of criteria b) to f). Officers are content that this minor re-drafting will comply with the Examiner's modification and also ensure the Policy meets the Basic Conditions test.</p>	<p>New final paragraph added to Policy E1 to read:</p> <p><u>“New development that has the potential to increase flood risk, within areas identified as Flood Zone 3, should be accompanied by a deliverable flood risk strategy”.</u></p>

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Policy E2: Promoting New Employment Opportunities on the Outskirts of Town (p.27, para 5.3.38)			
<p>Reference to employment land allocation to the south of the Alcester Road is not well annotated on the Proposals Map. This should be addressed.</p> <p>Furthermore, reference to Atherstone Airfield is misleading, as this lies beyond the NDP area and should be expressed as such.</p>	<p>Section 6.0, p.40</p>	<p><i>Modification agreed.</i></p> <p>SDC officers agree with the Examiner that the Legend associated with Figure 3 should be amended to ensure a more accurate description of the site.</p> <p>Whilst not a specific instruction from the Examiner, SDC officers consider reference to Atherstone Airfield should be omitted from the Policy, since the site lies outside the neighbourhood area. This is consistent with the omission of Clifford Park Business Centre earlier in the section. These modifications guarantee accuracy, consistency and clarity and ensure the Policy meets the Basic Condition test.</p>	<p>The Legend on the Proposals Map [Figure 3 in the referendum version NDP] associated with allocated employment land in the town has been amended from 'SUA.1' to 'Strategic Allocation' since there is more than one site.</p> <p>The fourth paragraph of policy E2 has been amended to read:</p> <p>"Any additional site/s should be located north of the River Avon and have easy access to the A46. However, if a site south of the river, other than Atherstone Airfield (see Core Strategy Proposal SUA.4), were to be proposed, this Plan would only support such a proposal if coherent and significant road infrastructure changes were provided".</p>

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Policy E3: Promoting Employment Associated with Culture, Media and Tourism (p.27, para 5.3.39)			
<p>Culture, media and tourism related employment is promoted under Policy E3 but with no conditions. This appears very broad and hence I recommend that clarification is given through additional text in either the policy or as part of paragraph 6.15 which should refer to:</p> <p>"...subject to other relevant policies within the NDP relating to design, impact on the character of the area, infrastructure provision (including off road parking) and impact on neighbouring land users".</p>	Section 6.0, p.42	<p><i>Modification agreed.</i></p> <p>SDC officers are content with the modification proposed by the Examiner in that it provides greater clarity as to the policy considerations any development proposal will be assessed against. Officers consider the policy as amended meets the Basic Conditions test.</p>	<p>Policy E3 amended to read:</p> <p>"Proposals for cultural, media and tourism based services within the Neighbourhood Area will be supported <u>subject to other relevant policies within the NDP relating to design, impact on the character of the area, infrastructure provision (including off road parking) and impact on neighbouring land users.</u>"</p>
Policy E4: Work/Live Units (p.27, para 5.3.40)			
Paragraph 6.16 implies that work/live units would be suitable in rural locations as they are sustainable in terms of travel. There could be some	Section 6.0, p.43	<p><i>Modification agreed.</i></p> <p>SDC officers felt it was unclear in the Submission version NDP whether new build work/live</p>	<p>The first paragraph of Policy E4 amended to read:</p> <p>"Proposals for small scale work/live development (<u>comprising new build or conversion of property which does not benefit from permitted</u></p>

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<p>confusion further to Core Strategy Policy CS.22. Hence, I recommend that the first sentence of the policy clarifies this matter and confirms that:</p> <p>"Proposals for small scale work/live development (comprising new build or conversion of property which does not benefit from permitted development rights), comprising of workspace and living space, will be supported within the BUAB, providing that the proposed development meets the following criteria;..."</p>		<p>units were acceptable outside the Built-up Area Boundary, given that Core Strategy Policy CS.22 (paragraph 8) states they are not acceptable in such circumstances.</p> <p>The Examiner has proposed an amendment to the Policy to clarify this matter and ensure conformity with Core Strategy Policy CS.22. SDC officers are content with this modification and consider the amended policy meets the Basic Conditions test.</p>	<p><u>development rights</u>), comprising of workspace and living space, will be supported; <u>within the built-up area boundary so long as providing that</u> the proposed development meets the following criteria:"</p>
<p>Policy E4: Work/Live Units (p.27, para 5.3.41)</p>			
<p>I recommend the addition of two further bullet points [to Policy E4]:</p> <p>"(h) The proposals do not exacerbate flood risk and are supported by flood resilience measures (i) Proposals beyond the BUAB in countryside locations would need to present clear and</p>	<p>Section 6.0, p.43</p>	<p><i>Modification agreed.</i></p> <p>The proposed addition of criterion (h) relates back to the request of the Environment Agency to include reference to flood risk in appropriate policies throughout the NDP.</p> <p>The proposed addition of criterion (i) helps confirm the</p>	<p>Two new criteria added to the policy as follows:</p> <p><u>"(h) The proposals do not exacerbate flood risk and are supported by flood resilience measures</u></p> <p><u>(i) Proposals beyond the BUAB in countryside locations would need to present clear and sustainable justification, having regard to the criteria within NDP Policy H1".</u></p>

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sustainable justification, having regard to the criteria within NDP Policy H1".		<p>position relating to work/live units outside BUABs, thus ensuring clarity and consistency of approach in utilising the policy.</p> <p>SDC officers agree with the Examiner's requests in both instances and consider that the proposed modifications will ensure the Policy meets the Basic Conditions test.</p>	
Section 7.0: Town Centre (p.27-28, para 5.3.43)			
Core Strategy Policy CS.23 advises that further comparison goods retail floor space may be required post 2021. I concur with the LPA and agree that paragraph 7.4 of the NDP is therefore misleading and should be modified accordingly.	Section 7.0, p.45	<p><i>Modification agreed.</i></p> <p>At Reg.16 consultation, SDC officers commented that the explanation to Core Strategy Policy CS.23 made it clear that there may be a need to provide additional comparison goods floor space in the town after 2021 and felt this should be acknowledged in the NDP.</p> <p>The Examiner has agreed with the LPA on this point and confirmed that paragraph 7.4 should be amended to comply</p>	<p>Paragraph 7.4 amended to read:</p> <p>"No single initiative can assure strengthening prosperity. Rather a range of individual measures need to be taken together. They do not include substantial new shopping development other than in Bell Court, since the District Council's Core Strategy has clearly stated that there is no call for <u>further need to provide additional non-bulky comparison goods shopping within the town based on current trends until at least 2021</u>".</p>

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		with the provisions of the Core Strategy. Officers are satisfied that paragraph 7.4 has been amended in line with the explanatory text to Core Strategy Policy CS.23 and is acceptable in this regard.	
Policy TC1: Out of Town Centre Retail (p.28, para's 5.3.44 and 5.3.45)			
<p>I note that a more restrictive threshold of 300 square metres for comparison retail development, in the town centre, is proposed under this policy, when compared with the 1000 square metres threshold contained within the Core Strategy.</p> <p>Reference is made to 'local evidence' but no clear link to that evidence is presented or referenced in the NDP and furthermore the evidence before me is not conclusive. I have not been presented with [appropriate evidence] and hence find this policy non-compliant. I consider that Policy TC1 should be deleted.</p>	Section 7.0, p.53-54	<p><i>Modification agreed.</i></p> <p>SDC Officers consider this is a strategic issue, in that the NPPF and Policy CS.22 in the Core Strategy stipulate thresholds for when a retail impact is required. Officers do not consider there is logic to the 300 square metres threshold in the NDP policy, since there is no substantive evidence to support it.</p> <p>The LPA has been consistent in raising concern about this policy throughout engagement with the QB and NDP Steering Group and via consultation responses at Reg.14 and Reg.16 stages, due to the</p>	<p>Policy TC1 deleted:</p> <p>"All comparison retail development in excess of 300sqm (aggregate gross trading area) shall be located in Town Centre or edge of Town Centre locations unless it can be demonstrated by an independent retail study or other relevant evidence that there are exceptional circumstances to deviate from this approach or that the development will not adversely impact on the vitality and viability of the Town Centre".</p>

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		<p>approach being inconsistent with the Core Strategy.</p> <p>Officers consider there has been sufficient time during the preparation of the NDP to gather any appropriate evidence and it has not been forthcoming.</p> <p>For these reasons, officers agree with the Examiner that this policy does not meet the Basic Conditions test and should be deleted from the Plan.</p>	
<p>Policy TC2: Primary Shopping Frontages (p.28, para's 5.3.47 and 5.3.48)</p>			
<p>No clear document has been included to justify a threshold of 20% non-retail activity.</p> <p>This threshold does not accord with the relevant Core Strategy policy, is not in general conformity and no robust justification to deviate from this to the degree proposed has been presented. I consider that Policy TC2 should be deleted.</p>	<p>Section 7.0, p.54</p>	<p><i>Modification agreed.</i></p> <p>SDC officers consider this is a strategic issue, in that Policy CS.23 in the Core Strategy stipulates thresholds for retail use remaining the predominant activity in primary shopping streets.</p> <p>Officers do not consider there is logic to the 20% total</p>	<p>Policy TC2 deleted:</p> <p>"The following primary shopping frontages play a vital role in maintaining a competitive and vibrant Town Centre:</p> <ul style="list-style-type: none"> • Bridge Street • Henley Street (between Meer Street and Bridge Street) • High Street • Sheep Street (north side only) • Wood Street

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		<p>length' threshold in the policy, since there has been no substantive evidence supplied by the Qualifying Body to support it. The LPA has been consistent in raising concern about this policy throughout our engagement with the QB and NDP Steering Group and through consultation responses at Reg.14 and Reg.16 stages, due to the approach being inconsistent with the Core Strategy.</p> <p>Officers consider there has been sufficient time during the preparation of the NDP to gather any appropriate evidence and it has not been forthcoming.</p> <p>For these reasons, officers agree with the Examiner that this policy does not meet the Basic Conditions test and should be deleted from the Plan.</p>	<p>In order to preserve the vitality and viability of the Town Centre, non-retail uses at ground floor level within the primary shopping frontages shall not exceed 20% of the total length of the street frontage."</p>

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Policy TC4: Rother Street and Rother Market (p.29, para 5.3.51)			
<p>This policy includes reference to two bullet points 'promoting' activity. This is considered to be a management issue rather than a clear land use policy and the two bullet points should be repositioned in the accompanying explanatory text.</p>	<p>Section 7.0, p.58</p>	<p><i>Modification agreed.</i></p> <p>Officers agree with the Examiner that the first two bullet points of the policy as originally drafted were not land-use matters and as such needed to be removed from the policy in order for the policy to meet the Basic Conditions test.</p> <p>Officers are content that the bullet points removed from the policy can be added to the accompanying explanatory text.</p>	<p>Policy re-numbered Policy <u>TC2</u>.</p> <p>Bullet points associated with the Policy amended as follows:</p> <ul style="list-style-type: none"> • Promoting and expanding the traditional market use and its frequency; • Promoting the area as a place of public interest; • Improving the pedestrian environment by reducing street clutter and introducing soft landscaping; and • Permitting the sensitive conversion of existing buildings fronting Rother Street and Rother Market and new buildings designed sympathetically for complementary uses including hotels and restaurants. <p>Paragraph 7.26 in Explanatory text amended as follows:</p> <p>"The Rother Street market is popular and makes a positive contribution to life on the west side of the town where shopping use is weakest. <u>Promoting and expanding the traditional market use and its frequency and promoting the area as a place of public interest will be a high priority.</u>"</p>

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<p>Policy TC5: Greenhill Street and Arden Street Environmental Improvement Area (p.29, para 5.3.52)</p>			
<p>The second bullet point of this policy is aspirational and vague, thus ambiguous. It would be better repositioned as part of the supporting explanatory text and clarified with examples of potential reuse. The fourth bullet point refers to a Project which does not form part of the NDP and to avoid confusion, this bullet point should also be redrafted as part of the supporting text.</p>	<p>Section 7.0, p.60</p>	<p><i>Modification agreed.</i></p> <p>Officers are content that the re-drafted policy and associated explanatory text accords with the modifications requested by the Examiner. The modifications remove any ambiguity and references to aspirational projects and as such, officers are satisfied that the amended policy meets the Basic Conditions test.</p>	<p>Policy re-numbered Policy <u>TC3</u>.</p> <p>Bullet points associated with the Policy amended as follows:</p> <ul style="list-style-type: none"> • Restricting ground level uses to primarily shops (Class A1), cafés and restaurants (Class A3); <u>and</u> • Bringing back into use empty units with appropriate uses; • Controls over the display of advertisements in accordance with Policy BE8; and • Including the area within a Shop Fronts Design Guide in accordance with TC Project 4; <p>New final sentence added to paragraph 7.29 as follows:</p> <p><u>"Bringing back into use empty units with appropriate uses should be encouraged."</u></p> <p>Paragraph 7.30 amended as follows:</p> <p><u>"This policy is supported by TC Project 2 and TC Project 4."</u></p>

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Policy TC6: Rother Triangle Environmental Improvement Area (p.29, para 5.3.53)			
While the aspiration for a comprehensive large scale development is understandable, no definition of 'large scale' is provided. Given the nature of the Rother Triangle area, this should be addressed, as it is in Policy TC7.	Section 7.0, p.62	<i>Modification not agreed.</i> A footnote already existed for this policy, which set out the meaning of 'large-scale development'. This footnote was identical to the footnote relating to Policy TC7 of the Submission version NDP, which covered exactly the same issue. The Examiner was content with the footnote in association with Policy TC7. Since there is nothing to differentiate between the two policies in relation to their use of the term 'large-scale development' and the footnotes are identical for both, officers do not consider any further clarification or amendment is necessary.	Policy re-numbered Policy <u>TC4</u> . Foot note 8 exists for Policy <u>TC4</u> [as numbered in the referendum version Plan], providing the same definition of 'large-scale' as foot note 9 relating to Policy TC5 which the Examiner was content with.
Policy TC9: Homes in the Town Centre (p.29, para's 5.3.57 and 5.3.58)			
The conversion of upper floors above retail activity is already	Section 7.0, p.70	<i>Modification agreed.</i>	Policy re-numbered <u>TC7</u> and amended as follows:

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<p>allowed under permitted development rights (PDR). This can take place unconditionally. Hence, the additional requirement under TC9 to address parking provision is at risk of challenge and may be deemed to be ultra vires, given extant PDR provisions.</p> <p>It is recommended that this policy is amended accordingly and only refers to new build development that would require specific consent and be subject to conditions.</p> <p>Reference should also be made to new development that has the potential of exacerbating flood risk to be supported by flood resilience measures.</p>		<p>Officers are content that the re-drafted policy accords with the modifications requested by the Examiner. The inclusion of references to proposals that require planning permission overcome the Examiner's concerns that as originally drafted, the policy could be deemed ultra vires.</p> <p>The second modification takes account of the consultation request by the Environment Agency to ensure new development takes account of flood risk. With these modifications included, officers are satisfied that the policy meets the Basic Conditions test.</p>	<p><u>"Where planning permission is required,</u> Proposals for new homes within the Town Centre will be supported particularly where schemes involve the re-use of upper floors for accommodation.</p> <p>New build development must make appropriate provision for parking and proposals that involve the re-use of buildings, including upper floors, must demonstrate how parking has been taken into account.</p> <p><u>Where relevant, new development will be required to demonstrate that flood risk is not exacerbated."</u></p>
<p>Policy TC10: Promoting a Cultural and Learning Quarter (p.30, para 5.3.59)</p>			
<p>Reference to "courtyard" shopping within this policy is vague and is not defined. It is suggested that "courtyard" could be deleted.</p>	<p>Section 7.0, p.71</p>	<p><i>Modification agreed.</i></p> <p>Officers are content that the re-drafted policy removes any ambiguity and as such meets the Basic Conditions test.</p>	<p>Policy re-numbered <u>TC8</u>. Second paragraph of Policy amended as follows:</p> <p>"To the south side of Henley Street further sensitive courtyard shopping and cafes will be supported".</p>

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Policy TC10: Promoting a Cultural and Learning Quarter (p.30, para 5.3.60)			
<p>This policy appears to be very broad and it would benefit by reference in the policy or as part of paragraph 7.39 to:</p> <p>"...subject to other relevant policies within the NDP relating to design, provision of suitable infrastructure such as off road parking, and impact of adjacent land users".</p>	Section 7.0, p.71	<p><i>Modification agreed.</i></p> <p>Officers are content that the re-drafted policy provides helpful assessment criteria for any development proposed through this policy and as such meets the Basic Conditions test as amended.</p>	<p>First paragraph of Policy <u>TC8</u> [as re-numbered in the Referendum version Plan] amended as follows:</p> <p>"Development proposals which promote cultural or learning activities, including new public exhibition space, in Henley Street between Meer Street and Windsor Street will be supported <u>subject to other relevant policies within the NDP relating to design, provision of suitable infrastructure such as off road parking, and impact of adjacent land users.</u>"</p>
Policy TC11: New Conference Facilities in the Town Centre (p.30, para 5.3.61)			
<p>I recommend that reference be made, within the accompanying text, to the specific evidence base which supports the location of new conference facilities in these locations.</p>	Section 7.0, p.73	<p><i>Modification agreed.</i></p> <p>Officers are content that the additional explanatory text supplied by the Qualifying Body supports the location promoted by the policy for new conference facilities, as requested by the Examiner. As such, the revised text is acceptable and meets the Basic Conditions test.</p>	<p>Paragraph 7.33 [in the referendum version Plan] associated with Policy <u>TC9</u> [as re-numbered in the referendum version Plan] amended as follows:</p> <p>"Policy AS.1 of the Core Strategy identifies the desire for new conferencing facilities within the town. This Plan supports appropriate facilities in the Bridgeway and Rother Triangle areas <u>due to its central/accessible location and easy access to transport, interchanges, hotels and the town centre</u>".</p>

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Policy TC12: Shop Fronts (p.30, para's 5.3.62 to 5.3.64)			
<p>As TC Project 4 is not a formal policy of the NDP, cross reference in the text of Policy TC12 should be removed and added as supporting text instead.</p> <p>Some Regulation 16 parties have commented on the dated nature of some of the evidence base. However, I am conscious of the comments raised through the consultation process and the clear wishes of the community regarding the setting of new development within the town centre.</p> <p>I consider that policy TC12 should remain but that it should be modified as follows:</p> <p>"All new shop fronts or changes to existing shop fronts should be in keeping with the supplementary guidance found within the Stratford upon Avon High Street Study (2005) and</p>	<p>Section 7.0, p.73</p>	<p><i>Modification agreed.</i></p> <p>Officers accept the Examiner's rationale for her proposed amendments and are content that the re-drafted text 'future proofs' the policy in relation to new guidance. It also removes reference to other policy deleted from the NDP through the examination process.</p> <p>Officers consider the revised policy and associated amended explanatory text at paragraph 7.41 comply with the Examiner's modifications and as such ensures the policy meets the Basic Conditions test.</p>	<p>Policy re-numbered <u>TC10</u>. Policy amended to read:</p> <p>"All new shop fronts or changes to existing shop fronts should meet the following criteria:</p> <p>a) In keeping with the supplementary guidance set down in the Stratford upon Avon High Street Study11;</p> <p>b) Consistent with any Shop Front Design Guide produced as part of TC Project 4;</p> <p>c) Consistent with Policy BE8 on advertisements;</p> <p>and</p> <p>d) Sympathetic with any heritage designation.</p> <p><u>All new shop fronts or changes to existing shop fronts should be in keeping with the supplementary guidance found within the Stratford-upon-Avon High Street Study (2005) and any relevant replacement guidance that will have been the subject of public consultation.</u></p> <p><u>Any new shop fronts or changes to existing facades should have regard to all statutory heritage designations."</u></p> <p>Paragraph 7.41 has been amended to include the following additional sentence:</p>

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<p>any relevant replacement guidance that will have been the subject of public consultation.</p> <p>Any new shop fronts or changes to existing facades should have regard to all statutory heritage designations".</p>			<p>"Proposals should be consistent with any Shop Front Design Guide produced as part of TC Project 4."</p>
<p>Section 8.0: Built Environment and Design</p>			
<p>Policy BE1: Creating a Strong Sense of Place (p.31, para 5.3.68)</p>			
<p>I recommend the replacement of "expected" with "encouraged" in the first sentence of this policy.</p>	<p>Section 8.0, p.83</p>	<p><i>Modification agreed.</i></p> <p>The Examiner has not explained her reasoning for the modification or stated whether the amended text is necessary to meet the Basic Conditions test. However, given that other similar amendments have been proposed throughout the Examiner's report, it is safe to assume that the change has been proposed to build in some 'flexibility' as required by the national and local policy. As such the inference is that the modification would be required</p>	<p>First paragraph of policy BE1 amended to read:</p> <p>"All developments must demonstrate a high standard of design and layout. All large-scale developments will be expected <u>encouraged</u> to achieve this through the following ways:"</p>

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		<p>to meet the Basic Conditions.</p> <p>The Examiner has been consistent throughout her report in this regard [i.e. changing instructions such as 'expected' or 'must' to 'encourage'] and since the NPPF states that "planning should operate to encourage and not act as an impediment to sustainable growth", officers consider this proposed modification is required in order to comply with higher level policy and as such meet the Basic Conditions test. The Examiner's modification must be applied in this instance.</p>	
Policy BE3: Master Planning (p.31, para 5.3.70)			
<p>The need for large scale development to take into account 'potential future development on adjacent sites' can introduce the potential for planning blight and could result in development being restrained.</p>	<p>Section 8.0, p.85</p>	<p><i>Modification agreed.</i></p> <p>Officers agree with the Examiner's assessment of the final sentence of the second paragraph and the potential implications if it were not removed from the Policy. Given its negative connotations,</p>	<p>Second paragraph of Policy BE3 amended as follows:</p> <p>"The Master Plan/Contextual Plan must take account of committed and potential future development on adjacent sites so as to provide a degree of future-proofing both within the context of wider site and within the context of existing infrastructure. For example a development should</p>

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I consider this may be a challengeable matter and I recommend that last sentence in the second paragraph of this policy is relocated to the explanatory text.		officers agree that the sentence needs to be omitted in order for the policy to meet the Basic Conditions test.	not compromise future development opportunities on adjacent sites within the Environmental Improvement Areas identified in this Plan".
Policy BE3: Master Planning (p.31, para 5.3.71)			
It is unclear why the accompanying explanatory text at paragraphs 8.17 and 8.18 refer to 'design codes' when the text of the policy refers to 'master plans and contextual plans'. It is considered this may have been oversight from a previous draft version of the NDP but, in any event, should be addressed.	Section 8.0, p.86	<i>Modification agreed [in part].</i> The policy itself relates to large-scale developments and as such officers agree that reference to Master Plans and Contextual Plans is entirely appropriate. The Examiner has requested the omission of reference to design codes in the two paragraphs of associated explanatory text, on the understanding these references have been retained in error from a previous draft Plan. However, the paragraphs in question make it clear that design codes can supplement Master Plans [a factual statement] and design codes are encouraged for "small-scale developments", which	Paragraph 8.18 [previously paragraph 8.17] amended as follows: "A Master Plans can also be supplemented by design codes, which are is a set of illustrated design rules and requirements, which instruct and advise on the physical development of a site or area. The graphic and written components of the code are detailed and precise, and build upon a design vision such as a master plan or other design and development framework for a site or area. It serves as a quality benchmark for the whole development, but need not be overly prescriptive". Paragraph 8.19 [previously paragraph 8.18] amended as follows: "Design codes and Master Plans will also be encouraged for smaller scale developments particularly especially where there is a particular sensitivity affecting the site".

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		could also be perfectly reasonable, depending on site specific circumstances. Officers are content with the amendments made by the Qualifying Body and consider the amendments as set out in this schedule are acceptable and meet the Basic Conditions test.	
Policy BE3: Master Planning (p.31, para 5.3.72)			
The thresholds cited in Policy BE3 need to be better explained and reference made to the evidence base.	Section 8.0, p.85	<i>Modification agreed.</i> Officers are content that the modifications set out in the heavily revised paragraph 8.15 [see next column] satisfy the Examiner's requirement to better explain both the rationale behind the Master Planning process and when such a regime would be appropriate, or not. The modifications ensure compliance with the Basic Conditions test.	Paragraph 8.15 amended as follows: " <u>Small-scale developments of around 10 homes do not normally need master planning. However, large-scale developments can often benefit from such an exercise. Due to their increased complexity, developments of 25 or more usually require consideration of the wider context due to the scale of land and numbers of homes involved and therefore should be informed by a masterplan. Such schemes often require joined up thinking to achieve high quality results. The master planning process enables this to be at the forethought of design from concept to build-out.</u> "

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Policy BE3: Master Planning (p.31, para 5.3.73)			
The footnote (15) appears to refer to wrong Core Strategy policy and should be amended.	Section 8.0, p.85	<i>Modification agreed.</i> Amendment required for accuracy and clarity, only.	Footnote 15 amended to refer to Core Strategy Policy CS.26, not CS.25.
Policy BE4: Design Review Panels (p.32, para 5.3.75)			
<p>This policy refers to the role of a Design Review Panel which has not yet been constituted.</p> <p>It is currently an aspirational proposal and as such should be identified as such in a green box and not presented as a formal policy of the NDP.</p>	Section 8.0, p.87	<p><i>Modification agreed.</i></p> <p>The Examiner is very clear in her report that she considers the creation of a Design Review Panel is aspirational and not 'land-use'. SDC officers have been consistent in raising the same concern about this policy throughout our engagement with the Qualifying Body and NDP Steering Group and through formal consultation responses at both Reg.14 and Reg.16 stages.</p> <p>Officers agree with the Examiner that the policy should be deleted from the NDP, since it does not meet the Basic Conditions test.</p>	<p>Policy BE4 deleted:</p> <p>"Developments of a significant or sensitive nature will be expected to go through a local design review process once a Design Review Panel has been established. The comments of the Design Review Panel or similar panel of experts will be a material consideration in the determination of all applications.</p> <p>The use of a Design Review Panel will be necessary for smaller scale developments where there is a particular sensitivity affecting the site.</p> <p>The decision as to whether or not a development will be referred to the Design Review Panel should be established at pre-application stage to avoid unnecessary delays."</p> <p>Paragraphs 8.20 and 8.21 from Explanatory text of Submission version NDP merged to create new project:</p>

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		<p>Officers are also content for the policy to be re-designated as a project in the Plan, since it is a clear aspiration of the Qualifying Body to establish a Review Panel in order to improve the quality of development in the neighbourhood area through improved expert analysis of planning proposals.</p>	<p><u>"Project BE1 – Design Review Panels</u></p> <p><u>This Neighbourhood Development Plan supports the formation of a local Design Review Panel made up of members with experience in architecture, conservation and planning disciplines, amongst others. The formation, monitoring and membership of the Design Review Panel will be under the stewardship of the Town Council in consultation with the District Council.</u></p> <p><u>The overall function of the Design Review Panel will be to make recommendations for enhancing the quality of proposed development in the Neighbourhood Area to reflect the overall scale and grain of the town and its surrounding environs and to ensure that new design is sympathetic.</u></p> <p><u>Developments of a significant or sensitive nature Large-scale developments will be expected to go through a local design review process once a Design Review Panel has been established. The comments of the Design Review Panel or similar panel of experts will be a material consideration in the determination of all applications.</u></p> <p><u>The use of a Design Review Panel may be necessary for smaller scale developments where there is a particular sensitivity affecting the site.</u></p>

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			<u>The decision as to whether or not a development will be referred to the Design Review Panel should be established at pre-application stage to avoid unnecessary delays."</u>
Policy BE4: Design Review Panels (p.32, para 5.3.76)			
<p>The reference to "significant or sensitive" in the supporting text is subjective and vague. I recommend that paragraph 8.22 should provide more effective explanatory text and guidance and either it refer to "significant" as opposed to "large scale" or the aspiration proposal refer to "large scale".</p>	<p>Section 8.0, p.87</p>	<p><i>Modification not agreed.</i></p> <p>Paragraph 8.22 does not use the word 'significant' as suggested by the Examiner. The word 'sensitive' is used to describe landscape designations [such as Conservation Areas] and locations [i.e. edge of settlement]. Such areas can be sensitive to inappropriate development and officers do not agree with the Examiner that the term is subjective and vague. Retaining paragraph 8.22 as drafted does not render the policy or the explanation unacceptable and does not result in either failing to meet the Basic Conditions test. As such, no changes have been made.</p>	<p>New <u>BE Project 1</u> [previously policy BE4] has removed reference to 'significant and sensitive' development and instead refers to 'large-scale development' in order to tie-in with the explanatory text at paragraph 8.22. No changes have been made to paragraph 8.22.</p>

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<p>Policy BE6: Design Quality (p.32-33, para's 5.3.78 and 5.3.79)</p>			
<p>The policy should only remain within the NDP if the last four paragraphs are removed and rewritten as explanatory text with a modified tone of "encouragement", as opposed to strict adherence, e.g. replacing "shall be" and "must" with "will be" and "is encouraged to".</p> <p>I suggest that the replacement text [in the policy] should read:</p> <p>"Developers are encouraged to meet the highest design standards unless it can be demonstrated that it is not viable and/or technically feasible to do so or where other evidence has demonstrated high sustainable performance in accordance with recognised industry standards".</p>	<p>Section 8.0, p.89</p>	<p><i>Modification agreed.</i></p> <p>Officers consider that the amended wording proposed by the Examiner is consistent with similar changes of this nature recommended throughout her report.</p> <p>Officers agree that the Examiner's modification ensures the policy meets the Basic Conditions test and is therefore necessary in this instance.</p>	<p>Policy re-numbered as Policy <u>BE5</u>.</p> <p>Final paragraph of the Policy amended to read as follows [first two paragraphs remain as originally drafted]:</p> <p><u>"Developers are encouraged to meet the highest design standards unless it can be demonstrated that it is not viable and/or technically feasible to do so or where other evidence has demonstrated high sustainable performance in accordance with recognised industry standards.</u></p> <p>All new residential and non-residential gross floor space (including extensions) over 40sqm shall be designed to meet at least the BREEAM 'Excellent' standard.</p> <p>Up until 2020, in all developments of 10 or more dwellings or flats, at least 25% of all units must be built in accordance with the Lifetime Homes Standard 2010 (or as subsequently revised). From 2020, all dwellings must meet the Lifetimes Homes Standard.</p> <p>Evidence of compliance with the BREEAM and Lifetime Homes Standard as set out in this policy must be submitted as part of any application and</p>

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			<p>its implementation secured through an appropriately worded condition.</p> <p>Favourable consideration will be given to housing development proposals that can demonstrate evaluation against Building for Life 2012 (BfL 12) with all criteria achieving a 'Green' score. Developments which include a 'Red' or 'Amber' score against any criterion must be justified in the Design and Access Statement or other supporting statement."</p>
<p>Policy BE6: Explanatory Text (p.32, para 5.3.80)</p>			
<p>While the NDP can propose thresholds, these need to have been justified with clear evidence. Accordingly, it is considered more appropriate to "encourage" the attainment of Breeam excellence in extant accompanying paragraphs 8.26 through to 8.30.</p>	<p>Section 8.0, p.90</p>	<p><i>Modification agreed.</i></p> <p>SDC officers agree with the Examiner's stance of 'encouragement' as opposed to 'will' and 'must' in order to provide a more 'flexible' approach to adhere to national policy. This is consistent with a number of similar modifications the Examiner has suggested elsewhere in her report. The modifications will ensure compliance with the Basic Conditions test.</p>	<p>New text added at <u>paragraph 8.25</u> of the referendum version Plan:</p> <p><u>"In order to meet the highest design standards, developers should provide evidence of compliance with the BREEAM 'Excellent' standard and up until 2020 at least 25% of all dwellings/flats are to be built in accordance with Lifetime Homes Standard 2010 (or as subsequently revised). From 2020, all dwellings/flats are encouraged to meet the Lifetimes Homes Standard."</u></p> <p>New text added at <u>paragraph 8.26</u> of the referendum version Plan:</p> <p><u>"Favourable consideration will be given to housing development proposals that can demonstrate</u></p>

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			<p><u>evaluation against Building for Life 2012 (BfL 12) with all criteria achieving a 'Green' score. Developments which include a 'Red' or 'Amber' score against any criterion must be justified in the Design and Access Statement or other supporting statement."</u></p> <p>Revised text at paragraph 8.29 of the referendum version Plan:</p> <p>"New residential and non-residential gross floor space over 40square metres will usually comprise a significant extension to an existing building or a moderately sized new building and therefore the BREEAM standards should apply <u>are encouraged in these circumstances."</u></p>
Policy BE6: Explanatory Text (p.32, para 5.3.81)			
While possibly a typographical error, the footer cross references 20 and 21 may have been miss-allocated.	Section 8.0, p.90	<i>Modification agreed.</i> Amendment to correct a drafting error only. This is not a Basic Conditions matter.	Footer references 20 and 21 have been re-allocated to fit with the explanatory text.
Policy BE8: Advertisements (p.33, para's 5.3.84 and 5.3.85)			
No distinction is made in this policy between traffic signage and advertisements that would in any event be subject to	Section 8.0, p.93	<i>Modification agreed.</i> The Examiner's concerns clearly point to a policy that is	Delete Policy BE8: "New advertisements, including signposts, should be kept simple and modest in order to preserve

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<p>statute addressing advertisement control and the salient statutory regulation.</p> <p>I consider that at best this policy adds little to existing statutory regulations and at worst, introduces restrictive constraints that are ultra vires. As such I see little reason to include Policy BE8 within the NDP and it can be omitted.</p>		<p>non-compliant with other national and local policy and therefore by default fails to meet the Basic Conditions test.</p> <p>Officers agree with the Examiner in this regard and as such, the policy should be deleted from the referendum version Plan as per the Examiner's modification.</p>	<p>the special historic and architectural qualities of the Neighbourhood Area and in particular in the Town Centre.</p> <p>The following principles should be applied to signage in the Town Centre:</p> <p>a) Replacing dilapidated signage; b) Keeping new signage to a minimum in order to avoid clutter and repetition; and c) Creating and following a consistent design for all signage in the Neighbourhood Area and the Town Centre.</p> <p>Advertisements will be strictly controlled in conservation areas and on listed buildings in order to preserve the amenity and physical fabric of the heritage asset.</p> <p>The size, colour, choice of materials and number of advertisements on a shop or business premises must not adversely affect the amenity of the area.</p> <p>Internally illuminated signs will not normally be permitted in the conservation area. If illumination is necessary it should be sympathetic and via an appropriate external source.</p> <p>Advertisements which adversely affect highway safety or pedestrian movement will not be permitted."</p>

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			<p>Delete associated paragraphs 8.37 and 8.38 [as listed in the Submission version Plan]:</p> <p>"Advertisements and public signage play an important role in promoting commerce and supporting local businesses in the Neighbourhood Area. The appropriate use of them can complement buildings and premises. However, excessive or inappropriate advertisements or signage can have a significant impact on the visual amenity of the area.</p> <p>Within commercial parts of the Neighbourhood Area, the street scene is often dominated by advertisements. Clutter by excess signage with inconsistent design and shop fronts often fails to respect the building on which they are placed".</p>
<p>Policy BE9: Supplementary Guidance (p.33-34, para's 3.5.87 and 3.5.88)</p>			
<p>As written, the policy implies that various design guidance is adopted policy and must be strictly followed. This is not the case. Supplementary Planning Documents are advisory or guidance documents only.</p> <p>I recommend the policy is modified to include an opening sentence as follows:</p>	<p>Section 8.0, p.94</p>	<p><i>Modification agreed.</i></p> <p>Officers are content that the re-drafted policy clearly sets out the role of design guidance and confirms that their use can only be encouraged, not insisted upon.</p> <p>Officers therefore agree that the re-worded policy in</p>	<p>Policy re-numbered <u>BE7</u> [due to deletion of Policies BE4 and BE8] and amended to read:</p> <p><u>"Relevant development proposals within the Neighbourhood Area are encouraged to have regard to the The following design guidance documents, and their any successors in title, will be taken into account when determining all relevant development proposals in the Neighbourhood Area:</u></p>

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<p>“Relevant development proposals within the Neighbourhood Plan area are encouraged to have regard to the following design guidance documents, and any successors in title;”</p> <p>The last sentence should be amended to:</p> <p>“Development proposals will be expected to explain how this guidance has been addressed or provide an explanation to the contrary”.</p>		<p>accordance with the Examiner's modification meets the Basic Conditions test and is acceptable.</p>	<p>a) The character appraisals contained within the Stratford-upon-Avon Town Design Statement; b) The Alveston Village Design Statement 2015; and c) The Stratford-upon-Avon High Street Study</p> <p>Development which clearly fails to accord with the policies and recommendations contained in the Alveston Village Design Statement and the Stratford-upon-Avon High Street Study will be resisted. Development proposals will be expected to explain how this guidance has been addressed or provide an explanation to the contrary”.</p>
<p>Policy BE9: Explanatory Text (p.34, para 5.3.89)</p>			
<p>Paragraph 8.39 should be modified to read:</p> <p>“Supplementary guidance provides an important complement to this Plan”.</p>	<p>Section 8.0, p.94</p>	<p><i>Modification agreed.</i></p> <p>The Examiner's modification is necessary to acknowledge that advisory or guidance documents do not carry substantial weight in decision making, as originally drafted. This amendment is required to ensure conformity with policy guidance and meet the Basic Conditions test.</p>	<p>Paragraph 8.39 amended to read:</p> <p>“Supplementary guidance provides an important complement to this Plan and should be given substantial material weight in decision making.”</p>

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Policy BE9: Explanatory Text (p.34, para 5.3.90)			
<p>The text at paragraphs 8.42 and 8.43 refers to a 'Local Design Guide' and a 'Shop Fronts Design Guide' which are both aspirational documents, yet to be produced. I recommend that this needs better explanation to avoid confusion.</p>	<p>Section 8.0, p.94-95</p>	<p><i>Modification agreed.</i></p> <p>The Examiner's modification asks for the explanatory text to be more accurate in informing readers that the guidance documents do not currently exist and are therefore aspirational. Officers agree with this recommendation. This is an issue of clarification, not Basic Conditions compliance.</p> <p>In the view of officers, paragraph 8.43 satisfactorily indicates to readers in the Submission version Plan that the Shop Fronts Guide is aspirational. Therefore, no amendment is deemed necessary.</p>	<p>Paragraph 8.42 amended to read:</p> <p>"The creation of a <u>new</u> Local Design Guide would <u>which could</u> be led by the local Design Review Panel with assistance from other partners / contributors <u>will be encouraged</u>. One of the functions of the Local Design Guide would <u>could</u> be to provide guidance on the development of particular proposals within this Neighbourhood Development Plan such as the Canal Regeneration Zone and the Environmental Improvement Areas."</p> <p>Paragraph 8.43 has not been amended.</p>

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Policy BE10: Designated Heritage Assets (p.34, para 5.3.91)			
Reflecting the evidence submitted, a map indicating Stratford upon Avon's Historic Spine should accompany this Policy and reference in the 3rd paragraph of the policy should replace "preserve" with "protect" to comply with NPPF.	Section 8.0, p.95	<p><i>Modification agreed.</i></p> <p>Officers are content that the minor modification to the policy ensures compliance with the NPPF and therefore confirms it meets the Basic Conditions test.</p> <p>Officers agree that the introduction of a map to accompany the policy will be informative for the reader of the Plan.</p>	<p>Policy re-numbered <u>BE8</u>.</p> <p>Third paragraph of policy amended to read:</p> <p>"All proposals must as a minimum preserve <u>protect</u> the important physical fabric and settings of listed buildings and ancient monuments".</p> <p>A new map showing the towns Historic Spine has been included at <u>Figure 13</u>.</p>

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Policy BE11: Replacement Dwellings (p.34, para 5.3.92)			
<p>I note strong representations made by the EA and recommend that the first paragraph of the policy is modified to read:</p> <p>“Proposals for replacement dwellings must respect the character and appearance of the locality. Particular importance is placed on sensitive sites such as those within conservation areas or affecting the setting of listed buildings or lying in areas susceptible to flooding”.</p>	<p>Section 8.0, p.98</p>	<p><i>Modification agreed.</i></p> <p>Officers are content that the re-drafted policy takes account of the consultation response of the Environment Agency and as such ensures the policy takes full account of the construction of replacement dwellings in areas susceptible to flooding. Therefore, the proposed modification ensures the amended policy is in conformity with national and local plan policy and meets the Basic Conditions test.</p>	<p>Policy re-numbered <u>BE9</u>.</p> <p>Amend the first paragraph of the Policy to read:</p> <p>“Proposals for replacement dwellings must respect the character and appearance of the locality. Particular importance is placed on sensitive sites such as those within conservation areas or affecting the setting of listed buildings <u>or lying in areas susceptible to flooding</u>”.</p>

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Policy BE11: Explanatory Text (p.34, para 5.3.93)			
The accompanying text should be expanded to include reference to proposals to replace existing dwellings in any identified floodplain, and that these will need to be accompanied by a Flood Risk Assessment prepared in accordance with extant EA guidelines.	Section 8.0, p.98	<i>Modification agreed.</i> The Examiner's modification provides explanatory text to accompany the associated Policy BE9 [as it is numbered in the referendum version Plan]. Officers agree with the modification and are of the opinion the new text ensures it meets the Basic Conditions test	Insert new paragraph [8.49 in referendum version of the Plan] to read as follows: "Proposals to replace existing dwellings in any identified floodplain will need to be accompanied by a Flood Risk Assessment prepared in accordance with extant Environment Agency guidelines".
Policy BE11: Explanatory Text (p.34, para 5.3.94)			
The supporting text appears to be judgmental in terms of a property owner's preference to do what they wish with their own property. I recommend that the third sentence within paragraph 8.48 should be removed and the last sentence be modified to read: "All new replacement dwellings will be encouraged to enhance design and create a sustainable living environment".	Section 8.0, p.98	<i>Modification agreed.</i> SDC officers highlighted concerns with the Examiner that the original draft of the paragraph stifled personal choice. Nowhere in National policy does it state that you cannot replace an unlisted dwelling just because it is in good condition. The Examiner agreed with these concerns and the proposed modifications remove	Amended paragraph 8.48 to read as follows: "This policy is designed to facilitate the renewal of the existing housing stock with appropriate replacements. It is not intended to overly restrict people's freedom and expression of interest in design and layout. However, it is important to recognise the role of sustainability by ensuring that good quality habitable dwellings are not simply demolished to meet a personal preference or desire. In this respect, all All new replacement dwellings will be expected encouraged to enhance design and create a more sustainable living environment in the longer term. "

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		these restrictive elements from the explanatory text. Officers agree with the amendments and confirm the changes ensure compliance with the Basic Conditions test.	
Policy BE12: Conversion and Re-Use of Buildings – Explanatory Text (p.34, para 5.3.95)			
Acknowledgement should be given in the supporting text that some reuse and conversion development will be allowed under permitted development rights.	Section 8.0, p.99	<i>Modification agreed.</i> Officers are content that the additional sentence confirming the existence of permitted development rights ensures the associated policy and explanatory text is in conformity with planning policy and guidance and therefore meets the Basic Conditions test.	Paragraph 8.50 [as numbered in the referendum version NDP] to be amended to read: "The conversion and reuse of buildings, particularly derelict ones, assists in the regeneration of the built environment especially where there are environmental enhancements. This also assists in the delivery of windfall sites. <u>In many cases the conversion and re-use of buildings falls within permitted development rights.</u> "

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Policy BE13: Empty Homes and Spaces (p.34, para 5.3.96)			
Elements of this policy repeat elements of Policy TC9 and in any event duplicates permitted development rights. As such the last sentence of the second paragraph is superfluous and should be omitted.	Section 8.0, p.99	<i>Modification agreed.</i> Officers are content that the minor modification to the policy proposed by the Examiner ensures it will comply with planning policy and guidance and therefore meets the Basic Conditions test.	Policy re-numbered <u>BE11</u> . Second paragraph amended as follows: "Proposals which seek to utilise vacant plots and buildings will be looked upon favourably providing there are no adverse environmental impacts and the new use is compatible with the existing neighbouring uses. Particular support will be given to the reuse of vacant upper floors above shops within the Town Centre for residential use. "
Section 9.0: Natural Environment.			
Policy NE1: Local Nature Reserves (p.35, para 5.3.99)			
My concern is that as written, the reference to 'local wildlife sites' being designated as Local Nature Reserves is not site-specific and is aspirational. As such, I consider the second sentence of Policy NE1 as too general, and it should be omitted. Hence the last sentence should be modified to refer to:	Section 9.0, p.102	<i>Modification agreed.</i> Whilst the evidence base for this policy included advisory documentation from Natural England (as the relevant statutory body), the Examiner concluded that it did not constitute robust evidence to support local wildlife sites being designated as Local nature Reserves and the	Policy NE1 amended as follows: "This Plan supports the designation of Bridgetown Woodland and Meadows as a Local Nature Reserve (see Figure 11) by the District Council. This Neighbourhood Development Plan supports the designation of other areas as Local Nature Reserves, particularly existing local wildlife sites. Proposals which would adversely affect the environmental quality of these areas will not be

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<p>"Proposals which would adversely affect the environmental quality of Local Nature Reserves or Local Wildlife Sites will be resisted".</p>		<p>modifications were proposed to remove the 'aspirational' element of the policy. Officers agree with the reasons set out by the Examiner and are of the opinion that the amendments to the text will ensure the policy complies with the Basic Conditions text.</p>	<p>supported. Proposals which positively enhance or contribute to the environmental quality of these areas will be supported <u>Local Nature Reserves or Local Wildlife Sites will be resisted.</u>"</p>
<p>Policy NE2: River Avon Biodiversity Corridor (p.35, para 5.3.100)</p>			
<p>I recommend that an additional reference is made to flood risk and the first sentence of the policy be modified as follows:</p> <p>"Proposals within the Flood Zone of the River Avon will be required to show that they will not damage the river's role as a biodiversity corridor, linkages between the river and other important biodiversity sites, or increase flood risk...."</p>	<p>Section 9.0, p.105</p>	<p><i>Modification agreed.</i></p> <p>The modification of this policy takes account of text recommended by the Environment Agency to make reference to flood risk in relevant/appropriate policies throughout the NDP. Officers agree with this modification and concur that the amendment ensures the policy meets the Basic Conditions test.</p>	<p>First paragraph of policy NE2 to be amended to read:</p> <p>"Proposals within the Flood Zones of the River Avon will be required to show that they will not damage the river's role as a biodiversity corridor or linkages between the river and other important biodiversity sites, <u>or increase flood risk.</u>"</p>

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Policy NE2: River Avon Biodiversity Corridor (p.35, para 5.3.100)			
Additionally, flood zones 1, 2, 3a and 3b should be identified on a suitable map within the NDP.	Not Applicable. New maps requested.	<i>Modification agreed.</i> Whilst not a Basic Conditions matter, officers agree that the introduction of a map is helpful to the reader of the Plan and consider the modification to the appropriate.	A new map showing Flood Zones 2 and 3 associated with the River Avon through the town has been added at <u>Figure 15</u> on p.110 of the referendum version Plan.
Policy NE3: Trees and Hedges (p.35-36, para's 5.3.101 to 5.3.103)			
<p>In the first sentence, I recommend that "expected to protect mature healthy trees and hedges...." be replaced with "encouraged to protect all trees and hedges....".</p> <p>References to specific British Standards should be accompanied by the phrase "or as subsequently revised or replaced".</p> <p>I recommend that amendments to the last sentence are made as follows:</p>	Section 9.0, p.106	<i>Modification agreed.</i> The modification looks to ensure some flexibility in the application of the policy, taking account of the fact that the majority of trees are not protected by any statutory designation. It also ensures the policy is 'future proofed' by allowing compliance with revised standards. Finally, it looks to promote appropriate landscaping in relevant circumstances. Officers are content with these	Policy amended as follows: "All new development will be expected <u>encouraged</u> to protect mature healthy <u>all</u> trees and hedges where appropriate, as per BS 5837: 2012 Trees in relation to design, demolition and construction <u>or as subsequently revised or replaced</u> . Where this is not appropriate, new trees and hedges should be planted to replace those lost. Most new developments should incorporate appropriate new tree and hedge planting of a suitable size and species in their plans. The new hedge or shrub planting should be implemented as per the recommendations in BS 4428:1989 Code of practice for general landscape operations and any new tree planting should be carried out in

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<p>“Relevant new development proposals will be expected to demonstrate that they have, where possible, had regard to appropriate sustainable landscaping, to avoid later retrofitting of poor quality or token landscape design”.</p>		<p>amendments and consider they ensure the policy meets the Basic Conditions test.</p>	<p>accordance with BS 8545:2014 Trees from nursery to independence in the landscape <u>or as subsequently revised or replaced</u>.</p> <p><u>Relevant new All developments proposals will need be expected to demonstrate how that they have, where possible, had regard to appropriate sustainable landscaping, been landscape led in order to avoid later retrofitting of poor quality or token landscape design”.</u></p>
<p>Policy NE4: Sites of Special Scientific Interest (p.36, para 5.3.104)</p>			
<p>This policy adds nothing to the extant controls over development within Sites of Special Scientific Interest, associated with existing statutory protection. As such the policy is superfluous and should be omitted from the NDP.</p>	<p>Section 9.0, p.107</p>	<p><i>Modification not agreed.</i></p> <p>Whilst SDC officers acknowledge the Policy as written within the NDP does not add any value to existing national and local policy control over SSSI's, equally the policy does not contravene any such controls. As such, SDC officers are content to support the Qualifying Body in retaining the policy and they can find no harm in the policy being retained. Officers consider it meets the Basic Conditions Test and shows the importance of such protection at a local level.</p>	<p>Policy NE4 retained as drafted, as set out below:</p> <p>“Development within the Racecourse Meadow SSSI will be strictly controlled.</p> <p>Development which would fail to preserve or enhance the historic and scientific interest of this asset will need to demonstrate public benefit which clearly outweighs that harm”.</p>

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NE Project 1 – Neighbourhood Area Biodiversity Action Plan (p.36, para 5.3.107)			
I see no problem with including such aspirations within the NDP as they clearly reflect the consultations undertaken with statutory parties and the community. However, I recommend that clear explanatory text is added to avoid any doubt on the part of a reader that these projects are not a formal part of the NDP.	Section 9.0, p.108	<i>Modification agreed.</i> Officers are content with the introductory wording added to the start of each section of aspirational projects within the referendum version of the Plan. This is not considered to be a Basic Conditions matter.	Additional explanatory text added as follows: <u>"Although this project is not binding in the same way as the policies contained within this Plan, it relates to a matter which has been highlighted during public consultation as being important to residents."</u>
Policy INF1: Protecting and Enhancing Education Facilities (p.37, para 5.3.111)			
I consider the word "Levy" may have been omitted from the last line and should be added.	Section 10.0, p.113	<i>Modification agreed.</i> Modification required in order to rectify an editing error, only.	Third paragraph amended to read: "Qualifying developments will be expected to contribute to the enhancement of education facilities in accordance with Community Infrastructure <u>Levy</u> Regulations".

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Policy INF2: New Educational Facilities (p.37, para 5.3.112)			
I recommend that cross reference is made to the evidence base supporting this policy.	Section 10.0, p.114	<i>Modification agreed.</i> SDC officers are content that the introduction of new paragraph 10.19 together with new footnote 27 in the referendum version Plan comply with the Examiner's modification request and ensure the policy meets the Basic Conditions test.	Additional Explanatory text added [<u>paragraph 10.19</u>], as follows: " <u>The Welcombe Hills School has recently taken supplementary accommodation to cater for an increase in numbers following a study. The Board of Governors has now been consulted as a Special Needs Academy Trust. A further assessment will be conducted which will potentially lead to a new facility south of the River Avon which will be supported by this Plan.</u> "
Policy INF4: Promoting New Health Care Provision (p.37, para 5.3.114)			
As an observation, it is unclear why specific direction is given within Policy INF3 to the location of new education facilities south of the river, but a similar direction for an adequate provision of doctor's surgeries south of the river is only referred to in the supporting text of Policy INF4.	Section 10.0, p.115	<i>Modification agreed.</i> The Qualifying Body have taken on board the Examiner's observation of seeming inconsistency between policies INF3 and INF4 and introduced wording to Policy INF4, accordingly. This was not a modification requested in order for the policy to meet the basic Conditions test. However,	Policy INF4 amended as follows: "In order to meet the demands of an increasing population, new healthcare facilities may need to be provided within the Neighbourhood Area, <u>particularly south of the River Avon</u> . Such new facilities will be supported providing they do not conflict with adjoining land uses".

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		officers are content with the revised wording to this policy and consider it appropriate to include. In the opinion of officers, the re-worded policy meets the Basic Conditions test.	
Policy INF5: Honeybourne Rail Link (p.37, para 5.3.116)			
I find this policy compliant but would be assisted by inclusion of a location map.	Section 10.0, p.123	<i>Modification agreed.</i> Officers agree that the inclusion of a map of the route assists the reader in interpreting the policy. It is not considered to be a Basic Conditions matter.	A new map showing safeguarded rail corridor has been added at <u>Figure 16</u> on p.128 of the referendum version Plan.
Policy CLW3: Protecting and Enhancing Existing Open Spaces (p.38, para 5.3.120)			
As presented, (A) of this policy could relate to development on or in the vicinity of the specified Local Green Spaces (LGS). If the latter, then the policy is constraining given other policies within the NDP which address design matters. A proactive approach is considered more	Section 11.0, p.131	<i>Modification agreed.</i> The modification requested by the Examiner was a subtle amendment to ensure the emphasis related to the assessment of potential development on the specified sites of LGS only and not the	Final paragraph of Section A of Policy CLW3 to be replaced as follows: "Development that would harm the openness or special character of a Local Green Space or its significance and value to the local community will not be permitted unless there are very special circumstances which outweigh the harm to the Local Green Space".

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<p>appropriate and the policy should be modified to read:</p> <p>"Development on any Local Green Space that would harm its openness or special character or its significance and value to the local community will not be permitted unless there are very special circumstances which outweigh the harm to the Local Green Space. Development in the immediate vicinity of any designated Local Green Space will be encouraged to show how it enhances the character or setting of that Local Green Space".</p>		<p>immediate vicinity of these sites.</p> <p>Officers agree with this amendment and consider it is required in order for the policy to comply with the NPPF and ensure it meets the Basic Conditions test.</p>	<p><u>"Development on any Local Green Space that would harm its openness or special character or its significance and value to the local community will not be permitted unless there are very special circumstances which outweigh the harm to the Local Green Space. Development in the immediate vicinity of any designated Local Green Space will be encouraged to show how it enhances the character or setting of that Local Green Space"</u>.</p>
<p>Policy CLW3: Protecting and Enhancing Existing Open Spaces (p.38, para 5.3.122)</p>			
<p>Sites LGS1, LGS2 and LGS3 each comprise two 'elements'. I consider that individual elements of the respective sites should be clearly identified.</p>	<p>Figure 12a, p.133</p>	<p><i>Modification agreed.</i></p> <p>Officers concur with the Examiner that each LGS site should be individually listed, both within the policy and on the associated map. Whilst not a Basic Conditions matter, this modification will ensure clarity</p>	<p>A revised map [Figure 17 on p.160 of the referendum version Plan] has been created; clearly identifying all designated Local Green Spaces as individual sites.</p>

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		for all readers/users of the NDP.	
Policy CLW3: Protecting and Enhancing Existing Open Spaces (p.38, para 5.3.123)			
<p>I note that objection has been raised by Regulation 16 parties to the inclusion of the main area of land comprising Site 4, in that it is private ownership. In itself, public ownership is not a criterion for compliance and the identification of the main area of land is appropriate.</p> <p>From a pragmatic perspective I accept that the inclusion of two smaller areas of private amenity land (to the rear of 30, 32 and 34 Shottery) may have been included in error and should be removed from the allocation. On this basis I concur that the main element of LGS4 (minus the smaller private landed interests), LGS5 and LGS6 are appropriate designations.</p>	Figure 12a, p.133	<p><i>Modification agreed.</i></p> <p>Investigations during the Examination determined that a small triangular piece of land to the south west corner of LGS site No.6 [site No. 4 in the Submission version NDP] was in separate ownership to the remainder of the site and the inclusion of the land within the designation was objected to by the landowners in question.</p> <p>The land was clearly not part of Shottery Fields, which was the subject of the original designation, and as such officers agree that this parcel of land should be omitted as per the Examiner's modification, for the reasons she has specified. Officers concur that the revision ensures the LGS designation</p>	The revised map at Figure 17 of the referendum version Plan has been amended to exclude two small parcels of private amenity land outside Shottery Fields from site LGS6.

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		complies with paragraph 77 of the NPPF and therefore meets the Basic Conditions test.	
Policy CLW3: Protecting and Enhancing Existing Open Spaces (p.38, para 5.3.124)			
<p>Sites LGS1 and LGS3 should be split into their two distinct sites and appropriately referenced and designated. Similarly, the northern element of LGS2 should be designated.</p> <p>However, the larger southern tract of LGS2 is extensive and given the evidence presented does not comply with paragraph 77 of NPPF and paragraph 015 of the PPG (ID37-015).</p>	Figure 12a, p.133	<p><i>Modification agreed.</i></p> <p>Officers concur with the Examiner that each LGS site should be individually listed, both within the policy and on the associated map. Whilst not a Basic Conditions matter, this modification will ensure clarity for all readers/users of the NDP.</p> <p>SDC officers submitted comments to the Examiner that raised concern that the southern parcel of LGS2 [as listed in the submission version NDP] failed to comply with the criteria set out in paragraph 77 of the NPPF, due to it being an extensive tract of land. The Examiner has agreed with this assessment and has requested the land to the south of Trinity way to be omitted from the policy.</p>	<p>The revised map at <u>Figure 17</u> of the referendum version Plan has been amended to split sites LGS1 and LGS2 into their distinct parts and referenced appropriately. LGS1 is now LGS1 and LGS2; LGS3 is now LGS4 and LGS5.</p> <p>The larger, southern element of site LGS2 (south of Trinity Way) has been omitted and the remaining parcel of this designation has been re-numbered LGS3.</p>

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		Officers contend that this modification will ensure the policy's compliance with the NPPF and ensure that the policy meets the Basic Conditions test.	
Policy CLW3: Protecting and Enhancing Existing Open Spaces (p.38, para 5.3.125)			
I consider it would be more appropriate to identify each individual site on a more appropriate scaled site plan / map. In this way LGS5 would be more appropriate identified.	Not Applicable. Request for new map.	<p><i>Modification agreed [in part].</i></p> <p>Site LGS5 [now listed as LGS7 in the referendum version Plan] is more clearly defined and labelled on the revised Figure 17 and whilst it has not been identified on a separate map, officers are content that the site is now identifiable and as such the map is acceptable without further amendment.</p> <p>New maps have been included in the referendum version NDP to better illustrate all the areas of Open Space listed in part B of Policy CLW3 and are considered acceptable by officers. Neither of these is considered to be Basic Conditions matters.</p>	<p><u>Figure 17</u> amended to take account of Examiner's modifications, but retained as one map, not several maps.</p> <p>However, the opportunity has been taken to improve Figure 12b of the Submission version Plan showing Open Spaces [as listed in Policy CLW3] at a scale more appropriate to view the small sites clearly. To this end, new Figures 18a, 18b and 18c have been inserted on pages 141 and 142 of the referendum version Plan.</p>

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Policy CLW4: Open Space and Play Areas within New Development (p.39, para 5.3.127)			
The references to "10 homes or more" and "1 Ha" are misleading. If the latter is to be the reference point, then a suitable density would be 25 units or more. I consider that the threshold would be clearer if it simply referred to 10 homes or more.	Section 11.0, p.135	<i>Modification agreed.</i> Officers agree with the Examiner that there is a conflict between the two listed thresholds of 10 dwellings and 1 Ha, which would lead to differing interpretation of the policy. For clarity and consistency, SDC officers are content that the policy be modified in accordance with the Examiner's suggestion. This will ensure the policy is compliant with higher level policies and therefore meets the Basic Conditions test.	First paragraph of Policy CLW4 amended to read: "Developments of 10 homes or more or 1ha or more will be expected to provide on-site open spaces including play areas in accordance with the minimum ratio of green space to population as set out in the Stratford-on-Avon District Council Open Space, Sport and Recreation Assessment update to the PPG17 2011 Study - September 2014. Wherever possible, these open spaces should connect with other open spaces to provide a network of corridors or Green Infrastructure".
Policy CLW5: Walking and Cycling Routes (p.39-40, para 5.3.129)			
The second paragraph of this policy requires action that may concern land beyond any developer's control. It should be modified to read:	Section 11.0, p.139	<i>Modification agreed.</i> The paragraph as originally drafted was very rigid and had no flexibility to take account of schemes where it would be	Second paragraph of Policy CLW5 amended to read: "New development must <u>should</u> demonstrate how walking and cycling opportunities have been incorporated and <u>where possible</u> how these

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<p>"New development should demonstrate how walking and cycling opportunities have been incorporated and where possible how these connect to existing routes".</p>		<p>unnecessary or inappropriate to insist upon such measures. SDC officers agree that the modification proposed by the Examiner allows for that flexibility and ensures the policy will meet the basic Conditions test.</p>	<p><u>connect</u> connections made to existing routes".</p>
<p>Policy CLW5: Walking and Cycling Routes (p.39-40, para 5.3.130)</p>			
<p>The third paragraph of this policy should be modified to read:</p> <p>"Proposals which adversely affect existing walking and cycling routes will not be supported. Encouragement is given to proposals that incorporate appropriate new walking and cycling opportunities".</p>	<p>Section 11.0, p.139</p>	<p><i>Modification agreed.</i></p> <p>The paragraph as originally drafted was very rigid and had no flexibility to take account of schemes where it would be unnecessary or inappropriate to insist upon such measures. SDC officers agree that the modification proposed by the Examiner allows for that flexibility and ensures the policy will meet the basic Conditions test.</p>	<p>Third paragraph of Policy CLW5 amended to read:</p> <p>"Proposals which either adversely affect existing walking and cycling routes <u>will not be supported.</u> <u>Encouragement is given to proposals that</u> or fail to incorporate appropriate new walking and cycling opportunities will not be supported".</p>

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Policy CLW5: Walking and Cycling Routes (p.39-40, para 5.3.131)			
The reference to "development should not reduce the physical or visual amenity currently enjoyed by public route users" is ultra vires in that under English law, no one, either using their private land or using public land, has the right to a view. The reference to "visual amenity" should therefore be removed.	Section 11.0, p.139	<i>Modification agreed.</i> SDC officers agree with the Examiner's assessment and proposed modification to remove mention of 'visual amenity'. This is necessary in order to ensure the policy complies with national planning guidance and meets the Basic Conditions test, for the reasons set out by the Examiner.	Final paragraph of policy CLW5 amended to read: "Development should not reduce the physical or visual amenity currently enjoyed by public route users".
Policy CLW5: Explanatory Text (p.40, para 5.3.132)			
Paragraph 11.34 refers to 'Research' but no evidence base reference is given and hence this is considered vague and improved reference to the evidence base for this policy should be considered.	Section 11.0, p.140	<i>Modification agreed.</i> The Qualifying Body has not provided evidence to support reference to 'research' on this issue. They have made a minor editorial change to the paragraph to turn it into a statement of fact rather than rely on one specific document to underpin the text.	Paragraph 11.34 amended to read: " Research shows <u>There is</u> a direct correlation between vehicle speeds and the severity of accidents involving pedestrian and cyclists. Walking and cycling can be made safer and prioritised by reducing the speed limit in the Town Centre and residential areas to 20mph and 10mph past schools at drop off and pick up times".

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		Officers are content with this minor modification and consider it satisfies the Examiner's request.	
Policy CLW6: Stratford Leisure Centre (p.40, para 5.3.133)			
Figure 1 is difficult to read because of its scale. It would be better to refer to a more appropriate plan at a better scale, so the Leisure Centre can be identified.	Section 11.0, p.141	<i>Modification agreed.</i> Whilst not a Basic Conditions matter, officers agree with the Examiner that the introduction of a map pinpointing the location of the Leisure Centre within the town would be helpful to the reader of the Plan. The modification is considered appropriate.	A new map has been created to show the location of the Leisure Centre. <u>Figure 19</u> has been inserted at p.150 of the referendum version Plan.

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<p>Policy CLW7: Allotments and Growing Space (p.40, para 5.3.135)</p>			
<p>The reference in the last section of the policy to the provision of gardens of “at least 40 square metres to serve 2 bedroom houses and 60 square metres to serve 3+ bedroom houses” conflicts with paragraph 59 of the NPPF which advises against the use of tight prescriptive design policy.</p> <p>If this element is to remain as part of the policy, it needs to be fully explained and the evidence base clearly referenced or it be redrafted to refer to encouragement given to the “provision of garden land to serve new residential properties that could allow for private horticulture”.</p>	<p>Section 11.0, p.142</p>	<p><i>Modification agreed.</i></p> <p>SDC officers raised concern over the original wording of this Policy through the Reg.16 consultation. Officers therefore agree with the Examiner that the policy set out in the Submission version Plan fails to comply with the provisions of the NPPF and as such fails to meet the basic Conditions test.</p> <p>However, officers are content that the modifications proposed by the Examiner remove the unacceptable prescriptive elements of the policy but in transferring the elements relating to ‘design’ to the explanatory text allow the Plan to set out the parameters of the policy. The revised policy and explanatory text are therefore deemed to meet the Basic Conditions test.</p>	<p>Final paragraph of Policy CLW7 amended to read as follows:</p> <p>“Private and secure gardens of at least 40sqm for new 2 bedroom houses and 60sqm for new 3+ bedroom houses must be provided in order to facilitate individual homeowners with the opportunity to grow their own food. Provision of garden land of a sufficient size to serve new residential properties that could allow for private horticulture will be encouraged where possible. Where appropriate and necessary, CIL receipts gained from flatted developments will be used towards the provision of new and enhancement of existing community allotments”.</p> <p>New paragraph 11.44 included in Explanatory text:</p> <p><u>“In order to provide home owners with the opportunity to grow their own food, private and secure gardens of around 40 square metres for new 2 bedroom houses and 60 square metres for new 3+ bedroom houses will be encouraged.”</u></p>

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Policy CLW7 – Explanatory Text (p.40, para 5.3.136)			
The explanatory text at paragraph 11.44 refers to "Research commissioned by the previous Government" but with no other clarification. I consider this to be vague and should be fully referenced.	Section 11.0, p.142	<i>Modification agreed.</i> New Footnote 29 has been added to p.151 of the referendum version Plan confirming the source of the research. Officers are content this accords with the Examiner's modification and is sufficient to allow the explanatory text to remain.	New footnote [in relation to paragraph 11.44 but known as paragraph 11.45 in the referendum version of the Plan] has been included with reference to research on allotment numbers, as requested by the Examiner: https://www.gov.uk/government/news/new-powers-for-the-green-fingered-to-protect-allotments
Policy CLW8: Reducing Levels of Air, Noise and Water Pollution (p.41, para 5.3.140)			
I consider that neither the policy nor the accompanying text adds to the Core Strategy policies and hence they can be omitted.	Section 11.0, p.146	<i>Modification not agreed.</i> Whilst SDC officers acknowledge the Policy as written within the NDP does not add any value to existing national and local policy in relation to matters of pollution, equally the policy does not contravene any such controls. As such, SDC officers are content to support the	Policy CLW8 retained as drafted by Qualifying Body: "Where appropriate, development proposals will be required to demonstrate how measures to minimise the impact of pollution have been considered. Proposals which would give rise to unacceptable levels of air, noise or water pollution will be resisted".

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		Qualifying Body in retaining the policy and find no harm in the policy being retained. Officers consider the policy meets the Basic Conditions Test and it shows the importance of such protection at a local level.	
Policy CLW9: Encouraging Local Generation of Renewable and Low Carbon Energy (p.41, para 5.3.141)			
I consider that this policy and accompanying text adds little to the Core Strategy policies and hence they can be omitted.	Section 11.0, p.147	<p><i>Modification not agreed.</i></p> <p>Whilst SDC officers acknowledge the Policy as written within the NDP does not add any value to existing national and local policy in relation to matters of renewable energy, equally the policy does not contravene any such controls.</p> <p>As such, SDC officers are content to support the Qualifying Body in retaining the policy and find no harm in the policy being retained. Officers consider the policy meets the Basic Conditions</p>	<p>Policy CLW9 retained as drafted by Qualifying Body:</p> <p>“Proposals for maximising opportunities to install renewable and low carbon energy systems will be sought.</p> <p>Proposals which seek to establish new or expand or adapt existing renewable energy facilities will be supported providing:</p> <ol style="list-style-type: none"> 1) There are no adverse impacts on the landscape or character of the area; and 2) There would be no adverse impacts on neighbouring uses”.

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		Test and it shows the importance of such protection at a local level.	
Policy SSB1: Canal Quarter Regeneration Zone (p.41, para's 5.3.142 to 5.3.143)			
<p>There is some concern on the part of Regulation 16 parties as to the accurate reference to the height of new development, particularly following the design analysis commissioned by the LPA and which appears to have been used by the QB.</p> <p>I consider that the policy could be modified at (b) to encourage property up to 4 storeys and advise that development taller than this will require specific and clear justification.</p>	Section 12.0, p.149	<p><i>Modification agreed.</i></p> <p>SDC officers agree with the Examiner on this matter. The wording as set out in the Submission version NDP was at odds with the associated wording set out in the Canal Quarter Supplementary Planning Document (SPD). Officers are content that the revised wording will ensure conformity with the SPD and will also ensure that the policy as a whole will meet the Basic Conditions test.</p>	<p>Criterion b) of Policy SSB1 to be amended as follows:</p> <p>"b) New development along the canal would be primarily residential, of no more than 4 stories of <u>up to four storeys in height unless there is specific and clear justification</u>, with some supporting mixed uses;"</p>
Policy SSB2: Stratford-upon-Avon Employment Allocation (p.41-42, para's 5.3.144 to 5.3.149)			
I concur with Regulation 16 parties in terms of development for the site needing to be viable and advise that criteria (a)	Section 12.0, p.152	<p><i>Modifications agreed.</i></p> <p>SDC officers agree with all the modifications proposed by the</p>	<p>Policy SSB2 amended to read as follows:</p> <p>"The allocation of approximately 25 <u>23</u> hectares of Class B1 employment land south of the Alcester</p>

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<p>should reflect paragraph 96 of NPPF and make reference to "where feasible and viable".</p> <p>I consider that the use of the word renewal in (a) may be a typographic error in place of "renewable" as used in paragraph 12.12.</p> <p>I note the representations regarding access and recommend that criteria (d) is rephrased as:</p> <p>"Safe access and egress from the Wildmoor roundabout, western relief road or other suitable location, supported by the County Highway Authority".</p> <p>I recommend that the policy should also make specific reference to Figure 15 and the accompanying explanatory text at paragraph 12.12 should "encourage" the use of a range of renewable technologies as opposed to making these a requirement.</p>		<p>Examiner in relation to this policy – some of which are to ament typographical or factual errors; others of which are to take account of third party representations; and finally to create appropriate flexibility to encourage renewable technologies rather than impose their requirement.</p> <p>Officers also agree with the associated modifications to the Explanatory text in order to encourage the use of renewable technologies in new developments, as opposed to insisting upon them in all instances.</p> <p>Officers are of the opinion that these modifications will ensure that the revised Policy and explanatory text as set out in the Referendum version of the Plan will meet the Basic Conditions test.</p>	<p>Road (A46) west of the Wildmoor roundabout as defined in Proposal SUA.2 of the Core Strategy will be supported (<u>see Figure 15 22</u>).</p> <p>Development on this site will only be supported if it can be demonstrated that the following requirements are met:</p> <p>a) A high quality design utilising the most up to date technologies in building construction and renewal <u>renewable</u> technology <u>where feasible and viable</u>;</p> <p>b) A high quality landscape led layout incorporating extensive screening which takes account of the sensitive landscape in which the site is located;</p> <p>c) A sensitive external lighting scheme designed to minimise light pollution;</p> <p>d) Safe access and egress from the Wildmoor roundabout or the western relief road <u>or other suitable location supported by the Highway Authority</u>;</p> <p>e) Use of a high quality palet <u>palette</u> of external materials which have regard to the sensitive rural location; and</p> <p>f) Green travel measures are provided throughout the lifetime of the development including enhanced links with existing public transport.</p> <p>This policy supports the use of Design Codes <u>high quality design</u> and Master Planning in accordance</p>

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<p>There is reference to design codes, but this may be an oversight and included in error from draft versions of the NDP. Cross reference is made to Policies BE3 and BE4. Further to my comments above regarding these policies, appropriate amendments should be made.</p> <p>I note that the Qualifying Body has suggested that the site area should be amended to 22Ha and the LPA have recalculated this to be 23Ha. I advise that a consensus view be taken, and an accurate area is confirmed.</p> <p>I note the typographic error with "pallet/palette" and, as noted earlier, the need for Fig 15 to be accurate.</p>			<p>with Policy BE3 in consultation with the <u>any</u> Design Review Panel in accordance with Policy BE4 <u>BE Project 1.</u>"</p> <p>Paragraph 12.12 Explanatory text amended as follows:</p> <p>"The use of renewable technologies such as biomass, ground source heating and green roofs; and the management of surface water runoff through the provision of sustainable drainage solutions such as permeable parking areas and water recycling will be required <u>encouraged</u> in accordance with Policies BE6 <u>BE5</u> and CLW9".</p>
<p>Policy SSB3: Tiddington Fields (p.42, para 5.3.150 to 5.3.152)</p>			
<p>Criteria (c) should be redrafted to "encourage" local occupation as opposed to making this a pre-requisite.</p> <p>Given the extant outline</p>	<p>Section 12.0, p.155</p>	<p><i>Modifications agreed.</i></p> <p>In accordance with the Examiner's previous comments on a cascade approach for policy H6, the specific</p>	<p>The set of criteria associated with Policy SSB3 amended as follows:</p> <p>a) Approximately 60 dwellings on the northern part of Tiddington Fields; and b) A mix of market homes which accords with</p>

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<p>permission for this site which does not restrict the height of new development, it is considered that criteria (d) is a form of retrofitting design parameters and should be removed.</p> <p>The County Highways Authority has no formal policies relating to off road parking. As such "...in accordance with Warwickshire County Council adopted standards" should be removed.</p>		<p>allocation of affordable homes implies a form of management, as opposed to land use or development of the stock. As such, officers agree with the Examiner that criterion c) should be removed from the main policy text and presented as accompanying text.</p> <p>Officers also agree that the explanatory text should also be drafted to "encourage" the precedence of a local connection by any potential purchaser/occupier as opposed to the enforcement of a strict allocation that a social provider may not be able to adopt. The text has been amended in order for it to form a proper sentence. Just transferring the criterion as originally written did not read well.</p> <p>SDC officers concur with the Examiner that criterion d) is unacceptable given the current planning status on the site and also agree that any reference to WCC parking standards</p>	<p>Policy H7 of this Plan; and</p> <p>e) Affordable housing which prioritises the needs of Tiddington residents who have lived or worked in the village for at least 5 years, or whose parents or children live in the village and have been resident for at least 5 years³²; and</p> <p>d) A maximum height of 2 stories, with a design and density appropriate to this rural village location; and</p> <p>e) <u>c) Adequate private outdoor amenity space for all homes; and</u></p> <p>f) d) Adequate off-road parking provision in accordance with Warwickshire County Council adopted standards <u>having regard to the size of the dwelling; and</u></p> <p>g) e) Suitable communal open space and children's play areas appropriate to the size of the development, with soft landscaping and tree screening appropriate to this edge of settlement countryside location.</p> <p>Criterion c) moved to Explanatory text at paragraph 12.18 of the referendum version NDP and amended to read:</p> <p><u>"Development on this site will be expected to deliver affordable housing which prioritises encourages the priority of the needs of Tiddington residents who have lived or worked in the village for at least 5 years, or whose parents or children live in the village and have been resident for at</u></p>

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		<p>need to be removed from the policy, given these do not exist.</p> <p>Subject to all these modifications, officers consider the policy will meet the Basic Conditions test.</p>	<p><u>least 5 years</u>".</p>
<p>The reference at footnote (31) to the planning consent is understood to be wrong and should read 15/02057/OUT.</p>	<p>Section 12.0, p.155</p>	<p><i>Modification agreed.</i></p> <p>Officers agree that Footnote 31 needs to be amended in order to quote the correct planning application number. This is not a Basic Conditions matter.</p>	<p>Planning application reference in footnote 31 amended to read: "15/02507/OUT <u>15/02057/OUT</u>".</p>
<p>Section 5.5: Plan Delivery, Implementation, Monitoring and Review (p.43, para 5.5.1)</p>			
<p>While reference is made in Section 1 of the NDP to a review of the Plan every 5 years, little explanation of this is provided. Similarly, no clear reference is made to the implementation of the Plan or its monitoring. It is suggested that these matters need to be addressed in a concluding section to the NDP.</p>	<p>Not applicable. New section required.</p>	<p><i>Modification not agreed.</i></p> <p>Officers do not agree with the Examiner on this point. The NDP clearly indicates that the Town Council has considered the issue of reviewing the NDP during the Plan Period. The only way the Qualifying Body will know when such a review might be appropriate is</p>	<p>Paragraph 1.2 of the Plan states that "a review of the Plan will be necessary before 2031 to ensure that the policies contained within it remain effective and up to date. It is likely that a review will take place in the first 5 years."</p>

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		through monitoring of the success (or otherwise) of the policies and associated projects. The fact that the NDP did not have a specific section on this issue did not lead it to fail the Examination. Officers do not consider this is a Basic Conditions issue and the lack of a monitoring section should not delay the Plan from proceeding to referendum.	
Section 5.5: Plan Delivery, Implementation, Monitoring and Review (p.43, para 5.5.3)			
As noted earlier, aspirations of the QB have been included in the NDP and differentiated from formal policies by a green box annotation. A summary of aspirational activities would be useful to summarise in an additional Appendix to the Plan.	Not applicable. New appendix required.	<i>Modification not agreed.</i> The projects are clearly listed in the contents pages and as such, officers are of the opinion that the inclusion of an additional appendix as a duplication list of projects is not necessary. This is not considered to be a Basic Conditions issue.	A summary of aspirational activities has not been included within an additional appendix to the Plan.

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<u>Amendments suggested by the Qualifying Body not requested by the Examiner:</u>			
Policy H5 – Explanatory Text			
<p>Inclusion of new sentence at paragraph 5.23 to support new criterion e):</p> <p>"Development on land at risk of flooding will be expected to comply with paragraph 100 of the NPPF".</p>	<p>Section 5.0, p.28</p>	<p><i>Modification agreed.</i></p> <p>The additional sentence has been added to the Explanatory text to complement and support the new criterion e) included within Policy H5 following modification proposed by the Examiner. Whilst not in itself an amendment requested by the Examiner, SDC officers are content this additional text is appropriate, is consistent with other amendments throughout the Plan relating to the same issue, and therefore meets the Basic Conditions test.</p>	<p>Paragraph 5.23 amended to read:</p> <p>"Development within the garden of existing houses can sometimes lead to inappropriate development with regard to adverse impacts on neighbouring properties and poor means of access. Unless an adequate land area is available or can be assembled and demonstrated to be accessible and sustainable without causing detrimental harm to the amenity of neighbouring dwellings or to the character of the area, development will be resisted. Detrimental harm to the amenity of a neighbouring property includes loss of daylight and sunlight (overshadowing), intrusive or overbearing development and loss of privacy (overlooking). <u>Development on land at risk of flooding will be expected to comply with paragraph 100 of the NPPF.</u>"</p>

Examiner's Recommendation (incl. page and para number in her report)	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
Policy BE10: Designated Heritage Assets			
<p>Third paragraph – replace “ancient” with “scheduled”; begin forth paragraph with “Where appropriate...” and begin final paragraph with “Where necessary...”</p>	<p>Section 8.0, p.95</p>	<p><i>Modification agreed.</i></p> <p>Whilst not modifications proposed by the Examiner, one change is factual and the other amendments are ‘building-in’ flexibility to the policy, which is certainly appropriate given the Examiner’s stance on such matters elsewhere in the report.</p> <p>As such, officers consider these additional minor modifications to the text are acceptable as they rectify errors and ensure compliance with the NPPF.</p> <p>Officers consider that the amendments fall within the scope of paragraph 12(6)(a) and (e) of Schedule 4B to the Town and Country Planning Act 1990 and they will ensure the policy meets the Basic Conditions test.</p>	<p>Policy BE8 in Referendum version NDP. Policy amended to read:</p> <p>“...including those which affect the town’s Historic Spine (<u>Figure 13</u>).</p> <p>All proposals must as a minimum protect the important physical fabric and settings of listed buildings and ancient <u>scheduled</u> monuments.</p> <p><u>Where appropriate</u>, development within or adjacent to the Historic Park at New Place Gardens will be strictly controlled.</p> <p><u>Where necessary</u>, new development must take account of known surface and sub-surface archaeology, and ensure unknown and potentially significant deposits are identified and appropriately considered during development. Lack of current evidence of sub-surface archaeology must not be taken as proof of absence.”</p>

Examiner's Recommendation (incl. page and para number in her report)	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
Policy NE1 – Explanatory Text			
<p>Paragraph 9.6, delete the following text:</p> <p>“...and supporting the future designation of Local Wildlife Sites, such as Warwick Road Lands, as Local Nature Reserves. The designation of sites as Local Nature Reserves is fundamental to achieving this objective”.</p>	<p>Section 9.0, p.102</p>	<p><i>Modification agreed.</i></p> <p>Whilst the removal of this text is not a modification proposed by the Examiner, it reflects the amendments made to the policy itself at the request of the Examiner. As such, officers consider this additional minor modification to the text is acceptable as it rectifies an error and ensures compliance with the NPPF.</p> <p>Officers consider that the amendment falls within the scope of paragraph 12(6) (a) and (e) of Schedule 4B to the Town and Country Planning Act 1990 and will ensure the policy meets the Basic Conditions test.</p>	<p>Amend paragraph 9.6 as follows:</p> <p>“Warwick Road Lands” is a designated Local Wildlife Site and “Bridgetown Woodland and Meadow” is currently being considered for designation as a Local Wildlife Site. This designation only carries a duty of care and has no statutory element attached to it. This Plan seeks to enhance the degree of protection over these important sites by designating Bridgetown Woodland and Meadows as a Local Nature Reserve - a designation which does carry some statutory protection and supporting the future designation of Local Wildlife Sites, such as Warwick Road Lands, as Local Nature Reserves. The designation of sites as Local Nature Reserves is fundamental to achieving this objective”.</p>

Examiner's Recommendation (incl. page and para number in her report)	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
<u>Amendments required to Explanatory text to take account of Examiner's modifications and recent changes to national policy:</u>			
Not Applicable	Not Applicable	<p><i>Modification agreed.</i></p> <p>Since the Examination of the Stratford-upon-Avon NDP, the revised National Planning Policy Framework (NPPF) has been published. SDC and the TC have taken this opportunity to 'future proof' the Plan by referring to the revised NPPF where appropriate, alongside reference to the original version NPPF. Officers consider reference to revised National Policy during the lifetime of the Plan to be appropriate and are acceptable for this reason.</p> <p>Officers consider that the amendment falls within the scope of paragraph 12(6) (a) and (e) of Schedule 4B to the Town and Country Planning Act 1990 and will ensure the policy meets the Basic Conditions test.</p>	<p>New paragraph 1.3:</p> <p><u>"It is recognised that the National Planning Policy Framework and successor documents will be subject to periodic review over the life of the Plan. Where references to the NPPF are contained within this Plan, they should be applied to subsequent paragraphs in revised national policy"</u></p> <p>All subsequent paragraphs in this section have been re-numbered accordingly in order to accommodate new text.</p>

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Not Applicable	Not Applicable	<p><i>Modification Agreed.</i></p> <p>Text has been added to 'future proof' new criterion (e) associated with Policy H5 to take account of the newly published NPPF. Officers consider reference to revised National Policy during the lifetime of the Plan to be appropriate and are acceptable for this reason.</p> <p>Officers consider that the amendment falls within the scope of paragraph 12(6) (a) and (e) of Schedule 4B to the Town and Country Planning Act 1990 and will ensure the policy and explanatory text meets the Basic Conditions test.</p>	<p>Revised paragraph 5.26:</p> <p>"Development on land at risk of flooding will be expected to comply with paragraph <u>100</u> of NPPF dated March 2012 and paragraphs <u>155-161</u> of NPPF dated July 2018".</p>
Not Applicable	Not Applicable	<p><i>Modification agreed.</i></p> <p>The modification is to take account of the omission of Policies TC1 and TC2 of the Submission version NDP.</p> <p>Officers consider that the amendments fall within the scope of paragraph 12(6) (a)</p>	<p>Revised paragraph 7.6:</p> <p>"However, promotion is not enough. Positive steps also need to be taken to inject new life into the shopping offer. There are four <u>two</u> proposals to do so:</p> <ul style="list-style-type: none"> • Ensure that all significant new shopping is placed in the Town Centre except where it is small in scale and wholly supportive of local communities

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		and (e) of Schedule 4B to the Town and Country Planning Act 1990 and will ensure the policy and associated explanatory text meets the Basic Conditions test.	<p>(see Policy TC1);</p> <ul style="list-style-type: none"> • Ensure that shopping remains the primary use in some of the Town Centre key streets (see Policy TC2); • Bring Bell Court fully into use with a second phase to the scheme that opens it up for new shopping and entertainment (see Policy TC3 TC1); • Encourage Rother Street and Rother Market to become a more secure anchor for shopping and as a place of public interest (see Policy TC4 TC2)".
Not Applicable	Not Applicable	<p><i>Modification agreed.</i></p> <p>Amended Policy numbers quoted within the explanatory text to take account of omission of Policies TC1 and TC2 in the Submission version Plan.</p> <p>Officers consider that the amendments falls within the scope of paragraph 12(6) (a) and (e) of Schedule 4B to the Town and Country Planning Act 1990 and will ensure the policy meets the Basic Conditions test.</p>	<p>Section 7.0 – Town Centre:</p> <p>Revised paragraphs 7.7, 7.8, 7.9, 7.10, 7.12:</p> <p>Amended Policy numbers quoted throughout these paragraphs take account of omission of Policies TC1 and TC2 in the Submission version Plan.</p>

Examiner's Recommendation (incl. page and para number in her report)	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
Not Applicable	Not Applicable	<p><i>Modification Agreed.</i></p> <p>Amended Policy number to take account of omission of Policies TC1 and TC2 in the Submission version Plan.</p> <p>Officers consider that the amendments falls within the scope of paragraph 12(6) (a) and (e) of Schedule 4B to the Town and Country Planning Act 1990 and will ensure the policy meets the Basic Conditions test.</p>	<p>Revised Policy TC5 (first paragraph):</p> <p>"To support the evolution of the cultural quarter the site bounded by Birmingham Road, Arden Street, Mansell Street and Windsor Street shall be safeguarded principally for hotel, educational, residential and office uses, including ground floor frontage for shopping or other uses with public access so as to be in keeping with the Environmental Improvement Area as identified in Policy TC8 <u>TC6</u>."</p>
Not Applicable	Not Applicable	<p><i>Modification Agreed.</i></p> <p>The Qualifying Body has deleted this paragraph in the Referendum version Plan.</p> <p>Officers consider that the amendment falls within the scope of paragraph 12(6) (a) and (e) of Schedule 4B to the Town and Country Planning Act 1990 and is acceptable.</p>	<p>Deletion of paragraph 7.36, associated with TC Project 1:</p> <p>"The current indication is that Stratforward, with input from others including the Town Trust, are able and prepared to fulfil this role. In the event that Stratforward is unable to fulfil this role then alternative plans will be put in place to appoint an appropriate body to take this forward".</p>

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Not Applicable	Not Applicable	<p><i>Modification Agreed.</i></p> <p>Amended Policy number to take account of omission of Policies TC1 and TC2 in the Submission version Plan.</p> <p>Officers consider that the amendment falls within the scope of paragraph 12(6) (a) and (e) of Schedule 4B to the Town and Country Planning Act 1990 and will ensure the policy meets the Basic Conditions test.</p>	<p>Revised first paragraph to TC Project 2:</p> <p>"This project will supplement Policy TC5 <u>TC3</u> through the following means:"</p>
Not Applicable	Not Applicable	<p><i>Modification Agreed.</i></p> <p>Amended Policy number to take account of omission of Policies TC1 and TC2 in the Submission version Plan.</p> <p>Officers consider that the amendment falls within the scope of paragraph 12(6) (a) and (e) of Schedule 4B to the Town and Country Planning Act 1990 and will ensure the policy meets the Basic Conditions test.</p>	<p>Revised first paragraph to TC Project 3:</p> <p>"This project will supplement Policy TC8 <u>TC6</u>."</p>

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Not Applicable	Not Applicable	<p><i>Modification Agreed.</i></p> <p>Amended explanatory text to take account of omission of Policies TC1 and TC2 in the Submission version Plan.</p> <p>Officers consider that the amendment falls within the scope of paragraph 12(6) (a) and (e) of Schedule 4B to the Town and Country Planning Act 1990 and will ensure the policy and associated text meets the Basic Conditions test.</p>	<p>Revised paragraph 7.32:</p> <p>"Consolidated retail uses around the existing courtyard shopping on the south side of Henley Street and new educational uses within the Windsor Street/Birmingham Road Environmental Improvement Area (see Policy TC7 <u>TC5</u>) will help achieve Core Strategy Policy AS.1 by capitalising on the international cultural attractions surrounding Shakespeare's birthplace".</p>
Not Applicable	Not Applicable	<p><i>Modification agreed.</i></p> <p>Since the Examination of the Stratford-upon-Avon NDP, the revised National Planning Policy Framework (NPPF) has been published. SDC and the TC have taken this opportunity to 'future proof' the Plan by referring to the revised NPPF, where appropriate. Officers consider reference to revised National Policy during the lifetime of the Plan to be appropriate and are acceptable for this reason.</p>	<p>Revised paragraph 8.7:</p> <p>Paragraph 58 of the National Planning Policy Framework (2012) states that Neighbourhood Development Plans "...should develop robust and comprehensive policies that set out the quality of development that will be expected for the area". <u>Paragraph 125 of the National Planning Policy Framework (2018) states that Neighbourhood Development Plans "...can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development"</u>. This section of the Plan seeks to achieve this objective.</p>

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		Officers consider that the amendment falls within the scope of paragraph 12(6) (a) and (e) of Schedule 4B to the Town and Country Planning Act 1990 and will ensure the policy meets the Basic Conditions test.	
Not Applicable	Not Applicable	<p><i>Modification agreed.</i></p> <p>Since the Examination of the Stratford-upon-Avon NDP, the revised National Planning Policy Framework (NPPF) has been published. SDC and the TC have taken this opportunity to 'future proof' the Plan by referring to the revised NPPF, where appropriate. Officers consider reference to revised National Policy during the lifetime of the Plan to be appropriate and are acceptable for this reason.</p> <p>Officers consider that the amendment falls within the scope of paragraph 12(6) (a) and (e) of Schedule 4B to the Town and Country Planning Act 1990 and will ensure the policy</p>	<p>Revised paragraph 8.21:</p> <p>"In accordance with <u>paragraph 129 of the National Planning Policy Framework 2018 (Formerly paragraph 62 of NPPF 2012)</u>, Paragraph 62 of the National Planning Policy Framework applicants are encouraged to use Local Design Review Panels"</p>

Examiner's Recommendation (incl. page and para number in her report)	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
		meets the Basic Conditions test.	
Not Applicable	Not Applicable	<p><i>Modification agreed.</i></p> <p>Since the Examination of the Stratford-upon-Avon NDP, the revised National Planning Policy Framework (NPPF) has been published. SDC and the TC have taken this opportunity to 'future proof' the Plan by referring to the revised NPPF, where appropriate. Officers consider reference to revised National Policy during the lifetime of the Plan to be appropriate and are acceptable for this reason.</p> <p>Officers consider that the amendment falls within the scope of paragraph 12(6) (a) and (e) of Schedule 4B to the Town and Country Planning Act 1990 and will ensure the policy meets the Basic Conditions test.</p>	<p>Revised paragraph 8.33:</p> <p><u>"Paragraph 122 of the National Planning Policy Framework 2018 (formerly paragraph 47 of NPPF 2012) Paragraph 47 of the National Planning Policy Framework encourages a local approach to housing density to reflect local circumstances"</u>.</p>

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Not Applicable	Not Applicable	<p><i>Modification agreed.</i></p> <p>Since the Examination of the Stratford-upon-Avon NDP, the revised National Planning Policy Framework (NPPF) has been published. The QB has removed reference to the NPPF (2012) to take account of the emergence of the revised NPPF and retain reference to 'sustainable development' as a more general statement.</p> <p>Officers consider that the amendment falls within the scope of paragraph 12(6) (a) and (e) of Schedule 4B to the Town and Country Planning Act 1990 and will ensure the policy meets the Basic Conditions test.</p>	<p>Revised paragraph 9.3:</p> <p>Removal of reference to NPPF (2012) paragraph 7 when referring to the three overarching objectives of sustainable development.</p>
Not Applicable	Not Applicable	<p><i>Modification agreed.</i></p> <p>Modified explanatory text to take account of amendments to associated Policy NE1, as requested by the Examiner.</p> <p>Officers consider that the amendment falls within the</p>	<p>Deleted text from paragraph 9.6:</p> <p>"This Plan seeks to enhance the degree of protection over these important sites by designating Bridgetown Woodland and Meadows as a Local Nature Reserve - a designation which does carry some statutory protection and supporting the future designation of Local Wildlife Sites, such as Warwick Road Lands, as Local Nature Reserves.</p>

Examiner's Recommendation (incl. page and para number in her report)	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
		scope of paragraph 12(6) (a) and (e) of Schedule 4B to the Town and Country Planning Act 1990 and will ensure the policy meets the Basic Conditions test.	The designation of sites as Local Nature Reserves is fundamental to achieving this objective.
Not Applicable	Not Applicable	<p><i>Modification agreed.</i></p> <p>Additional text for consistency with Policy INF3. Whilst not a modification proposed by the Examiner, she noted the inconsistent approach between the two policies [paragraph 5.3.114 of her report].</p> <p>Officers consider that the amendment falls within the scope of paragraph 12(6) (a) and (e) of Schedule 4B to the Town and Country Planning Act 1990 and will ensure the policy meets the Basic Conditions test.</p>	<p>Additional text within Policy INF4:</p> <p>"In order to meet the demands of an increasing population, new healthcare facilities may need to be provided within the Neighbourhood Area, <u>particularly south of the River Avon</u>. Such new facilities will be supported providing they do not conflict with adjoining land uses".</p>
Not Applicable	Not Applicable	<p><i>Modification agreed.</i></p> <p>Modifications necessary to take account of Examiner's recommended amendments to the policy (i.e. listing each parcel of land individually,</p>	<p>Revised text in Policy CLW3:</p> <p><u>Local Green Spaces:</u></p> <p>"The following areas (as defined on Figure 12a <u>17</u>) have been identified as significant and valued open spaces within the Neighbourhood</p>

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		<p>removing one site from the list of LGS and creating revised and additional maps to indicate their locations within the town).</p> <p>Officers consider that the amendments fall within the scope of paragraph 12(6) (a) and (e) of Schedule 4B to the Town and Country Planning Act 1990 and will ensure the policy meets the Basic Conditions test.</p>	<p>Area which fulfil the criteria of Local Green Space designation:</p> <p>1) Warwick Road Lands LWS <u>1) Land North of Fisherman's Car Park</u> 2) Bridgetown Woodland and Meadows and land north of Trinity Way <u>2) Warwick Road Lands Local Wildlife Site</u> <u>3) Land North of Trinity Way</u> 4) Rowley Fields <u>5) Land North of Benson Road</u> 6) Shottery Fields 7) Firs Garden 8) Recreation Ground</p> <p><u>Open Space:</u></p> <p>The following areas of Open Space (as defined on Figure 12b) <u>Figures 18a, b and c</u>) will be protected for their recreational and amenity value:</p> <p>[List of sites unchanged]".</p>
Not Applicable	Not Applicable	<p><i>Modification agreed</i></p> <p>Since the Examination of the Stratford-upon-Avon NDP, the revised National Planning Policy Framework (NPPF) has been published. SDC and the TC have taken this opportunity to 'future proof' the Plan by</p>	<p>Revised paragraph 11.24:</p> <p>"In accordance with Paragraph 76 of the NPPF <u>paragraph 99 of the NPPF (formerly paragraph 76 of NPPF 2012)</u> local communities through their Neighbourhood Plans can identify for special protection green areas of particular importance. By designating land as Local Green Space local communities will be able to rule out new</p>

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		<p>referring to the revised NPPF, where appropriate. Officers consider reference to revised National Policy during the lifetime of the Plan to be appropriate and are acceptable for this reason.</p> <p>Officers consider that the amendment falls within the scope of paragraph 12(6) (a) and (e) of Schedule 4B to the Town and Country Planning Act 1990 and will ensure the policy meets the Basic Conditions test.</p>	<p>development other than in very special circumstances."</p>
Not Applicable	Not Applicable	<p><i>Modification agreed.</i></p> <p>Amendment necessary to take account of the Examiner's modification to include an additional map.</p> <p>Officers consider that the amendment falls within the scope of paragraph 12(6) (a) and (e) of Schedule 4B to the Town and Country Planning Act 1990 and will ensure the policy meets the Basic Conditions test.</p>	<p>Revised second paragraph of Policy CLW6:</p> <p>"Proposals to further expand and enhance the existing leisure facility at Bridgeway, as shown on Figure 1 <u>Figure 19</u>, will be encouraged".</p>

Examiner's Recommendation (incl. page and para number in her report)	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
Not Applicable	Not Applicable	<p><i>Modification agreed.</i></p> <p>Amendments necessary to take account of the Examiner's modifications to insert new Figures in the Plan and change Policy BE4 to Project BE1.</p> <p>Officers consider that the amendment falls within the scope of paragraph 12(6) (a) and (e) of Schedule 4B to the Town and Country Planning Act 1990 and will ensure the policy meets the Basic Conditions test</p>	<p>Revised paragraphs of Policy SSB2:</p> <p>"The allocation of approximately 23 hectares of Class B1 employment land south of the Alcester Road (A46) west of the Wildmoor roundabout as defined in Proposal SUA.2 of the Core Strategy will be supported (<u>see Figure 22</u>).</p> <p>This policy supports high quality design and Master Planning in accordance with Policy BE3 in consultation with any Design Review Panel in accordance with Policy BE4 <u>BE Project 1</u>."</p>
Not Applicable	Not Applicable	<p><i>Modification agreed.</i></p> <p>Amendment necessary to take account of the Examiner's modification to change Policy BE4 to a Project.</p> <p>Officers consider that the amendment falls within the scope of paragraph 12(6) (a) and (e) of Schedule 4B to the Town and Country Planning Act 1990 and will ensure the policy meets the Basic Conditions test</p>	<p>Revised paragraph 12.12:</p> <p>"The use of renewable technologies such as biomass, ground source heating and green roofs; and the management of surface water runoff through the provision of sustainable drainage solutions such as permeable parking areas and water recycling will be encouraged in accordance with Policies BE6 <u>BE5</u> and CLW9."</p>

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Not Applicable	Not Applicable	<p><i>Modification agreed</i></p> <p>Amendment necessary to take account of the Examiner's modification to insert new Figures in the Plan.</p> <p>Officers consider that the amendment falls within the scope of paragraph 12(6) (a) and (e) of Schedule 4B to the Town and Country Planning Act 1990 and will ensure the policy meets the Basic Conditions test</p>	<p>Revised final sentence to para 12.14:</p> <p>"As a result a Strategic Gap is proposed as shown on the Proposals Map and Figure 16 <u>Figure 23</u>."</p>
Not Applicable	Not Applicable	<p><i>Modification agreed.</i></p> <p>Amendment necessary to take account of the Examiner's modification to insert new Figures in the Plan.</p> <p>Officers consider that the amendment falls within the scope of paragraph 12(6) (a) and (e) of Schedule 4B to the Town and Country Planning Act 1990 and will ensure the policy meets the Basic Conditions test</p>	<p>Revised paragraph 12.15:</p> <p>"A majority of respondents (85%) agreed with the proposed Built-up-Area Boundary (Figure 16 <u>23</u>)."</p>

Examiner's Recommendation (incl. page and para number in her report)	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
Not Applicable	Not Applicable	<p><i>Modification agreed.</i></p> <p>Amendment necessary to take account of the Examiner's modification to insert new Figures in the Plan.</p> <p>Officers consider that the amendment falls within the scope of paragraph 12(6) (a) and (e) of Schedule 4B to the Town and Country Planning Act 1990 and will ensure the policy meets the Basic Conditions test</p>	<p>Revised paragraph 12.17:</p> <p>"This Neighbourhood Development Plan proposes that a site to the east of Townsend Road and Oak Road and south of St Margaret's Court, known as Tiddington Fields as shown in Figure 16 <u>23</u>, be allocated in part for future housing needs."</p>
Not Applicable	Not Applicable	<p><i>Modification agreed</i></p> <p>Amendments necessary to take account of the Examiner's modifications to delete certain policies and change one policy to a project within the main body of the Plan.</p> <p>Officers consider that the amendment falls within the scope of paragraph 12(6) (a) and (e) of Schedule 4B to the Town and Country Planning Act 1990 and will ensure the policy meets the Basic Conditions test</p>	<p>Appendix 1 – CIL Project List:</p> <p>Natural Environment – Improvements to Public Realm and Landscaping: Policies TC3 to TC8 <u>Policies TC1 to TC6</u></p> <p>Town Centre – Public Signposts and Information Boards: Policy BE8</p> <p>Town Centre – Historic Spine: Policy BE10 <u>Policy BE8</u></p> <p>Built Environment – Design Review Panels: Policy BE4 <u>BE Project 1.</u></p> <p>Built Environment – Environmental Improvement Areas: Policy TC5 <u>Policy TC3; Policy TC6</u> <u>Policy</u></p>

Examiner's Recommendation (incl. page and para number in her report)	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
			<p><u>TC4; Policy TC7 Policy TC5; Policy TC8 Policy TC6.</u></p> <p>Built Environment – Supplementary Guidance: <u>Policy BE9 Policy BE7.</u></p>
Not Applicable	Not Applicable	<p><i>Modification agreed</i></p> <p>To 'future proof' the Plan, the description of affordable housing has been amended to mirror the glossary description as set out in NPPF 2018.</p> <p>Officers are content with this change. It is not considered to be a Basic Conditions matter.</p>	<p>Appendix 2 – Glossary:</p> <p><u>Affordable Housing:</u></p> <p>"Social rented, affordable rented and intermediate housing, provided to eligible households <u>Housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions in accordance with Annex 2: Glossary of NPPF 2018:</u></p> <ul style="list-style-type: none"> • <u>Affordable housing for rent</u> • <u>Starter homes</u> • <u>Discounted market sales housing</u> • <u>Other affordable routes to home ownership</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 the protection and enhancement of existing employment sites; promoting new employment opportunities on edge of town; protecting existing primary shopping areas in the town; promoting a Cultural and Learning Quarter and promoting environmental improvements to the town.</p> <p>If implemented these policies (and associated projects) will have a positive impact on the local economy, safeguarding jobs and local services.</p>
Social	<p>The Neighbourhood Plan sets a framework that will help to support the achievement of sustainable social development.</p> <p>The Plan promotes the protection and enhancement of existing local community facilities; promotes opportunities for new leisure, entertainment and community facilities; protect and enhance existing areas of recreational amenity space; protect and enhance walking and cycling routes and retain allotments. The Plan also looks to safeguard and promote improvements of locally important sites.</p> <p>Policies seek to create a strong sense of place through promotion of high standards of design and layout and recognise locally important heritage assets.</p> <p>If implemented these policies (and associated projects) will help promote and support a strong, vibrant and healthy community.</p>
Environmental	<p>The Neighbourhood Plan includes a number of policies that support environmental sustainability for the community.</p> <p>The Plan has policies to promote urban renewal and regeneration; preserve and enhance the historic environment and preserve and enhance the local 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 Stratford-upon-Avon Neighbourhood Development 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/stratfordnp

And can be viewed in paper form at:

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