

# **Brailes and Winderton Neighbourhood Development Plan**

## **Independent Examiner's Report**

May 2019

Barbara Maksymiw

Independent Examiner BSc (Hons), MSc, MRTPI

## **Contents**

Summary

1. Introduction
2. Appointment of the independent examiner
3. The role of the independent examiner
4. Compliance with matters other than the basic conditions
5. The examination process
6. Consultation
7. Compliance with the basic conditions
8. Neighbourhood Plan policies
9. Conclusions and recommendations

Appendix 1 Background Documents

Appendix 2 Examiner's questions

## **Summary**

I have been appointed by Stratford-on-Avon District Council to carry out an independent examination of the Brailes and Winderton Neighbourhood Development Plan.

The examination was carried out in March and April 2019 and was undertaken by considering all the documents submitted to me, including the written representations. I visited the Neighbourhood Development Plan area on 7 April 2019.

The plan is based on extensive engagement with the local community and provides a distinct set of policies, relevant to the needs of local people. Brailes and Winderton is a predominantly rural parish, set in the Cotswolds AONB and the plan provides for limited new housing development, since the very modest needs identified in the Stratford-on-Avon Core Strategy can be met through three new housing allocations on the edge of the village of Brailes, in addition to windfalls and infilling within the updated Built Up Area Boundary.

Subject to a number of modifications set out in this report, I conclude that the Brailes and Winderton Parish Neighbourhood Development Plan meets the Basic Conditions and I am pleased to recommend that it should proceed to referendum.

I recommend that the referendum should be confined to the Neighbourhood Development Plan area.

Barbara Maksymiw

Independent Examiner

May 2019

## **1. Introduction**

1. Neighbourhood planning is a relatively new process, introduced by the Localism Act 2011, which enables local communities to develop planning policies to guide development in their area and help to shape the places where they live and work.

2. The Parish of Brailes is situated in south Warwickshire and lies midway between Chipping Camden and Banbury. The Parish comprises the two settlements of Upper Brailes and Lower Brailes and the hamlet of Winderton. The rest of the parish is surrounding countryside and farmsteads. The parish is a thriving community and is well served by services and amenities, including a primary school, which are all centred in the village of Brailes. Practically all of the Parish falls within the Cotswolds Area of Outstanding Natural Beauty (AONB) and a small area lies within the Special Landscape Area which is designated in Stratford-on-Avon District Council's Core Strategy. The parish supports a vibrant local economy and most local business are run by those who work from home. Although agriculture is an important land use, it only accounts for around a fifth of the business community.

3. The purpose of this report is to assess whether the Brailes and Winderton Neighbourhood Development Plan (NDP) complies with the relevant legislation and meets the basic conditions, which such plans are required to meet. Where necessary, the report makes recommendations about changes or modifications to the plan to ensure that it meets the legislative requirements.

4. The report also makes a recommendation about whether the NDP should proceed to the referendum stage. If there is a positive recommendation at referendum, the NDP can be "made" by Stratford-on-Avon District Council and so become part of the wider development plan and then used by Stratford-on-Avon District Council to determine planning applications in the plan area.

## **2. Appointment of the independent examiner**

5. I have been appointed by Stratford-on-Avon District Council with the agreement of Brailes Parish Council to carry out this independent examination. The Neighbourhood Planning Independent Referral Service (NPIERS) has facilitated my appointment. I am a chartered town planner with extensive planning experience in local government and therefore have the appropriate qualifications and experience to carry out this examination. I am independent of the qualifying body and have no land interest in the area that might be affected by the plan.

## **3. The role of the independent examiner**

6. The role of the independent examiner is to ensure that the submitted NDP meets the Basic

Conditions together with a number of legal requirements.

7. In examining the NDP I am required, under Paragraph 8(1) of Schedule 4B of the Town and Country Planning Act 1990, to check <sup>1</sup> that:

- the policies in the plan related to the development and use of land for a designated neighbourhood area; and
- the policies in the plan meets the requirements of Section 38 of the Planning and Compulsory Purchase Act (that is, it specifies the period to which it has effect, does not include provision about excluded development and does not relate to more than one neighbourhood area); and
- the plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted by a qualifying body.

8. I must also consider whether the NDP meets the Basic Conditions set out in Schedule 4B of the Town and Country Planning Act 1990 (as amended). A plan meets the basic conditions<sup>2</sup> if:

- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan
- the making of the plan contributes to the achievement of sustainable development
- the making of the neighbourhood plan is in general conformity with the strategic policies of the development plan for the area
- the making of the neighbourhood plan does not breach, and is otherwise compatible with European Union (EU) obligations

9. Regulations 32 and 33 of the Neighbourhood Planning Regulations 2012 (as amended) set out two additional basic conditions. These are:

- the making of the neighbourhood plan is not likely to have significant effects on a European site <sup>3</sup> or a European offshore marine site <sup>4</sup> either alone or in combination with other plans or projects and
- having regard to all material considerations, it is appropriate that the neighbourhood development order is made where the development described in an order proposal is

---

<sup>1</sup> Set out in paragraph 8(1) of Schedule 4B of the Town and Country Planning Act (as amended)

<sup>2</sup> Set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act (as amended)

<sup>3</sup> As defined in the Conservation of Habitats and Species Regulations 2012

<sup>4</sup> As defined in the Offshore Marine Conservation (Natural Habitats &c) Regulations 2007

Environmental Impact Assessment development (this does not apply to this examination as it is not about a neighbourhood development order).

10. Regulation 32 and Schedule 2 to the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017<sup>5</sup>.

11. As independent examiner, having examined the plan, I am required to make one of the following recommendations:

- that the plan as submitted can proceed to a referendum; or
- that the plan with recommended modifications can proceed to referendum; or
- that the plan does not meet the necessary legal requirements and cannot proceed to referendum

12. The independent examiner can only recommend modifications to ensure that the NDP meets the basic conditions and other legislative requirements, or for the purpose of correcting errors.

13. If the plan can proceed to referendum with or without modifications, the examiner must also consider whether the referendum area should be extended beyond the neighbourhood plan area to which it relates.

14. Stratford-on-Avon District Council will consider the examiner's report and decide whether it is satisfied with the examiner's recommendations and will publicise its decision on whether the plan will be subject to referendum, with or without modifications. If a referendum is held and results in more than half of those voting in favour of the plan, the District Council must "make" the neighbourhood plan a part of its development plan. The plan then becomes part of the development plan for the area and is a statutory consideration in guiding future development and determining planning applications in the area.

#### **4. Compliance with matters other than the basic conditions**

15. Brailes Parish Council applied for the Parish to be designated as a neighbourhood planning area

---

<sup>5</sup> This revised Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018

in November 2013. On 23 June 2014, Stratford-on-Avon District Council designated Brailes and Winderton Parish as a Neighbourhood Area in accordance with the Neighbourhood Planning (General) Regulations 2012. The designated area covers the parish and does not cover any other Neighbourhood Area and the qualifying body is Brailes Parish Council.

16. The Parish Council appointed a Brailes NDP Steering Group Sub-Committee in June 2013 which has steered the preparation of the plan. This group included parishioners and three parish councillors and benefitted from some professional support on particular aspects of the NDP preparation process.

17. I am satisfied that the NDP includes policies that relate to the development and use of land and does not include provision for any excluded development. The Plan period is specified as 2011-2031, which aligns with the plan period of the Stratford-on-Avon Core Strategy. The Brailes and Winderton NDP therefore meets the requirements set out in para 7 above.

## **5. The examination process**

18. The documents which I considered during the course of the examination are listed in Appendix 1.

19. The general rule<sup>6</sup> is that an examination is undertaken by the consideration of written representations only. Having considered all the information before me, including the representations made to the submitted plan (the Regulation 16 responses), I was satisfied that the Brailes and Winderton NDP could be examined without the need for a public hearing.

20. During the course of the examination it was necessary to clarify a number of matters with Stratford-on-Avon District Council and the Parish Council. These are set out in Appendix 2 to this report. I was provided with prompt and helpful responses to my questions and I am satisfied that I had all the information I required to carry out the examination.

21. As part of the Neighbourhood Plan Examination process, it is important for the examiner to understand the context of the neighbourhood plan in the wider area and its overall character, as these shape the issues and policies set out in the plan. I therefore made an unaccompanied site visit to the area on 7 April 2019.

22. On 5 March 2018 an updated version of the National Planning Policy Framework (NPPF) was published for consultation and on 24 July 2018 the final version of the NPPF was

---

<sup>6</sup> PPG para 004 ref id 41-004-20140306

subsequently published. Paragraph 214 of the Framework confirms the transitional arrangements for plans which were already under examination:

*The policies in the previous Framework will apply for the purpose of examining plans, where those plans are submitted on or before 24 January 2019. Where such plans are withdrawn or otherwise do not proceed to become part of the development plan, the policies contained in this Framework will apply to any subsequent plan produced for the area concerned.<sup>7</sup>*

23. As the Brailes and Winderton NDP was submitted for examination in October 2018 and the Regulation 16 consultation was carried out between 22 November 2018 and 24 January 2019, in advance of the 24 January 2019 deadline, the NDP has been assessed against the guidance in the 2012 version of the NPPF.

## **6. Consultation**

### *Consultation process*

24. Effective consultation and engagement with the local community is an essential component of a successful neighbourhood plan, bringing a sense of public ownership to its proposals and helping to achieve consensus. The policies set out in the NDP will be used as the basis for planning decisions – both on local planning and on planning applications – and, as such, legislation requires neighbourhood plans to be supported by public consultation.

25. In line with the Neighbourhood Planning (General) Regulations 2012<sup>8</sup>, the Steering Group has prepared a Consultation Statement for the NDP which sets out how the group approached public consultation, who was consulted and the outcomes.

26. Throughout the plan preparation process, the Steering Group has used a wide range of methods to engage with and consult the local community. In the early stages of preparing the plan an open day and stand at the Brailes Show was organised, as well as a meeting with the local primary school and an online Youth Survey. A household questionnaire was also organised, generating an impressive 83% response rate from local residents. This was followed by another consultation open day, a Housing Needs Survey and a further Consultation Event. As the preparation of the plan got underway, the public and other interested parties were kept informed by means of the village and NDP website, village noticeboards, Facebook and the Parish magazine - Feldon News.

---

<sup>7</sup> National Planning Policy Framework: 24 July 2018

<sup>8</sup> Regulation 15 of the Neighbourhood Planning (General) Regulations 2012



27. The first formal consultation on the Brailes and Winderton Parish Regulation 14 Draft Neighbourhood Development Plan took place between 22 November 2016 and 17 January 2017. As changes were made to the sites proposed to be allocated for housing development during 2017, a further Regulation 14 Consultation was carried out between 13 June and 25 July 2018.

28. It is clear from the Consultation Statement that the Steering Group has engaged widely with the local community and kept people informed as the plan progressed. This consultation process has helped to develop the vision for the Group Parish and ensure that it has been shaped by the views and priorities of the community. This is:

*To see Brailes and Winderton develop whilst preserving our environment, character and community spirit*

#### *Representations received*

29. Preparing the NDP has involved three statutory six-week periods of public consultation. Consultation on the first version of the Regulation 14 Draft Plan, took place between 22 November 2016 and 17 January 2017. In all, twenty-eight representations were received during the statutory consultation period - thirteen from members of the community, nine from statutory bodies and external consultees and one from Stratford-on-Avon District Council. The second Regulation 14 Consultation took place between 13 June and 25 July 2018 and, in all, fifteen responses were received – twelve from statutory bodies, three from members of the community and one from Stratford-on-Avon District Council.

30. The third consultation on the Submission Draft NDP was managed by Stratford-on-Avon District Council and took place between 22 November 2018 and 24 January 2019. This generated thirteen responses – four from members of the community, two from developers and agents and six from statutory bodies and external consultees and one from Stratford-on-Avon District Council.

31. Occasionally in this report I refer to representations and identify the organisation making that particular comment. However, I have not referred to every representation in my report. Nonetheless, I can assure everyone that each comment made has been looked at and carefully considered.

32. From the evidence in front of me, it is apparent that the NDP has been subject to appropriate and extensive community engagement involving a sustained commitment of both time and effort by the Steering Group. They are to be congratulated for all their work and for producing a

comprehensive NDP. I am therefore satisfied that the consultation process which has been followed complies with the requirements of the Regulations.

## **7. Compliance with the basic conditions**

33. In my role as independent examiner I must assess whether the NDP meets the Basic Conditions<sup>9</sup> set out in the Regulations as described in paras 7-10 above.

34. I have considered the Brailes and Winderton Neighbourhood Development Plan Basic Conditions Statement produced by the Steering Group, and other supporting documentation, to assist my assessment which is set out below.

### *National Policy*

35. National planning policy is set out in the National Planning Policy Framework (NPPF) and in the supporting Planning Practice Guidance (PPG). At the heart of the planning system is a presumption in favour of sustainable development, which applies to all levels of plan making. For neighbourhood plans, this means that neighbourhood plans should support the strategic development needs set out in Local Plans and plan positively to shape local development. Included in the twelve core principles of the NPPF<sup>10</sup> is a requirement for neighbourhood plans which provide a practical framework within which decisions on planning applications can be made in a confident and consistent manner. Policies also should be concise, precise and supported by appropriate evidence, reflecting and responding to both the context and the characteristics of the area.

36. Section 2 of the Basic Conditions Statement explains that under each of the Policy Sections of the plan – the environment, meeting housing requirements and a strong economy - there is a summary of the relevant guidance in the NPPF which has provided the context for the NDP policies which follow. This is a rather broad-brush approach, but together with the more detailed assessment carried out in the Sustainability Appraisal and Strategic Environmental Assessment, I am satisfied that the NDP has had regard to the principles set out in the NPPF. The NDP therefore satisfies the basic condition.

### *Sustainable development*

37. The qualifying body also has to demonstrate how a neighbourhood plan contributes to the

---

<sup>9</sup> Para 8(2) of Schedule 4B of the Town and Country Planning Act (as amended)

<sup>10</sup> NPPF (2012) para 16 and 17

achievement of sustainable development as set out in the NPPF<sup>11</sup>.

38. As described on the Basic Conditions Statement, the Steering Group carried out two stages of Sustainability Appraisal (SA) on the pre-submission and submission versions of the NDP to assess how the plan performed in terms of delivering sustainable development. The appraisal was based on the criteria used in the appraisal of the Stratford-on-Avon District Core Strategy and assesses each policy in the NDP in terms of the relevant sustainability criteria and also provides helpful comments on the sustainability performance for each policy.

39. The SA demonstrates that the Plan supports the principles of sustainable development and extends the sustainability policies established in the Core Strategy. I therefore conclude that this basic condition is met.

#### *Development Plan*

40. The NDP also has to demonstrate that it accords with the strategic policies of the Development Plan. In terms of the wider planning of Stratford-on-Avon District as a whole, the Neighbourhood Development Plan has been prepared in the context of the Stratford-on-Avon District Core Strategy 2011 to 2031 (CS) which was adopted on 11 July 2016. There is therefore an up to date development plan in place.

41. Section 2 of the Basic Conditions Statement explains that under each of the Policy Sections of the plan – the environment, meeting housing requirements and a strong economy - there is a summary of the relevant guidance in the adopted Core Strategy which has provided the context for the NDP policies which follow. This overall approach, together with the more detailed assessment carried out in the Sustainability Appraisal and Strategic Environmental Assessment, means that I am satisfied that the NDP has had regard to the strategic guidance in the adopted Core Strategy. A number of the policies are designed to support and amplify the policies in the CS so that they are relevant to the particular needs and priorities of the parish.

42. Stratford-on-Avon District Council has also provided detailed comments on the NDP as it has progressed through each stage of preparation.

43. From my assessment of the plan's policies in the rest of my report, it is evident that the strategic policies of the adopted Stratford-on-Avon Core Strategy have generally been carried through to the

---

<sup>11</sup> NPPF 2012) para 18-219

NDP. Therefore, subject to the recommended changes set out in Section 8 below, I conclude that the NDP is in general conformity with the strategic policies of the development plan and therefore this basic condition is met.

#### *Basic Conditions – conclusions*

44. I have considered the Basic Conditions Statement, the supporting evidence and representations made to the Brailes and Winderton NDP and I am satisfied that the Plan as submitted follows the general principles set out in national planning policy and contributes to the achievement of sustainable development. It sets out a positive vision for the parish and policies to protect its distinctive character while accommodating development needs.

45. At a practical level, however, a number of the policies in the Submission NDP need some adjustment to ensure that they comply with the NPPF and the strategic guidance in the CS. I have therefore suggested a number of modifications in Section 8 below to help ensure that the plan accords with national and strategic guidance and therefore meets the basic conditions.

#### *European obligations and Human Rights Requirements*

##### *Strategic Environmental Assessment (SEA)*

46. The SEA Directive aims to provide a high level of protection to the environment by ensuring that environmental considerations are included in the process of preparing plans and programmes.

47. A Screening Opinion was commissioned by Stratford-on-Avon District Council in October 2017, after the initial Regulation 14 stage of the NDP to determine whether the NDP should be subject to a Strategic Environmental Assessment (SEA) . Differing views were received on the Screening Opinion from the statutory consultees , but after consultation with the Cotswold AONB Management Board it was concluded that the NDP should be screened in to the SEA process.

48. A full SEA Environmental Report was produced in September 2018. This concluded that the appraisals of the proposed site allocations did not identify any likely significant effects on the environment whilst the vision, objectives and policies of the NDP will be expected to result in significantly positive sustainability impacts. These conclusions were broadly agreed by the statutory consultees. It was also recommended that the Cotswold AONB board should be consulted; however, no formal response was received.

49. A screening report was also carried out in October 2017 to assess whether a Habitats Regulation Assessment (HRA) would be required. This was necessary because the nearest Natura 2000 site to Brailes is Bredon Hill which is designated as a Special Area of Conservation under European legislation; it is located approximately 31km to the west of the Parish. The Screening Report concluded that, based on the available information, any likely significant effects of the NDP on any Natura 2000 site can be objectively ruled out at this stage. This conclusion was agreed by Natural England.

50. Although there is a copy of the Habitat Regulations Assessment on the District Council's website, I noted that there was not a copy on the NDP webpage, nor were there any references to this document in either the Consultation Statement or the Basic Conditions Statement. These are important omissions which need to be rectified.

- **Recommendation : Add the Habitat Regulations Screening Assessment to the NDP website. Add a short section to both the Consultation Statement and the Basic Conditions Statement to explain when and why the HRA Screening Assessment was carried out and its conclusions**

51. I have considered all the relevant background material and I am therefore satisfied that the submitted Brailes and Winderton NDP meets the requirements set out in the SEA Directive and so this basic condition is met.

#### *Human rights requirements*

52. Section 5 of the Basic Conditions Statement contains a brief statement confirming that it is considered that the NDP complies with the requirements of the Human Rights Act 1998 . In addition, I could see from the Consultation Statement that consultation activities carried out for the NDP have been wide ranging and the Steering Group had sought to engage with all members of the community and relevant stakeholders.

53. I am satisfied therefore that the NDP is compatible with the requirements of EU obligations in relation to human rights and no evidence has been submitted to me to suggest otherwise. I am satisfied, then, that the Plan does not breach the European Convention on Human Rights obligations and therefore meets the Basic Conditions.

#### *Other Directives*

54. I am not aware of any other European Directives that would apply to this NDP, and in the

absence of any evidence to the contrary, I am satisfied that the plan is compatible with EU obligations.

## **8. Neighbourhood Plan policies**

55. This section of my report considers the NDP policies against the basic conditions.

56. The Plan is clearly written and is very well presented, with a clear structure distinguished by separate sections. The plan policies are grouped under three broad headings. For each policy there is a short introduction, a headline objective followed by the policy, which is set out in a coloured text box and then an Explanation which provides supporting text to justify the policy. This is a very clear approach and the Steering Group are to be commended on the presentation of the policies. The plan is also well illustrated and includes a number of photographs and proposals maps.

57. All of the policies relate to the development and use of land and none cover excluded development, such as minerals and waste, so the statutory requirements and guidance set out in Planning Practice Guidance<sup>12</sup> are met.

58. As part of this examination, my report includes a series of recommended modifications to ensure that the policies are expressed concisely and precisely in order to comply with the basic conditions. Where I have suggested modifications, these are identified in **bold text**. The recommended modifications relate mainly to issues of clarity and precision and are designed to ensure that the plan fully accords with national and strategic policies. I have considered the policies in the order they appear in the Plan, by section and comment on all of the policies, whether I have suggested modifications or not. Where I consider that the supporting paragraphs need amendment to help explain and justify the plan policy, I have made comments to that effect.

### *1. Introduction*

59. This section introduces the Neighbourhood Development Plan, outlines the Vision for the NDP, explains why an NDP is being prepared and the approach taken to community involvement.

60. The Vision for the Plan is:

*To see Brailes and Winderton develop whilst preserving our environment, character and community spirit*

---

<sup>12</sup> Planning Practice Guidance PPG para 004

61. My only comment is that para 1.3.2 should make clear that the NDP has been prepared and examined in the context of the 2012 version of the National Planning Policy Framework, not the updated version which was published in 2018.

- **Recommendation : Add at the end of paragraph 1.3.3 “ The NDP was prepared and examined in the context of the 2012 version of the NPPF.”**

## *2. Evidence Gathering and Interpretation*

62. This section outlines the approach to plan-making and evidence gathering and I have no comments to make. During the course of the examination, I asked for dates to be added to a number of appendices which contain the supporting evidence to the NDP to improve clarity and for the Habitat Regulations Assessment Screening Assessment to be added to the NDP website. These actions have now been taken – see para 113 of this report.

## *3. Brailes Today*

63. This section outlines the key characteristics and main features of the parish as it is today and I have no comments to make.

## *4. Objectives and Policies for Brailes Tomorrow*

64. This section introduces the policies which are grouped under three broad headings – the environment, meeting housing requirements and encouraging sustainable economic development. My only comment is that the paragraph numbering system in this section is difficult to follow, as some paragraphs are numbered, while others are not. This will make the plan difficult to follow for future users of the plan, so a consistent numbering system needs to be applied.

**Recommendation : Add a consistent paragraph numbering system to Section 4 of the NDP**

### *4.1 The Environment*

65. This section introduces the policies for the environment.

#### *Policy E1: Better Managing Flood Risk*

66. This policy deals with flood risk issues. The policy is structured in a different way to all other policies in the NDP and requires some rewording to ensure there is greater consistency with the rest of the plan. The District Council has also commented that the policy is expressed in very prescriptive

terms and I agree that this should be addressed through some fine tuning of the policy. In addition, the reference to flood risk in the first paragraph of the Explanation on page 24 is misleading and should be reworded to improve accuracy. The reference to the policy being endorsed by the Environment Agency in the paragraph at the foot of page 24 is now out of date and should be deleted.

67. The policy also includes references to particular paragraphs in the NPPF(2012) which will soon become out of date; this can be resolved by making a more generic reference to the NPPF and thereby ensure that the NDP complies with the basic conditions.

- **Recommendation : Remove a),b),c),d),e) and f) headings from policy E1. Reword first paragraph to read “Development proposals should demonstrate that flood risk will not be increased within the development site, nor within the related locality where there is a known risk of flooding events, in line with guidance in the NPPF and Core Strategy Policy CS.4.” Reword second paragraph to read “Planning applications, where appropriate, should be accompanied by a site-specific flood risk assessment, which takes account of locally available evidence, including all published flood maps. Where appropriate, consultation with the Parish Council and the community’s Flood Action Group should be undertaken by developers as part of gathering local evidence to inform emerging development proposals.” In sixth line of third paragraph, delete “must” and substitute “should”. In fourth and fifth paragraphs, change all references to “must” to “should”. Reword first sentence of first paragraph below Policy E1 on page 24 to read “Flooding is a major concern, as it has had a significant recurring impact on parts of the village.” Delete last sentence of paragraph at the foot of page 24 which states “ The policy has been assessed...”**

*Policy E2: A Defined Built-Up Area Boundary (BUAB)*

68. This policy introduces and defines the Built-Up Area Boundary.

69. Objective 2, the first paragraph on page 25, is not consistent with the rest of the plan as it is not expressed as an objective. It therefore needs to be reworded to ensure consistency and improve clarity for future users of the plan.

- **Recommendation : Reword first paragraph on page 25 to read: “To moderate outward expansion into open countryside and not erode or harm the valued ‘green fingers’ and landscape features which run into and through the village. To define a built-up area boundary, to reflect a local preference to use land more efficiently and intensively within the existing**



**settlement and make the most of opportunities to best utilise or re-use sites as opposed to further outward sprawl.”**

70. The explanation text explains, in very brief terms, that Brailes is identified as a Category 2 Local Service Village (LSV) in the Core Strategy. As this is important context for the approach to development in the NDP, particularly housing, a fuller explanation is required to ensure that the NDP complies with the basic conditions. It also needs to be made clear that Brailes is currently designated as a Category 2 LSV, but this could change if the level of services, shops and amenities in the area changed or if a change in status was made through any future update of the Core Strategy. For consistency, the reference to “settlement boundary” should be changed to “built-up area boundary” in the third sentence of the second explanatory paragraph under Policy E2.

- **Recommendation : Reword first sentence of second paragraph under Explanation E2 on page 25 to read “Brailes is currently identified as a Category 2 Local Service Village (LSV) which can accommodate some small-scale development growth to help meet the needs of the community, to provide some scope for new households to move into them, and to help support the services they provide (CS Policies CS.15D and CS.16). Change “settlement boundary” to “built-up area boundary” in third sentence.**

71. The policy also requires some rewording to improve clarity. I suggest that the Policy Maps are referred to as Map 1 and Map 2 rather than by page number. The specific reference to the updated July 2018 version of the NPPF (paragraph 122) is not appropriate, given the NDP has been prepared in the context of the 2012 version NPPF. A more generic reference is required to ensure the complies with the basic conditions.

- **Recommendation : Reword first sentence of Policy E2 to read “ The built-up area boundary of the village is defined on the Policies Maps 1 and 2”. In last sentence of policy delete “Paragraph 122”**

72. The approach to defining the Built Up Area Boundary (BUAB) is based on guidance in the Stratford-on Avon Core Strategy and the detailed approach which the Steering Group took to defining the BUAB for Upper and Lower Brailes is set out Appendix 15 to the plan.

73. A representation has commented on the boundary on the southern side of School Lane, suggesting that the BUAB should be redrawn to include the curtilage of the barn adjacent to Holly Cottage. From my site visit I could see that, while that the curtilage of Holly Cottage was well defined

by garden walls and fences, the area immediately adjacent to the barn buildings was open paddock and thus the curtilage of the barn was not defined. The approach used to drawing up the BUAB used in the NDP is consistent with the guidance in Stratford-on-Avon District Council's Informal Planning Guidance - Annexe 3 Guidelines for Defining Built- Up Area Boundaries which says that boundaries of settlements should *include areas of residential curtilage unless these areas are clearly open paddocks more appropriately defined as "non-urban"* so no change is required. A representation has also commented that the boundary around The Willows on School Lane includes only part of the garden of the property. On my site visit I could see that extending the BUAB to include the whole garden in the settlement boundary could potentially extend the settlement boundary further into the AONB and surround the paddock off School Lane on all three sides by development. The BUAB boundary drawn up in the NDP strikes the appropriate balance between having a well-defined boundary for the village, within which limited growth can be accommodated and protecting the AONB and so meets the basic conditions. No changes to the boundary are required.

*Policy E3 Conserving locally valued green spaces within the village*

74. This policy proposes three areas of local green space. The NPPF at paragraph 77 states;

*The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:*

- where the green space is in reasonably close proximity to the community it serves;*
- where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- where the green area concerned is local in character and is not an extensive tract of land.*

75. The NDP designates four areas of Local Green Space - LGS1 to 4 - which are mapped on both the Commitments and Policies Maps which accompany the plan. The justification for the designation of each site is set out in Appendix 13 to the NDP, which includes an assessment of how each site performs against the criteria in the Locality Checklist.

76. Three of the designated LGS sites comprise one larger area and some smaller areas adjacent to it. In response to my query, the Steering Group provided larger scale maps of each LGS and confirmed that these sites are made up of pockets of land, which have been split up by the main road and a

number of unmade access roads.

77. On my site visit I saw that LGS1 was a well-defined and maintained playing field, adjacent to the Village Hall, which included a children's play area and equipped sports pitches and at the time of my visit it was being well used by members of the community. The other three LGS sites are much more informal spaces which are nonetheless well maintained and make a positive contribution to the overall character of both Upper and Lower Brailes. I therefore agree that all four sites meet the requirements of para 77 of the NPPF and should be designated as Local Green Spaces. To assist future users of the plan, I suggest that the four larger scale maps of the LGS sites, provided by the Steering Group, are added as Appendices to the Plan, as supplements to the Policies Maps.

- **Recommendation : Add larger scale maps of LGS1-4 as Appendices to the NDP**

*Policy E4 Ensuring developments respect the landscape setting and local character of the village*

78. The introductory paragraph to this policy is not worded as an objective, so to ensure consistency with the rest of the NDP, it needs to be reworded.

- **Recommendation : Reword first paragraph at top of page 29 to read "To ensure that development respects and enhances the landscape setting, heritage assets and the characteristics of built-up area that give the Neighbourhood Development Plan area its local distinctiveness". Add "To ensure" before "Excellent design" and add "To ensure" before "Due consideration"**

79. Policy E42b) seeks to protect "existing green spaces in the settlement". The Parish Council has confirmed that these are distinct from the Local Green Spaces which are to be designated and protected under policy E3. However, the terminology used is very similar which leads to confusion – nor are they marked on a map. The policy therefore does not provide the clear guidance necessary to meet the basic conditions, so should be deleted.

- **Recommendation: Delete E42b) and renumber subsequent clauses accordingly**

80. Policy E42(g) which deals with tranquillity and dark skies overlaps with the standalone policy E6. Policy E42(g) should therefore be deleted.

- **Recommendation : Delete E42(g) and renumber subsequent clauses accordingly .**

81. The District Council has suggested some minor rewording of the policy to ensure consistency with strategic policies and to ensure it complies with the basic conditions. The Historic Environment Map, on page 18 of the NDP, also should be more directly referred to in the policy.

- **Recommendation : Delete “and charm” from the first heading in Policy E4. In E42d), change “a” to “the” and delete “Paragraph 192”. Add “ as shown in the Historic Environment Map on page 18 of the plan” after “ scheduled monument”. In E42f) change “sustain” to “retain” and add “consistent with CS.11 and the Cotswold AONB Management Plan” at the end of the clause. In E42h) change “ preceded” to “accompanied”. In E43c) change “proposed” to “planned”. In E43d) change “must” to “should” before “include consideration of means”.**

82. The Commitments and Policies maps both depict the boundary of the Brailes Conservation Area as a shaded purple boundary; however, Appendices 7 and 8, show the boundaries of the Brailes and Winderton Conservation areas as a single red line. The latter approach is much clearer and provides better guidance , for example when looking in detail at precise boundaries on the ground. I therefore suggest that the purple shading for the Brailes Conservation Area is replaced by a single purple line on the relevant maps which accompany the plan. I also noticed that the Winderton Conservation Area Map is not included in the NDP document and, as the policies in the plan apply equally to Winderton and to Brailes, I suggest that it is added into the NDP.

- **Recommendation : Change purple shading used to denote Brailes Conservation Area on the Commitments Map, Maps 1 and 2 and the Historic Environment Map to a single purple line. Add map of Winderton Conservation Area as an additional Policies Map to the NDP – Map 3**

#### *Policy E5 Renewable and Low Carbon Energy*

83. In order to ensure that the policy complies with the strategic guidance in the Core Strategy, it requires some fine tuning to make clear that any renewable and low carbon energy schemes should be small scale and community led.

- **Recommendations: Add “Small scale, community-led” before “Developments generating” in second sentence of Policy E5 and add “its” before “character”**

#### *Policy E6 Retaining Dark Skies*

84. This policy seeks to limit additional light pollution and retain dark skies and I have no comments to make.

#### 4.2. Meeting Housing Requirements 2011-2031

85. This section introduces the housing policies, but requires some restructuring to make it clear how the NDP meets the housing requirements set out in the Core Strategy and to ensure clarity for future users of the plan and thereby meet the basic conditions.

86. The text which deals with the assessment of housing requirements would be better grouped together, firstly setting out the strategic context and then outlining the issues for Brailes Parish. The explanation of the site selection and assessment process would then follow.

- **Recommendation : Delete final sentence of 4.2.1.3 and move whole paragraph and renumber as 4.2.1.1 . Move entire Section 4.2.3 Site Selection to follow after new para 4.2.1.1 and renumber all paragraphs accordingly. Add a table number and title “Brailes NDP Housing Requirements 2011-2031” to the Table on page 36**

87. The District Council has commented that there is no explanation of how the housing requirement from the Core Strategy translates through to an individual settlement or local service village (LSV) . This is an important omission so a new third bullet point needs to be added to the list at the top of page 36 and to the supporting text. Changes are also required to the table , in line with my recommendations regarding affordable housing contributions – see para 90 below.

- **Recommendation : Add a new third bullet point to the list above the table on page 36 to read “In category 2 LSV’s approximately 700 homes should be provided in total, of which no more than 12% should be provided in any one settlement”. Reword paragraph 4.2.4.2 (to be renumbered) to read “ Table x above shows the contribution that the Brailes NDP makes to meeting Core Strategy housing numbers – a total of 79 dwellings over the period 2011-31 which is in line with the maximum target of 84 dwellings for Category 2 Local Service Villages.” Add new paragraph to read “Sites with planning permission are shown on the Commitments Map. Future affordable housing requirements will be determined by a Housing Need Survey to be carried out at a minimum of every five years.” Add a reference number to the Commitments Map on Page 37. In last column of table change heading to “Affordable Homes Contribution” and change “12” to “35%” on fourth and fifth rows.**

88. The District Council has commented that the quotes from the Core Strategy in the text box at the top of page 34 are incomplete and could lead to misinterpretation . I share this concern; however, a balance has to be struck between keeping the content of the NDP succinct and quoting policies from

other documents in full. To address this, I suggest that the title of the table at the top of page 34 is changed. The references to the paragraph numbers in the left-hand box of the table also need to be amended to refer to the paragraph numbers in the 2012 version of the NPPF. With these changes, the housing policies meet the basic conditions.

- **Recommendation : In the text box at the top of page 34 delete “ Higher level policies (refer to numbered paragraphs)” and substitute “Summary of Higher Level NPPF Guidance and Core Strategy Policies”. Change paragraph numbers in the left-hand box of the table to refer to the relevant paragraph numbers in the 2012 version of the NPPF**

*Policy H1 Ensuring a supply of affordable homes is sustained*

89. This policy deals with the provision of affordable housing which the plan explains will be delivered by four affordable homes being provided on each of the three housing sites allocated in the NDP, providing a total of twelve affordable dwellings over the plan period. Further provision will be made through windfall sites which may come forward within the built-up area boundaries.

90. Looking at the basic conditions, guidance in the NPPF and CS.18 sets a threshold of affordable housing being provided on all sites of six or more dwellings in the designated rural area, which includes the Parish of Brailes. The plan seeks to set an even lower threshold of sites of affordable housing being required on windfall sites of more than three dwellings within the built-up area. However, although a detailed Housing Need Survey was carried out for the Parish in 2016, there is no specific evidence to justify this lower threshold, so, in order to meet the basic conditions, this part of the policy needs to be amended.

91. In terms of the level of affordable contribution, Policy CS.18 confirms that the affordable housing should comprise 35% of new homes, unless credible site-specific evidence of viability indicates otherwise. The policy therefore needs to be amended to ensure it complies fully with Policy CS.18 and thus meets the basic conditions. An associated change to the supporting text is also required.

- **Recommendation : Delete second paragraph of policy H1 and replace with “The affordable housing will comprise 35% of the homes, unless credible site-specific evidence of viability indicates otherwise.” In fourth sentence of Explanation for Policy H1, delete “which will yield 12” and replace with “35% of which will be”. Delete second sentence of paragraph at top of page 39 and replace with “Guidance in the NPPF says that in designated rural areas, sites of**

**six or more dwellings should contribute to meeting affordable housing needs and the CS sets out further guidance on how this affordable housing should be provided”.**

92. There is considerable overlap between the guidance in Policy H1 and H3 regarding windfall sites and I therefore suggest that the two policies and the relevant supporting text are brought together. A representation has pointed out that exception sites can help add to the stock of affordable housing and, for completeness, I agree that a reference to the Core Strategy policy CS.18 which refers to rural exception sites would be helpful.

- **Recommendation : Change “or windfall sites ” to “and windfall sites ” in last sentence of first paragraph of Policy H1 and delete “as described in policy H3”. Move Explanation text for Policy H3 on page 41 to end of Explanation text to policy H1. Delete the last sentence which reads “The development size threshold in Policy H1 will assist the supply of affordable homes to meet local needs”. Add a new sentence at the end of the new supporting text to H1 to read “Further affordable housing may be provided on rural exceptions sites, as indicated in Policy CS.18”**

93. In the last sentence of the Explanation to H1 on page 38, reference is made to the NPPF 2018, which is not appropriate as the NDP is being examined against the 2012 NPPF. This should be deleted.

- **Recommendation : Delete last sentence of the Explanation to H1 on page 38.**

*Policy H2 Allocating sites to meet identified local housing needs and contribute to meeting potential future District-wide housing needs*

94. The title of this policy is lengthy and would be better abbreviated , to ensure consistency with other policies in the plan.

- **Recommendation : Delete Policy title for H2 and replace with “Housing allocations”**

95. The process for selecting sites to allocate in the NDP is summarised in the text in the green box on pages 34 and 35. It is evident that this has been a lengthy process, narrowing the options down from twenty sites to the final three sites which are proposed in the NDP. To assist with this process a Site Assessment Tool was devised, which involved assessing each site against a number of criteria, which were then subject to a further, rather complex system of mathematical weighting. In response to my query, the Parish Council has provided more detail about the approach used and how the

weighting criteria were devised. This has been helpful and I thank the Parish Council for the explanation they provided. To assist future users of the NDP, this additional material should be added to Appendix 14 entitled Assessment Tool.

- **Recommendation: Add the material provided by the Parish Council in response to my question regarding the Site Assessment Tool dated 19 March 2019 to Appendix 14 .**

96. The three selected sites were also subject to further assessment against the Locality Checklist (Appendix 39) and the District Council and a local housing association provided general advice about the viability and deliverability of housing sites. This advice confirmed, in general terms, that larger sites tended to be more viable and therefore capable of being delivered.

97. My remit is only to consider how the plan performs against the basic conditions. The NPPF at para 116 is clear that major development in designated areas should only be permitted in exceptional circumstances :

*Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:*

- *the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- *the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and*
- *any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.*

98. The CS recognises that the scope for individual villages to accommodate development, and the assessment of specific sites for their suitability for development, must reflect environmental designations, such as the Cotswolds AONB. In such areas, the NPPF gives the highest level of protection to landscape and scenic beauty and great weight has to be given to conserving these elements. Through a combination of policies, the CS makes clear that only a very limited amount of development is supported in LSV Category 2 villages, such as Brailes, which are also located within the AONB.

99. The NDP allocates three sites each of 12 dwellings, and together with existing commitments , the NDP provides sufficient land to meet the needs identified in the CS and there are robust policies to



protect the distinctive character of the area, again aligned with the guidance in the NPPF and the CS. The NDP therefore meets the basic conditions.

100. On a point of detail, I also suggest that the Policy Maps are referred to as Map 1 and Map 2 in the policy rather than by page number.

- **Recommendation : In first sentence of Policy H2, delete “the Policies Maps at pages 42 & 43” and substitute “Maps 1 and 2”.**

101. Policy H2 deals with the affordable housing contribution to be made from the three allocated sites, specifying that each site should contribute four dwellings. This statement is not aligned with the guidance in the CS, which says that affordable housing contributions should make up 35% of the new homes, so needs to be amended to ensure that strategic guidance is complied with and that the policy is also consistent with policy H1 of the NDP. With this change, the basic conditions are met.

- **Recommendation : Delete “(of which four will be affordable housing)” from second sentence of Policy H2.”**

102. A representation has suggested that site A2 should be extended to include land to the south of site A2 and to the west of Blakes Close, adding to the overall housing land supply. However, the sites allocated in the NDP, together with existing commitments already provide sufficient land meet the requirements set out in the CS. There is therefore no need to extend the allocation, particularly given the need protect against harm to the landscape character and scenic beauty of the Cotswold AONB, as set out in the CS and the NPPF.

103. The last paragraph of the supporting text to Policy H2 refers an NDP Policy H4 and to the District Council’s Site Allocations Plan. In response to my query, the Parish Council confirmed that the reference to a policy H4 should be removed as it refers to an earlier version of the NDP. The district Council explained that the Site Allocations Plan is a standalone Plan which focuses on the identification of ‘reserve sites’ in accordance with Core Strategy Policy CS.16, following a suitable methodology for the identification of sites. Policy H2 of the NDP therefore has a different purpose from that of the Site Allocations Plan as it identifies housing sites and as such the methodology for the identification of sites will likely differ between the two Plans. The statement that Policy H2 of the NDP introduces a ‘locally determined inset’ to the Site Allocations Plan is therefore misleading and

should be removed. In order to meet the basic conditions, I agree that the reference to the Site Allocations Plan should be removed from the supporting text.

- **Recommendation : Delete last sentence of the supporting text to Policy H2**

#### *Policy H3 Development of Windfall Sites*

104. This policy deals with windfall sites for new housing development which may come forward within the built-up area boundary, although there are also references to windfall sites in policy H1 and its supporting text. There is considerable overlap between the policies and I suggest that they are merged – see para 92 of my report above. As a consequence, policy H3 should be deleted.

- **Recommendation : Delete Policy H3**

#### *4.3 A strong economy*

105. This section introduces the policies which focus on sustaining a strong economy.

#### *Policy SE1: Encouraging sustainable economic development*

106. In order to comply with the strategic guidance in the Core Strategy, this policy requires some fine tuning to make clear that new employment sites will only be supported in certain circumstances and are unlikely to be supported on greenfield sites, for example.

107. The reference to the village centre in SE1(e) is imprecise as the village centre is not defined on the Policies Map. In response to my query, the Parish Council confirmed that the policy should apply within the defined built up area boundary.

- **Recommendation : Add “providing the requirements set out in CS.22 and CS.10 are met” after “will be supported” at end of first sentence of Policy SE1. In SE1(e) change “in the village centre” to “ within the Built Up Area Boundary”**

#### *Policy SE2 Re-use of redundant agricultural buildings*

108. This policy deals with the re-use of agricultural buildings and I have no comments to make. The District Council has stated that the last paragraph of the Explanation, which explains that permitted development rights are not superseded, is superfluous. I agree it should be deleted.

- **Recommendation : Delete last paragraph on page 47 which reads “ This policy...supersede them”**

*Policy SE3 Improving access to communications*

109. This policy seeks to improve access to communications and I have no comments to make.

*Policy SE4 More opportunities for home-working*

110. The District Council has commented that it is unclear whether policy SE4, which seeks to support more opportunities for home working , applies just within the settlements or across the NDP as a whole. In response to my query, the Parish Council explained that it was intended that this policy would support new housing or conversions in established farmsteads or hamlets or small free-standing dwellings outside the BUAB.

111. I share the District Council’s concerns and Policy SE4 needs to be strengthened to ensure it complies with the basic conditions in relation to the NPPF and the strategic policies in the CS. This is particularly important, given that most of the NDP area lies within the Cotswold AONB where development is restricted by national policy, as stated in Para 116 of the NPPF.

- **Recommendation : Add after “similar facilities” in first line of policy SE4 “within the NDP area” Delete SE4(d). Renumber subsequent clauses accordingly. Add new clause SE4(g) to read “ the proposal complies with CS Policies 10,11,12,13,15,20 and 22 and AS10 and guidance in the NPPF regarding development in the AONB. The provision of workspace in a proposed dwelling will not make that dwelling acceptable if its location is contrary to other policies in the Core Strategy and the NDP” .**

112. In response to my query , the Parish Council has confirmed that some text is missing from the end of the Explanation to Policy SE4.

- **Recommendation : Add “is no exception” after “70% of businesses” at end of last paragraph on page 49**

*Appendices*

113. In response to my questions, the titles of a number of the Appendices to the NDP have been amended and an additional Appendix added, as follows:

- Appendix 22 Evidence Base Housing – date changed to June 2018
- Amended headings for Appendix 29 and 38 , to include dates for the Reg 16 consultations
- Habitat Regulations Assessment of the Brailes Neighbourhood Plan

114. These have now been placed on the NDP website.

## **9. Conclusions and Recommendations**

115. I have examined the Brailes and Winderton Parish NDP and I have concluded that, subject to the modifications set out in my report, it meets the basic conditions and other statutory requirements.

116. I am therefore pleased to recommend to Stratford-on-Avon District Council that, subject to the modifications set out in my report, the Brailes and Winderton Parish NDP should proceed to referendum.

117. I am also required to consider whether the referendum area should be extended beyond the Brailes and Winderton Parish NDP area. I see no reason why it would be necessary to alter or extend the plan area for the purposes of holding a referendum, nor have I received any representations to that effect. I therefore conclude that the plan should proceed to referendum based on the neighbourhood area approved by Stratford-on-Avon District Council in June 2014.

## **APPENDIX 1: Background Documents**

In undertaking this examination, I have considered the following documents:

- Brailes and Winderton Parish Neighbourhood Development Plan 2011-2031 Submission Draft: October 2018
- Brailes and Winderton Neighbourhood Development Plan : Consultation Statement Submission Draft : October 2018
- Brailes and Winderton : Neighbourhood Development Plan Basic Conditions Statement: October 2018
- Brailes and Winderton Neighbourhood Development Plan : List of all documents which have been used in compiling the Neighbourhood Development Plan Brailes Parish Council website
- Strategic Environmental Assessment of the Brailes & Winderton Neighbourhood Plan - SEA Screening Document : Lepus Consulting : June 2017
- Strategic Environmental Assessment of the Brailes Neighbourhood Plan Environmental Report : Lepus Consulting : September 2018
- Habitat Regulations Assessment of the Brailes Neighbourhood Plan : HRA Screening Document : Lepus Consulting : October 2017
- Stratford on Avon Core Strategy 2011-2031: Adopted July 2016
- National Planning Policy Framework (NPPF) 2012
- National Planning Policy Framework (NPPF) 24 July 2018
- Planning Practice Guidance March 2014 and subsequent updates

## **APPENDIX 2:**

### **Brailes and Winderton Neighbourhood Development Plan Examination**

#### **Request for further information and questions from the Examiner to Stratford-on-Avon Council and Brailes Parish Council**

##### **A.18 March**

1.As I understand it, there have been two phases of Regulation 14 Consultation - the first between 22 November 2016 and 17 January 2017 and the second between 13 June and 25 July 2018. It would be very helpful if updated titles could be added to Appendices 29 and 38 to specify these exact dates. I appreciate that the Steering Group will be very familiar with each stage and with the timeline, but it is important that those that are unfamiliar with the NDP can track their way through each consultation stage. Please can you therefore ask the Parish Council to add these dates to the Appendices?

I have also noticed that the Habitat Regulations Screening Assessment is on the District Council's website but not included in the list of Appendices which support the NDP on the Parish Council website. Please can you ask the Parish Council to organise this?

##### **B.19 March**

I have carried out a preliminary review of the Neighbourhood Development Plan and the evidence submitted in support of it and there are a few points where I need some clarification or further information. I would therefore be grateful if both Councils could assist me, as appropriate, in answering the following questions.

##### *Site Assessment Tool*

In the Meeting Housing Requirements Section of the NDP, para 4.2.3 explains that the site selection process was carried out using an Assessment Tool which is described in more detail in Appendix 14.

This is a spreadsheet which assesses and scores each site against a number of criteria to which a weighting factor is then applied. Please can you explain the weighting factors and how these were arrived at and applied – these are described in the spreadsheet as “Linea Factor” and “Parabolic Factor”? It would also be helpful to have a brief explanation of each criteria and how the Initial Rating score in the first column of the table was arrived at.

#### *Housing related Appendices*

Appendix 22 Evidence Base Housing has two dates on the front cover – June April 2018 – please can you confirm which is the correct date?

Appendix 39 – Evidence Base for the Allocation of Sites based on the Locality Checklist Approach - provides an assessment of three sites but uses a different site referencing system to the NDP. Please can you confirm that Plot 1 in Appendix 39 is referred to as Site A3 Righton 189 Sutton Lane in the NDP; Plot 3 is Site A1 Compton Estates 222 East in the NDP and Part of Site B is A2 James 425e Sutton Lane in the NDP?

#### *Local Green Space*

Policy E3 lists four separate areas for designation as Local Green Space and these areas are assessed in more detail in Appendix 13. However, the mapping which accompanies the plan – notably on page 37, 42 and 43 – shows many more areas proposed as LGS. In particular, there appear to be smaller areas adjacent to LGS2, LGS3 and LGS4. Please can you provide an explanation? It would also be helpful if you could provide larger scale plans for each proposed LGS designation so that these can be more readily checked.

Thank you for your assistance with these questions. Once I have received your responses, I may need to ask for further clarification or further queries may arise as the examination progresses.

Please note that these questions and requests for information is a public document and the answers and any associated documents will also be in the public domain. Both my questions and the responses should be placed on the Councils’ websites as appropriate.

Barbara Maksymiw

19 March 2019

**C.4 April**

I have a further query which I would be grateful if you could pass on to the Parish Council.

#### Policy SE4

In the Explanation to policy SE4, on page 49 of the plan, there seems to be some supporting text missing, as the last paragraph ends in an incomplete sentence which reads:

*More people are working from home in a wide variety of jobs and professions and the evidence shows Brailes, with over 70% of businesses*

I would be grateful for the Parish Council's views. If there is some wording missing, can I ask that they provide it please?

#### **D.5 April**

I have a further query on which I would welcome the District and Parish Councils' views.

#### Supporting text to Policy H2

In the Explanation to policy H2, on page 40 of the plan, reference is made to a policy H4 and to the District Council's Site Allocations Plan, as follows:

*Policy H4 in this plan will, from the submission stage of the emerging NDP, introduce a locally determined inset(3) to the Site Allocations Development Plan.*

Please can I have the District and Parish Council's comments on this sentence and whether it needs to be updated?