

Napton-on-the-Hill Neighbourhood Development Plan

Basic Conditions Statement



Napton-on-the-Hill Parish Council

October 2019

Contents

Section	Title	Page
1.	Introduction	3
2.	The Legal Requirements <ul style="list-style-type: none"> • <i>The qualifying body</i> • <i>Designation of the Napton-on-the-Hill Neighbourhood Area</i> • <i>The plan period</i> • <i>Excluded development</i> • <i>Policies that relate to development and use of land</i> • <i>Other neighbourhood areas</i> 	4
3.	Meeting the Basic Conditions <ul style="list-style-type: none"> • <i>Regard to national policies and advice</i> • <i>The achievement of sustainable development</i> • <i>Conformity with the development plan</i> • <i>Emerging local plan</i> • <i>EU obligations</i> • <i>Strategic Environmental Assessment</i> • <i>Habitats Regulations Assessment</i> • <i>European Convention on Human Rights (ECHR)</i> • <i>Equalities</i> 	7
4.	Conclusion	33
5.	Appendices <ol style="list-style-type: none"> 1. <i>Policies in the submitted Napton-on-the-Hill Neighbourhood Development Plan</i> 2. <i>Letter to Parish Council from Stratford-on-Avon District Council re. Screening for Strategic Environmental Assessment</i> 	34

1. Introduction

- 1.1 Napton-on-the-Hill Parish Council has formally submitted their proposed neighbourhood plan to Stratford-on-Avon District Council.
 - 1.2 When submitting a neighbourhood plan to the relevant local planning authority the legislation requires that the qualifying body also submit a number of other documents to accompany it. One of these is commonly known as a basic conditions statement.
 - 1.3 This statement has therefore been prepared in accordance with the requirements set out in Regulation 15 of the Neighbourhood Planning (General) Regulations 2012. It explains how the submitted Napton-on-the-Hill Neighbourhood Development Plan meets the basic conditions in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 and other legal tests. The statement also explains why Napton-on-the-Hill Parish Council believes the proposed Napton-on-the-Hill Neighbourhood Development Plan meets these statutory requirements and should thereby proceed to referendum.
-

2. The Legal Requirements

- 2.1 This statement is required to set out how the proposed neighbourhood plan meets the requirements of each legal test. These are set out and addressed below.

The qualifying body

- 2.2 The Napton-on-the-Hill Neighbourhood Development Plan has been submitted by Napton-on-the-Hill Parish Council, which is the appropriate qualifying body for the Napton-on-the-Hill Neighbourhood Area.

Designation of the Napton-on-the-Hill Neighbourhood Area

- 2.3 As the appropriate qualifying body the parish council formally applied to Stratford-on-Avon District Council to designate the neighbourhood area.
- 2.4 The proposed boundary of the neighbourhood area followed the parish boundary.
- 2.5 The District Council formally approved the Napton Neighbourhood Area on 18 July 2017.
- 2.6 The boundary of the neighbourhood area is indicated in Map 1 overleaf.

The plan period

- 2.7 The Napton-on-the-Hill Neighbourhood Development Plan will cover the period from 2018 to 2031.
- 2.8 This corresponds to the end date for the adopted Core Strategy prepared by Stratford-on-Avon District Council and the emerging Site Allocations Plan.

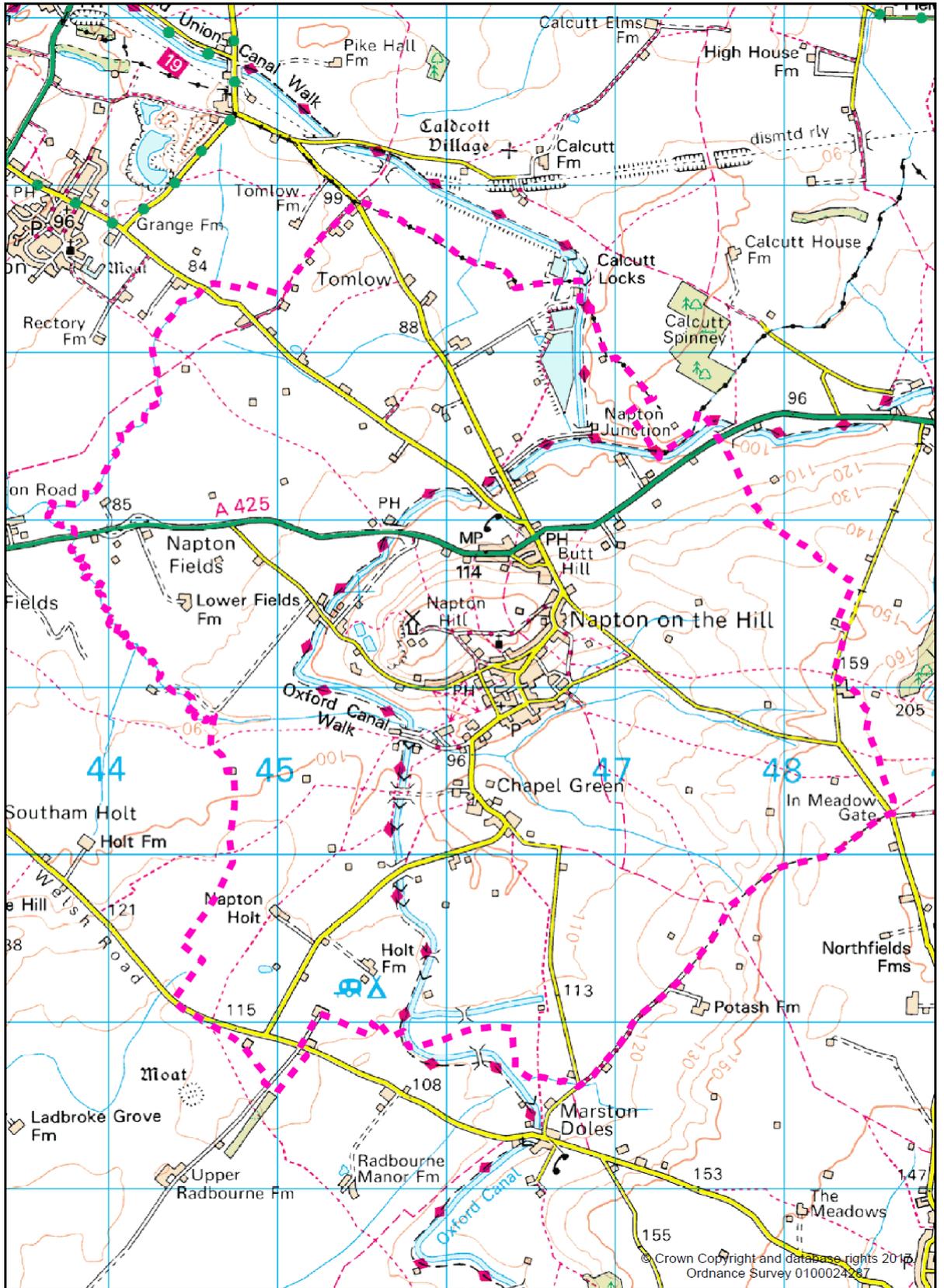
Excluded development

- 2.9 The submitted neighbourhood plan does not contain any policies that relate to excluded development.

Policies that relate to development and use of land

- 2.10 The neighbourhood plan sets out policies that solely relate to the development and use of land in the whole or part of the Napton-on-the-Hill Neighbourhood Area.
- 2.11 It includes land use planning policies that can be used in the determination of planning applications.

Map 1 – Boundary of the Napton-on-the-Hill Neighbourhood Area



- 2.12 Planning Practice Guidance states that wider community aspirations other than those relating to development and use of land can be included in a neighbourhood development plan, but actions dealing with non land use matters should be clearly identifiable. These wider aspirations have therefore been set out separately in Section 9 of the neighbourhood plan, which is entitled Community Aspirations. Here it is made clear that the listed proposals do not form part of the statutory neighbourhood development plan.

Other Neighbourhood Areas

- 2.13 The plan does not relate to all or any part of another designated neighbourhood area.
- 2.14 There is no other made neighbourhood plan that covers any part of the Napton-on-the-Hill Neighbourhood Area.
-

3. Meeting the Basic Conditions

- 3.1 This statement is required to set out how the neighbourhood plan meets the prescribed basic conditions.
- 3.2 A neighbourhood plan meets the basic conditions if:
- it has 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 neighbourhood plan contributes to the achievement of sustainable development
 - the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)
 - the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations
 - prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.
- 3.3 The prescribed condition is that the making of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007) (either alone or in combination with other plans or projects).

Regard to national policies and advice

- 3.4 The National Planning Policy Framework 2012 (hereafter referred to as the Framework) sets out the Government's main planning policies for England and how they are expected to be applied. It first came into effect in March 2012. However in July 2018 and February 2019 the Government published a revised Framework which replaced the earlier version. The revised Framework must be taken into account when preparing neighbourhood plans.
- 3.5 Further advice can also be found in the Government's on-line national Planning Practice Guidance (hereafter referred to as Guidance) first published in April 2014.
- 3.6 The Napton-on-the-Hill Neighbourhood Development Plan has therefore been prepared with regard to national policies as set out in the Framework and is mindful of the associated Guidance.
- 3.7 Paragraph 15 of the Framework states that:

The planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings ...

3.8 Paragraph 29 later adds that:

Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.

3.9 The Napton-on-the-Hill Neighbourhood Plan has adopted a systematic approach. It identifies the key issues that emerged from the evidence gathering and community consultation. Amongst these issues it considers the priorities for the neighbourhood plan. A shared vision for the future (i.e. a common purpose) is then established, with objectives to deliver that vision. Policies and proposals are then proposed to achieve each of these objectives. In the preamble to each policy and proposal there is the reasoned justification from the evidence base and community engagement.

3.10 The neighbourhood plan therefore includes a reasoned vision that meets the requirements set out in the Framework. Furthermore the local community were consulted on this shared vision for their area and the associated objectives.

3.11 The vision for Napton-on-the-Hill as set out in the proposed neighbourhood plan states that:

In 2031 Napton-on-the-Hill will be a distinct, sustainable and vibrant village that retains its rural character and overlooks the surrounding open countryside. It will contain a strong and inclusive community comprising people from all age groups and backgrounds that thrive and socially interact together.

3.12 To deliver this vision the neighbourhood plan has the following objectives:

- 1) To support appropriate residential development within the village, including homes to meet the identified local need
- 2) To support appropriate development on brownfield land
- 3) To promote and enhance local business opportunities to support a vibrant rural economy
- 4) To address climate change and support a low carbon future
- 5) To value and protect local heritage features and historic buildings
- 6) To value and protect the natural environment and the surrounding rural landscape

- 7) To maintain and develop a range of local services and facilities to support the needs of the local community
- 8) To promote safe and suitable access

- 3.13 The proposed neighbourhood plan then puts forward its policies to deliver the vision and objectives, which will be used to help determine planning applications submitted in the Napton-on-the-Hill Neighbourhood Area.
- 3.14 Set out in Table 1 below is a brief summary of how each policy in the submitted neighbourhood plan conforms to the Framework. The particular paragraphs referred to in the table are those considered the most relevant to each policy, but are not intended to be an exhaustive list of all relevant paragraphs.
- 3.15 Although Table 1, and all subsequent tables, only refers to the title of the neighbourhood plan policy, the complete policy wording is listed in Appendix 1.

Table 1 - Conformity to the National Planning Policy Framework

Policy No	Policy Title	Framework Reference	Comment on conformity in the Neighbourhood Plan
	The Overall Plan	<p>Para 16 states that plans should:</p> <p>a) be prepared with the objective of contributing to the achievement of sustainable development;</p> <p>b) be prepared positively, in a way that is aspirational but deliverable;</p> <p>c) be shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;</p>	<p>See paras 3.18-3.22 below.</p> <p>The plan has been positively prepared with an aspirational vision and objectives, but deliverable planning policies.</p> <p>The Parish Council and Steering Group undertook initial non-statutory community engagement with the local community including a household questionnaire and public meetings. They also consulted the District Council at an early stage in the plan preparation process. There then followed more comprehensive Regulation 14 consultation on the pre-submission draft plan. The activities are explained in more detail in the accompanying Consultation Statement.</p>

Policy No	Policy Title	Framework Reference	Comment on conformity in the Neighbourhood Plan
	The Overall Plan (continued)	<p>d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;</p> <p>e) be accessible through the use of digital tools to assist public involvement and policy presentation; and</p> <p>f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).</p>	<p>The policies are clearly written and unambiguous. They express what developments or uses may be permitted or encouraged. They also state what may not be permitted or discourage inappropriate development. The policies state how decisions on planning matters should be judged. Taken together the policies express a clear overall strategy and do not contradict one another. The text clearly distinguishes between the policies and the supporting reasoned justification.</p> <p>In addition to hard copy, the plan was made available in electronic form for consultees and placed on the parish council website during public consultation.</p> <p>The neighbourhood plan is consistent with, but does not duplicate, the policies in the Framework or the adopted Core Strategy/emerging Site Allocations Plan. The neighbourhood plan seeks to put ‘flesh on the bones’ of these strategic policies and apply them at the local level. If sufficient detail is already provided in these higher level plans then no additional policy is put forward in the neighbourhood plan to avoid duplication.</p>
1.	Residential Development	Para 65 states that within the overall requirement, strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development.	The Parish Council has worked closely with the District Council to conform to the settlement hierarchy identified in the adopted Core Strategy, and the associated housing requirement for Local Service Villages (Category 2).

Policy No	Policy Title	Framework Reference	Comment on conformity in the Neighbourhood Plan
1.	Residential Development (continued)	<p>Para 69 states that neighbourhood planning groups should consider the opportunities for allocating small and medium-sized sites (of a size consistent with paragraph 68a) suitable for housing in their area.</p> <p>Para 78 states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.</p> <p>It adds that planning policies should identify opportunities for villages to grow and thrive.</p> <p>Para 125 states that design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics.</p> <p>Para 98 states that planning policies and decisions should protect and enhance public rights of way and access.</p>	<p>The neighbourhood plan has not allocated any sites within the neighbourhood area for residential area. It has provided a criteria based approach in Policy 1 that allows for small scale infill sites to come forward within the BUAB. Evidence suggests that 75% of the strategic requirement has already been met. There is also a proposal for 80-100 dwellings on a brownfield site that adjoins the village, as well as an allocation for 5 self build homes in the emerging SAP.</p> <p>The neighbourhood plan conforms to the settlement hierarchy and housing requirement identified in the Core Strategy, which is influenced by the level of services and facilities available in a settlement.</p> <p>The Steering Group prepared a Character Area Assessment to define the village's distinctiveness and influence the shape and design of future development. This assessment has informed the criteria listed in Policy 1.</p> <p>Policy 1 seeks to protect and possibly extend the network of public footpaths including tracks, bridleways and green lanes.</p>
2.	Affordable Housing on Rural Exception Sites	<p>Para 77 states that In rural areas, planning policies should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.</p>	<p>Policy 2 conforms to this requirement and, subject to meeting the listed criteria, supports affordable housing on rural exception sites.</p>

Policy No	Policy Title	Framework Reference	Comment on conformity in the Neighbourhood Plan
3.	Self Build Homes and Custom Housebuilding	The Framework defines self-build and custom-build housing as ‘housing built by an individual, a group of individuals, or persons working with or for them, to be occupied by that individual. Such housing can be either market or affordable housing’. A legal definition, for the purpose of applying the Self-build and Custom Housebuilding Act 2015 (as amended), is contained in section 1(A1) and (A2) of that Act.	The policy in the neighbourhood plan builds on references to such housing in the Core Strategy and the emerging Site Allocations Plan, including the proposed allocation for 5 units on a site off Dog Lane. Again it adopts a criteria based approach to any such development coming forward.
4.	Site of the former Napton Brickworks	Paragraph 117 states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land.	The neighbourhood plan has been broadly in support of residential development coming forward on the site of the former Napton Brickworks, providing certain environmental criteria is met and the development links to the existing settlement.
5.	Business development	Paragraph 83 in the Framework states that planning policies and decisions should enable: a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; b) the development and diversification of agricultural and other land-based rural businesses; c) sustainable rural tourism and leisure developments which respect the character of the countryside; and d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.	Policy 5 supports business development within the village, providing it respects the character of the village and there are no adverse environmental effects. Outside the village development related to recreation and tourism is encouraged subject it has appropriate infrastructure and meets the criteria identified in the Core Strategy.

Policy No	Policy Title	Framework Reference	Comment on conformity in the Neighbourhood Plan
6.	Environmental Quality	<p>Para 170 states that planning policies should contribute to and enhance the natural and local environment by preventing development from contributing to unacceptable levels of soil, air, water or noise pollution or land instability.</p> <p>Para 180 states that planning policies should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.</p>	<p>Policy 6 in the neighbourhood plan seeks to avoid various forms of pollution.</p> <p>Policy 6 seeks to retain dark skies and improve biodiversity.</p>
7.	Heritage Assets	<p>Para 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.</p>	<p>Policy 7 in the neighbourhood plan seeks to protect heritage assets in the neighbourhood area in accordance with the Framework.</p>
8.	The Grand Union and Oxford Canals	<p>There are no specific references to canals in the Framework. However the glossary states that open space of public value includes not just land, but also areas of water (such as rivers, canals, lakes and reservoirs). It adds that these offer important opportunities for sport and recreation and can act as a visual amenity.</p>	<p>Policy 8 in the neighbourhood plan recognises the canal network not just as recreational resources, but also their heritage importance and value as a wildlife and landscape resource.</p>
9.	Local Green Space	<p>Paras 99-101 states that the designation of land as Local Green Space through neighbourhood plans allows communities to identify and protect green areas of particular importance to them.</p>	<p>Policy 9 demonstrates how each of the proposed Local Green Spaces meet the criteria listed in the Framework.</p>
10.	Important Views	<p>Para 125 states that design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics.</p>	<p>Policy 10 builds on the character area assessment undertaken by the Steering Group and seeks to protect the gaps and important views to, from and within the village. These important views across the surrounding open countryside add to the rural feel of the village.</p>

Policy No	Policy Title	Framework Reference	Comment on conformity in the Neighbourhood Plan
10.	Important Views (continued)	Para 127 adds that planning policies should ensure that developments: add to the overall quality of the area; are visually attractive as a result of good layout and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, and maintain a strong sense of place	The policy also aims to ensure that the design and location of development maintains the existing appearance of the village and its rural setting.
11.	Open Countryside	Paragraph 170 states that planning policies should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; b) recognising the intrinsic character and beauty of the countryside.	Policy 11 seeks to protect the landscape quality of the open countryside and its ecological value. It also seeks to protect the intrinsic character, beauty and tranquillity of the countryside.
12.	Trees and Hedgerows	Paragraph 175c) states that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.	Policy 12 similarly seeks to protect trees in the neighbourhood area.
13.	Local Services and Community Facilities	Para 83 states that planning policies should enable the retention and development of accessible local services and community facilities, such as public houses and places of worship. Para 92 states that to provide the social, recreational and cultural facilities and services the community needs, planning policies should plan positively for the provision and use of community facilities to enhance the sustainability of communities and residential environments.	The neighbourhood plan promotes the retention and further provision of local services and community facilities in the village subject to certain criteria.

Policy No	Policy Title	Framework Reference	Comment on conformity in the Neighbourhood Plan
14.	Telecommunications Infrastructure	Para 112 states that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks.	The neighbourhood plan highlights the importance of superfast broadband in rural areas. It supports the premise that the development of high speed broadband technology and other communications networks plays a vital role in enhancing the provision of local community facilities and services as well as home working.

3.16 It is therefore believed that the proposed neighbourhood plan has had appropriate regard to the Framework.

3.17 The group is not aware of any other relevant national policies and advice that the submitted neighbourhood plan should have had particular regard to.

The achievement of sustainable development

3.18 Paragraph 7 in the Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development. It adds that the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

3.19 Towards this purpose there are three overarching objectives outlined in the Framework:

- a) an economic objective – to help build a strong, responsive and competitive economy
- b) a social objective – to support strong, vibrant and healthy communities; and
- c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment.

3.20 These objectives should be delivered through the preparation and implementation of plans. Planning policies should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

3.21 Paragraph 16a) in the Framework states that plans should be prepared with the objective of contributing to the achievement of sustainable development.

3.22 The basic conditions also require that a neighbourhood plan should contribute to the achievement of sustainable development.

3.23 Section 6 in the neighbourhood plan assesses the key issues to emerge from the evidence gathering and community consultation, and summarises how they impact on achieving sustainable development in the parish.

3.24 Table 2 below assesses how each of the policies in Section 8 of the proposed neighbourhood plan contributes to sustainable development against the three overarching objectives outlined in the Framework.

3.25 Symbols are used to categorise the impact and to demonstrate whether the potential impacts of the policy are:

- very positive (++)
- positive (+)
- neutral (0)
- negative (-); or
- very negative (--).

Table 2 - Achievement of Sustainable Development

Policy No	Policy Title	Social Factors	Economic Factors	Environmental Factors	Comment on achieving Sustainable Development
1.	Residential Development	+	0	++	The neighbourhood plan seeks to restrict development to being within the main built up part of the village confines to protect surrounding countryside and ensure it is in-keeping with the existing settlement character.
2.	Affordable Housing on Rural Exception Sites	++	0	-	The neighbourhood plan seeks to ensure that affordable homes are made available should the need arise, which are partially exempt from the normal planning requirements for residential development.
3.	Self Build Homes and Custom Housebuilding	++	0	0	The policy supports this type of housing provision providing its location and design meets certain criteria.

Policy No	Policy Title	Social Factors	Economic Factors	Environmental Factors	Comment on achieving Sustainable Development
4.	Site of the former Napton Brickworks	0	0	+	Residential development on this site will reclaim brownfield, reduce anti-social behaviour and help meet the housing requirement. However the development needs to be socially integrated with the village, designed to blend in with the rural landscape, and be sensitive to environmental assets in the locality.
5.	Business development	+	++	0	The plan recognises the need to support commercial development in rural areas, and ideally local jobs. This policy encourages such development providing it recognises the rural character and environmental quality.
6.	Environmental Quality	+	+	++	This policy seeks to support development that incorporates design features to address environmental concerns and climate change.
7.	Heritage Assets	+	+	++	The neighbourhood plan seeks to maintain the integrity of the historic environment that positively contributes to the achievement of sustainable development. There is also support to see it promoted with the addition of interpretation information.
8.	The Grand Union and Oxford Canals	+	++	++	The policy seeks to protect the canal and their immediate environs by ensuring that any development is sensitive to the historic character of the area.

Policy No	Policy Title	Social Factors	Economic Factors	Environmental Factors	Comment on achieving Sustainable Development
9.	Local Green Space	+	0	+	The proposed Local Green Space is valued by the local community because of its historical interest, and its contribution to the village's distinctive character by providing a local landmark feature.
10.	Important Views	++	0	++	A strong message to emerge from the local community engagement was the need to retain the rural feel of the village. Views of the adjoining landscape help facilitate this, reminding the community of the open countryside beyond the village. Views of important buildings within the village are also recognised to protect their setting. How the village sits in the landscape is also captured.
11.	Open Countryside	+	0	++	In view of the quality of the surrounding countryside and its sensitivity to development, the neighbourhood plan seeks to restrict any proposals to appropriate rural activities. The neighbourhood plan highlights the importance of restricting noise and maintaining tranquillity, as well as the character and beauty of the landscape.
12.	Trees and Hedgerows	+	0	++	Trees not only soften the built environment and street scene, they are integral in the surrounding rural landscape. They also provide a valuable wildlife habitat and improve air quality.

Policy No	Policy Title	Social Factors	Economic Factors	Environmental Factors	Comment on achieving Sustainable Development
13.	Local Services and Community Facilities	++	+	+	The neighbourhood plan seeks to protect existing services and facilities used by the community to ensure the long term sustainability of the village and reduce the need to travel elsewhere. New provision is encouraged.
14.	Telecommunications Infrastructure	+	++	+	The neighbourhood plan seeks faster broadband for local businesses, including those residents who work from home. It also allows residents to better access some services and facilities on-line, and is thereby more inclusive.

3.26 In conclusion this table demonstrates that overall the neighbourhood plan’s policies positively contribute to the achievement of sustainable development.

Conformity with the Development Plan

3.27 In accordance with the basic conditions, a neighbourhood plan must be in general conformity with the strategic planning policies for the area as set out in the development plan.

3.28 The most significant development plan document is the Core Strategy, which was prepared by Stratford-on-Avon District. This strategic planning policy document establishes the vision for the District to 2031, the strategic policies, and the broad locations for growth including strategic allocations.

3.29 The Core Strategy was adopted by the District Council on 11 July 2016.

3.30 Policies in the submitted neighbourhood plan are assessed in Table 3 overleaf against the strategic policies in the adopted Core Strategy.

Table 3 - Conformity with the adopted Stratford-on-Avon Core Strategy (July 2016)

NP Policy	NP Policy Title	Policy in Core Strategy	Comment on Conformity
1.	Residential Development	<p>Policy CS.5 – Landscape</p> <p>Policy CS.9 – Design and Distinctiveness</p> <p>Policy CS.12 – Special Landscape Area</p> <p>Policy CS.15 – Distribution of Development</p> <p>Policy CS.16 – Housing Development</p> <p>Policy CS.19 – Housing Mix and Type</p>	<p>The Character Assessment seeks to identify and protect the village’s rural feel and distinctiveness. Policy 1 also seeks to avoid detrimental effects on features which make a significant contribution to the character, history and setting of the settlement.</p> <p>Policy 1 seeks to ensure that proposals for residential development will improve the quality of the public realm and enhance the sense of place, reflecting the character and distinctiveness of the settlement. Proposals that would damage or destroy features which positively contribute to local distinctiveness will similarly be resisted.</p> <p>The Core Strategy states that development proposals that relate to settlements that lie within a Special Landscape Area must respect the current and historic relationship of that settlement within the landscape.</p> <p>The neighbourhood plan acknowledges the village status within the settlement hierarchy, and requirement for development to be within the Built-up Area Boundary.</p> <p>Policy 2 accords with the housing requirement for Local Service Villages (Category 2)</p> <p>The Core Strategy states that all new homes (both market and affordable) will contribute to the creation of balanced and sustainable communities by meeting identified local and District housing needs in terms of mix, size, tenure and type to cater for the full range of different households. The neighbourhood plan similarly requests that housing proposals have regard to the findings of the latest local housing needs survey.</p>

NP Policy	NP Policy Title	Policy in Core Strategy	Comment on Conformity
1.	Residential Development (continued)	Policy AS.10 – Countryside and Villages	The Core Strategy advocates that all proposals will be thoroughly assessed against the principles of sustainable development, including the need to: <ul style="list-style-type: none"> a) minimise impact on the character of the local landscape, communities and environmental features; b) minimise impact on the occupiers and users of existing properties in the area; c) avoid a level of increase in traffic on rural roads that would be harmful to the local area; d) make provision for sustainable forms of transport wherever appropriate and justified; e) prioritise the re-use of brownfield land and existing buildings; and seek to avoid the loss of large areas of higher quality agricultural land.
2.	Affordable Housing on Rural Exception Sites	Policy CS.18 – Affordable Housing	The neighbourhood plan acknowledges the strategic approach to affordable housing.
3.	Self Build Homes and Custom Housebuilding	Not covered in the Core Strategy	
4.	Site of the former Napton Brickworks	Policy CS.6 – Natural Environment Policy CS.12 – Special Landscape Areas	<p>The neighbourhood plan notes the need to conserve and enhance features of geological interest for the future. It also recognises the need to protect and, where possible, enhance existing habitats</p> <p>The Core Strategy highlights the importance of the high landscape quality in the Special Landscape Areas, including their associated historic and cultural features. It states that such areas are protected by resisting development proposals that would have a harmful effect on their distinctive character and appearance.</p>

NP Policy	NP Policy Title	Policy in Core Strategy	Comment on Conformity
4.	Site of the former Napton Brickworks (continued)	Policy AS.11 – Large Rural Brownfield Sites	The neighbourhood plan lists criteria against which any proposal for development will be assessed. These build on the Core Strategy which similarly states that proposals for the re-use and redevelopment of extensive previously developed sites in the countryside will be assessed against certain factors in order to minimise any adverse impacts.
5.	Business Development	Policy CS.22 Economic Development Policy CS.24 – Tourism and Leisure Development	<p>The Core Strategy states that opportunities for business development will be provided in the countryside, including farm-based activities. The neighbourhood plan seeks to facilitate this subject to certain criteria being met.</p> <p>The Core Strategy stipulates that all forms of tourism and leisure development should be sensitive to the character of the area and designed to maximise the benefits for the communities affected in terms of job opportunities and support for local services. Policy 5 conforms to this approach.</p>
6.	Environmental Quality	Policy CS.2 – Climate Change and Sustainable Construction Policy CS.3 – Sustainable Energy Policy CS.4 – Water Environment and Flood Risk	<p>Both plans outline measures that mitigate and adapt to the impacts of climate change.</p> <p>The Core Strategy also makes provision will be made for a range of renewable energy and low carbon generation within the District to maximise environmental, social and economic benefits whilst minimising any adverse local impacts.</p> <p>The neighbourhood plan seeks to minimise flood risk and the provision of SUDs, whilst the Core Strategy provides further detailed guidance.</p>

NP Policy	NP Policy Title	Policy in Core Strategy	Comment on Conformity
7.	Heritage Assets	<p>Policy CS.8 – Historic Environment</p> <p>Policy CS.12 – Special Landscape Areas</p>	<p>The neighbourhood plan also seeks to protect and enhance the wide range of historic and cultural assets that contribute to the character and identity of the parish.</p> <p>The high landscape quality of the Special Landscape Areas, including their associated historic and cultural features, will be protected by resisting development proposals that would have a harmful effect on their distinctive character and appearance which make an important contribution to the image and enjoyment of the District.</p>
8.	The Grand Union and Oxford Canals	<p>Policy CS.7 – Green Infrastructure</p> <p>Policy CS.8 – Historic Environment</p> <p>Policy CS.24 – Tourism and Leisure Development</p>	<p>The neighbourhood plan recognises the value of the waterways as a major contributor to green infrastructure in the District. Policy 8 protects the canal network to improve quality of life, add to biodiversity and the provision of habitats, and enhance landscape character and quality.</p> <p>Policy 8 seeks to protect and enhance the canal network for its historic and cultural value, which contributes to the character and identity of the parish.</p> <p>The Core Strategy states that increased access to and use of canals and navigable waterways in the District will be encouraged, including the provision of moorings and marinas where it respects and works with the natural features and function of the watercourse.</p>
9.	Local Green Space	Not covered in the Core Strategy	
10.	Important Views	Policy CS.5 – Landscape	The Character Assessment and identification of important views seeks to identify and protect the parish from any harmful visual impacts of development.

NP Policy	NP Policy Title	Policy in Core Strategy	Comment on Conformity
11.	Open Countryside	<p>Policy CS.5 – Landscape</p> <p>Policy CS.6 – Natural Environment</p> <p>Policy CS.12 – Special Landscape Areas</p>	<p>The neighbourhood plan seeks to protect local distinctiveness and the historic character of the parish. It also safeguards existing habitats.</p> <p>The Core Strategy also recognises the need to protect and, where possible, enhance existing habitats</p> <p>The high landscape quality of the Special Landscape Areas, including their associated historic and cultural features, is protected in the Core Strategy.</p>
12.	Trees and Hedgerows	Policy CS.5 – Landscape	Policy 12 also seeks to protect important trees and hedgerows in accordance with the Core Strategy.
13.	Local Services and Community Facilities	Policy CS.25 – Healthy Communities	The Core Strategy says that It is expected that existing community facilities, such as shops, pubs, medical and leisure, will be retained unless it can be demonstrated that one or more of the listed criteria is satisfied. The neighbourhood plan complements this policy. The Core Strategy states that development proposals that would result in the loss of public or private open space, including allotments, without suitable replacement being made, will be resisted
14.	Telecommunications Infrastructure	Not covered in the Core Strategy	

3.31 The Table 3 demonstrate that the overall neighbourhood plan and its individual policies are in general conformity with the strategic policies in the Development Plan.

Emerging Local Plan

3.32 The basic condition only requires a neighbourhood plan to be in general conformity with the adopted documents that comprise the development plan for the area. It does not test the neighbourhood plan against the policies in any emerging Local Plan. However Guidance states that the reasoning and evidence informing the preparation of a Local Plan is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. It is therefore considered good practice to have regard to any emerging Local Plan and any associated up-to-date evidence base supporting its preparation.

- 3.33 Stratford-on-Avon District Council is preparing a Site Allocations Plan to accompany the Core Strategy. On 15 July 2019 the District Council endorsed the Site Allocations Plan for statutory consultation in accordance with the Town and Country Planning (Local Planning) (England) Regulations. The consultation period commenced on 8 August and ended on 20 September 2019. Following this consultation period the plan, together with all representations, will be submitted to the Secretary of State for examination. If it is found by an independent planning inspector to be 'sound' the Plan can then be formally adopted by the District Council.
- 3.34 Whilst the Site Allocations Plan will form part of the development plan, it is a 'second tier plan' and, as such, its context is set by the adopted Core Strategy.
- 3.35 As far as possible the neighbourhood plan has been mindful of the emerging Site Allocations Plan and the background evidence that has supported its preparation, though aware there may be further amendments to the policy wording following examination. The following table sets out how each policy in the submitted neighbourhood plan is in general conformity with the appropriate strategic policies in the emerging Site Allocations Plan.

Table 4 - Conformity with the emerging Site Allocations Plan (July 2019)

NP Policy	NP Policy Title	Policy in Site Allocations Plan	Comment on Conformity
1.	Residential Development	<p>Policy SAP.1 Identifying Reserve Housing Sites</p> <p>Approximately 3,000 homes have been identified on the reserve housing sites listed in Annex 1. These sites will be released if the Council's monitoring shows that there is, or is likely to be, an undersupply of housing or that the Council accepts that additional housing is required to be accommodated within the District by 2031.</p> <p>Paragraph 2.1.16 states that these sites have been identified following a rigorous assessment of land parcels in the Strategic Housing Land Availability Assessment (SHLAA) and taking into account various technical evidence, including in relation to infrastructure capacity.</p>	Annex 1: Schedule of proposed Reserve Housing Sites includes no proposals for Napton Parish

NP Policy	NP Policy Title	Policy in Site Allocations Plan	Comment on Conformity
1.	Residential Development (continued)	<p>Paragraph 2.1.18 states that there is an overriding constraint to further housing development in the north eastern part of the District which is in the catchment of Southam College secondary school (see Map 1). Due to the substantial amount of housing development that has already taken place in this area during the plan period or has planning permission and still to be implemented, the school is operating at capacity and cannot accommodate more pupils.</p> <p>Paragraph 2.1.19 adds that, as things stand, there is no known means of increasing the capacity of the school in the short to medium term. Warwickshire County Council has advised that because the existing site cannot be expanded it will be necessary either to replace the school on a new site or to provide a second school to serve the area. Either of these options will take many years to come to fruition, given the process of identifying a site, securing the funds and procuring its construction. It has been assumed that further housing development within the existing school's catchment would not be possible for at least ten years. On that basis, it would be inappropriate to identify reserve sites in that area as they are meant to be deliverable.</p> <p>Policy SAP.6 Built-up Area Boundaries</p> <p>This states that proposals for new development within the Built-up Area Boundaries will be supported in principle subject to compliance with Policy CS.15 Distribution of Development within the Core Strategy. New development proposed outside these built-up area boundaries will only be supported in principle subject to compliance with the provisions of Policy AS.10.</p>	<p>Map 1 indicates that Napton Parish is falls within the catchment of Southam College and is therefore affected by this constraint on residential future development.</p> <p>There is no additional allocation in the neighbourhood plan beyond meeting the strategic requirement within the Built-up Area Boundary.</p> <p>This site of the former brickworks was granted planning permission for 56 live/work units in January 2015, which was included in the SAP assessment of the school's future capacity. The neighbourhood plan broadly supports the allocation of up to 80 dwellings on the site of the former brickworks in the SAP. There is also a pending planning application for up to 100 houses on the site. Clearly the scale of housing may be constrained by the capacity of the school.</p> <p>Policy 1 in the neighbourhood plan is in accordance with this approach.</p>

NP Policy	NP Policy Title	Policy in Site Allocations Plan	Comment on Conformity
1.	Residential Development (continued)	<p>Paragraph 4.1.9 states that boundaries have been drawn around the existing extent of the built-up area of each of the LSVs, including land allocated for development or with planning permission. Owing to the rural nature of the District, some settlements comprise distinct parts and in such circumstances, separate boundaries around each part have been identified which together form the settlement as a whole. This approach will help protect important gaps within these settlements.</p> <p>Paragraph 4.1.15 acknowledges that during the process of progressing the plan to adoption, a number of neighbourhood plans that have not yet reached an 'advanced stage' will change status as they progress through the various statutory steps set out in the Regulations. Once 'made', the settlement boundary identified in a neighbourhood plan will prevail over the Built-up Area Boundary defined by the District Council.</p>	<p>The neighbourhood plan broadly accepts the revised Built-up Area Boundary put forward in the SAP, but has found several minor inaccuracies largely relating to recent planning permissions on the periphery of the village not being included. These small mistakes have been brought to the attention of officers at the District Council. The neighbourhood plan has therefore slightly modified the Built-up Area Boundary proposed in the SAP to correct these inaccuracies.</p>
2.	Affordable Housing on Rural Exception Sites	Not covered in the Site Allocations Plan	Not relevant
3.	Self Build Homes and Custom Housebuilding	<p>Policy SAP.3 Meeting Self-build and Custom-build Housing Needs</p> <p>Self-build and custom-build housing sites have been identified to help meet specific identified housing needs. Applications for schemes that provide for general market housing on self-build and custom-build sites will not be supported.</p> <p>Policy SAP.4 Self-build and Custom-build Housing Allocations</p> <p>Sites have been allocated for the specific purpose of contributing to meeting the self-build and custom housebuilding needs. It includes a site north of Dog Lane in Napton for approximately 5 plots (Proposal SCB.6)</p>	<p>Policy 3 in the neighbourhood plan conforms to this approach.</p> <p>The neighbourhood plan supports the principle of some self-build and custom build housing in the parish in Policy 3. However the Parish Council has expressed reservations to the District Council about the suitability of the proposed site north of Dog Lane in their response to the SAP.</p>

NP Policy	NP Policy Title	Policy in Site Allocations Plan	Comment on Conformity
3.	Self Build Homes and Custom Housebuilding (continued)	<p>Policy SAP.5 Unallocated Self-build and Custom-build Housing Sites</p> <p>Proposals for self-build and/or custom-build housing will be supported subject to them being for individual and small groups of plots within the Built-Up Area Boundaries of Local Service Villages, or on suitable sites adjacent to the Built-Up Area Boundaries and solely for this specific purpose.</p>	Policy 3 in the neighbourhood plan conforms to this approach.
4.	Site of former Napton Brickworks	<p>Proposal RURAL.1: Napton Brickworks</p> <p>This site is approximately 10 hectares gross, of which approximately 3 hectares net for residential development</p> <p>What is to be delivered:</p> <ul style="list-style-type: none"> • Housing – up to 80 dwellings • Public open space • Nature reserve or similar managed ecological area • Mooring points and facilities for canal users (optional) <p>Specific requirements:</p> <ul style="list-style-type: none"> • restrict housing development to previously developed parts of the site • produce a comprehensive management plan to be implemented for the whole site • undertake comprehensive archaeological, ecological and geological assessments of the site • secure appropriate treatment of any contamination • retain existing hedgerows and trees along site boundaries wherever possible • ensure the former quarry slopes remain stable to avoid slippage • ensure drainage into the canal is regulated and managed • ensure development does not have an adverse impact on the integrity of the canal 	Policy 4 in the neighbourhood plan broadly supports the allocation of the former brickworks site for up to 80 houses, and endorses the specific requirements. In addition Policy 4 adds some further requirements that should be met if the development is to go ahead.

NP Policy	NP Policy Title	Policy in Site Allocations Plan	Comment on Conformity
4.	Site of former Napton Brickworks (continued)	<ul style="list-style-type: none"> design and layout of the development must be well-related to the canal undertake a landscape assessment mitigate the noise impacts of adjacent business uses through the layout and design of development provide a high quality walking and cycling route along Brickyard Lane to/from Napton-on-the-Hill 	See above
5.	Business Development	<p>Policy SAP.7 Employment Enabling Sites</p> <p>Proposals for employment development within the District that are not specifically provided for in Policies CS.22 and AS.10 in the Core Strategy will be considered on their merits. Where such sites are located outside the built-up area of a settlement they should be on the edge of, or in close proximity to, the settlement. Applicants will be expected to demonstrate that there are no alternative suitable and available sites within the built-up area of the settlement/in the locality for the proposed form of development and uses.</p>	Policy 5 in the neighbourhood plan broadly conforms to Policy SAP.7
6.	Environmental Quality	Not covered in the Site Allocations Plan	Not relevant
7.	Heritage Assets	Not covered in the Site Allocations Plan	Not relevant
8.	The Grand Union and Oxford Canals	Not covered in the Site Allocations Plan	Not relevant
9.	Local Green Space	Not covered in the Site Allocations Plan	Not relevant
10.	Important Views	Not covered in the Site Allocations Plan	Not relevant
11.	Open Countryside	Not covered in the Site Allocations Plan	Not relevant

NP Policy	NP Policy Title	Policy in Site Allocations Plan	Comment on Conformity
12.	Trees and Hedgerows	Not covered in the Site Allocations Plan	Not relevant
13.	Local Services and Community Facilities	Not covered in the Site Allocations Plan	Not relevant
14.	Telecommunications Infrastructure	Not covered in the Site Allocations Plan	Not relevant

3.36 The above table demonstrates that the overall neighbourhood plan and its individual policies have had regard to the emerging Site Allocations Plan.

3.37 However it should be noted that policies within the District Council’s emerging Site Allocations Plan could be subject to change as a consequence of the examination process prior to adoption.

European Obligations

3.38 A neighbourhood plan must be compatible with European Union (EU) obligations, as incorporated into United Kingdom law, in order to be legally compliant. A number of EU obligations may be of relevance including:

- Directives 2001/42/EC (Strategic Environmental Assessment)
- 2011/92/EU (Environmental Impact Assessment)
- 92/43/EEC (Habitats)
- 2009/147/EC (Wild Birds)
- 2008/98/EC (Waste)
- 2008/50/EC (Air Quality)
- 2000/60/EC (Water).

3.39 Guidance indicates that it is the responsibility of local planning authorities to ensure that a neighbourhood plan is compatible with EU obligations (including obligations under the Strategic Environmental Assessment Directive) when it takes the decision on:

- a) whether the plan should proceed to referendum; and
- b) whether or not to make the plan.

Strategic Environmental Assessment

3.40 Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment is particularly relevant. Its purpose is to provide a high level of protection of the environment by incorporating environmental considerations into the process of preparing plans and programmes. This Directive is commonly referred to as the Strategic Environment Assessment (SEA) Directive. The Directive is transposed into

UK law through the Environmental Assessment of Plans and Programmes Regulations 2004.

- 3.41 If the neighbourhood plan is likely to have significant environmental effects it may require a SEA in order to meet these EU obligations.
- 3.42 The Parish Council therefore requested that Stratford-on-Avon District Council screen the draft plan on their behalf to ascertain whether a SEA was required.
- 3.43 The District Council appointed Lepus Consulting Ltd (Lepus) to undertake this task. The screening report explored the potential effects of the proposed neighbourhood plan with a view to determining whether an environmental assessment is required under the SEA Directive. In accordance with topics cited in Annex 1(f) of the SEA directive, the report concluded that significant effects on the environment are considered to be unlikely to occur as a result of the neighbourhood plan. It was therefore recommended that the neighbourhood plan should not be screened into the SEA process.
- 3.44 A copy of the letter from Stratford-on-Avon District Council confirming this SEA screening outcome is attached as Appendix 2.
- 3.45 The SEA screening report prepared by Lepus was subject to consultations with Natural England, Environment Agency and Historic England.

Habitats Regulations Assessment

- 3.46 Directive 92/43/EEC on the conservation of natural habitats, commonly referred to as the Habitats Directive, is also of relevance to meeting the basic conditions. A Habitats Regulations Assessment (HRA) identifies whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans or projects. The assessment determines whether significant effects on a European site can be ruled out on the basis of objective information.
- 3.47 The prescribed condition states that the ‘making’ of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012).
- 3.48 In addition to screening the plan to determine whether a SEA was required, the report prepared by Lepus also explored the potential effects of the proposed neighbourhood plan with a view to determining whether a HRA regulations assessment was required. The report recommended that the neighbourhood plan should not be screened into the HRA process.
- 3.49 The SEA/HRA screening report prepared by Lepus can be found here:
<http://www.naptonparishcouncil.org.uk/neighbourhood-development-plan/>

European Convention on Human Rights (ECHR)

- 3.50 The Human Rights Act contains a number of articles which are potentially relevant to neighbourhood planning such as:
- the right to respect for private and family life;
 - freedom of expression; and
 - prohibition of discrimination.
- 3.51 For example all sections of the community should be given the opportunity to get involved in preparing the plan and express their views on it.
- 3.52 As part of the preparation of the neighbourhood plan both non statutory and statutory consultations have been carried out in such a way that all sections of the local community have been given ample opportunity to express their views and influence the content. The Steering Group were constantly mindful of the need to engage all sections of the local community and applied different consultation techniques accordingly. These initiatives are documented in the accompanying consultation statement.
- 3.53 The Parish Council confirm that the neighbourhood plan has been prepared to represent the views of the whole community.
- 3.54 It is therefore believed that the neighbourhood plan has had appropriate regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998.

Equalities

- 3.55 The preparation of the neighbourhood plan has had due regard to the provisions of Section 149(1) of the Equalities Act 2010 and the Parish Council is not aware of any discrimination, harassment, victimisation or any other conduct that is prohibited by or under this Act.
-

4. Conclusion

- 4.1 In accordance with paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 this statement demonstrates that the proposed Napton-on-the-Hill Neighbourhood Development Plan prepared by Napton-on-the-Hill Parish Council meets the requirements of each basic condition and the other legal tests.
-

Policies in the Napton-on-the-Hill Neighbourhood Development Plan (as submitted to Stratford-on-Avon District Council)

Policy 1 – Residential Development

A proposal for residential development will be supported providing that all of the following criteria are met:

- a) it is located within the defined Built-up Area Boundary of the village;
- b) it is sensitive infill development that is on a small scale;
- c) it is appropriate to its surroundings and does not overshadow or overlook adjoining properties;
- d) it has regard to the needs identified in the latest Housing Needs Survey for the parish;
- e) it has regard to the Character Area Assessment in terms of scale, layout and materials, and retains local distinctiveness to create a sense of place;
- f) the height of rooflines do not impact adversely on the important views identified in Policy 10;
- g) it does not affect gaps and important open spaces, which are of particular significance to the form and character of the settlement;
- h) it protects and enhances public rights of way and encourages the use of the existing network of public footpaths, green lanes and tracks to enable access by foot around the village; and
- i) there is suitable access by car with adequate off road parking provision.

The Built-Up Area Boundary is defined on Policy Map 1.

Policy 2 – Affordable Housing on Rural Exception Sites

A proposal for the development of affordable housing outside the defined Built-up Area Boundary will be supported providing it is:

- a) for a small number of properties;
- b) located on a rural exception site that is adjacent to the Built-up Area Boundary;
- c) justified by evidence of need through the latest Housing Needs Survey for the parish;
- d) prioritised for those with a local connection ; and
- e) any associated market housing is demonstrated to be the minimum required to deliver a viable affordable housing development and also meets locally identified housing needs.

Policy 3 – Self-Build Homes and Custom Housebuilding

A proposal for the development of self-build homes or custom housebuilding will be supported providing that:

- a) it is located within or immediately adjacent to the defined Built-up Area Boundary of the village;
- b) it is on a small scale;
- c) it is appropriate to its surroundings and does not overshadow or overlook adjoining properties;
- d) it has regard to the Character Area Assessment in terms of scale, layout and materials, and retains local distinctiveness to create a sense of place;
- e) the height of rooflines do not impact adversely on the important views identified in Policy 10;
- f) it does not affect gaps and important open spaces, which are of particular significance to the form, character and setting of the settlement;
- g) it protects and enhances public rights of way and encourages the use of the existing network of public footpaths, green lanes and tracks to enable access by foot around the village; and
- h) there is suitable access by car with adequate off road parking provision.

The applicant, working with Stratford-on-Avon District Council and the Parish Council, should prepare a Design Code or Plot Passports for the site to demonstrate how the above criteria have been met.

Policy 4 – Site of the former Napton Brickworks

The Parish Council supports the allocation of up to 80 dwellings on the site of the former brickworks providing it meets all the specified requirements listed in Proposal RURAL.1 of the Site Allocations Plan.

In addition a proposal for development on the site should:

- a) have regard to the needs identified in the latest Housing Needs Survey for the parish;
- b) include sufficient mitigation to protect Napton Hill Quarry SSSI and Local Wildlife Site, and Sandstone Doggers Local Geological Site from any adverse impacts;
- c) include a fully equipped children's play area within the public open space;
- d) include mitigation measures to prevent anti-social behaviour in and around the site, especially off road cycling;
- e) provide 2 crossing points on the A425 to enable safe public access;
- f) provide comprehensive structural landscaping within the site to minimise visual intrusion in the open countryside, particularly from public viewpoints around the periphery of the site; and

- g) provide effective links to the services and facilities available within the village including a safe and accessible road, footpath and cycle network.

Policy 5 – Business Development

Business and economic development will be supported within the Built-up Area Boundary providing that:

- a) it is sensitive infill development that is on a small scale;
- b) it is appropriate to its surroundings and does not overshadow or overlook adjoining properties;
- c) it has regard to the Character Area Assessment with particular regard to scale, layout and materials, and retains local distinctiveness to create a sense of place;
- d) the height of rooflines do not impact adversely on the views identified in Policy 10;
- e) it does not affect gaps and important open spaces, which are of particular significance to the form and character of the settlement;
- f) it protects and enhances public rights of way and encourages the use of the existing network of public footpaths, green lanes and tracks to enable access by foot around the village; and
- g) the impact in terms of traffic, parking, noise, air pollution, light pollution, ecology and landscape is satisfactory including through the use of appropriate mitigation measures.

Outside the Built-up Area Boundary proposals for development related to recreation and tourism, including agricultural diversification, will be supported providing that:

- 1) appropriate infrastructure is included as part of the scheme; and
- 2) it meets the criteria set out in Policy 11.

Proposals for development that improve the gateways to the village will be supported in order to encourage tourism. This includes schemes that enhance the landscape setting or provide better signage to features of interest.

Policy 6 – Environmental Quality

A proposal for development will be supported where it incorporates design features that minimise:

- a) the emission of air pollutants;
- b) noise to protect the tranquillity of the area;
- c) light pollution to retain the dark skies;
- d) fuel poverty by incorporating cost-effective energy efficiency measures;
- e) the generation of waste and maximises opportunities for reuse and recycling;
- f) flood risk and encourages efficient water and waste management systems, including sustainable drainage systems (SuDS); and

- g) the fragmentation of habitats and creates green infrastructure networks that improve biodiversity.

A proposal for community-led small-scale renewable or low carbon energy development, (such as ground source heat supply, solar farms or wind power for local supply) will be supported providing there are no adverse impacts on the local environment that cannot be adequately mitigated. The overarching aim is that the overall balance of outcomes from such projects should be positive for the local community.

Policy 7 – Heritage Assets

A proposal for development will be supported providing that:

- a) it preserves or enhances designated heritage assets and their setting including listed buildings ; or
- b) the public benefits of the proposal clearly outweigh the scale of the harm or loss of the heritage asset.

Proposals that sensitively promote and interpret heritage assets will be supported.

Policy 8 – The Grand Union and Oxford Canals

The canals and their setting need to be protected from inappropriate development owing to their economic, social and environmental contribution to the area.

A proposal for development will be supported providing that it:

- a) respects the unique character of the canal through innovative and sensitive design;
- b) uses appropriate designs and materials for works and repairs to historical canal structures;
- c) provides external spaces which allow visual and physical access that encourage links to the village;
- d) protects and manages the function of the canal as a wildlife corridor by resisting proposals which destroy or adversely affect areas of ecological interest;
- e) protects existing hedgerows and trees and introduce soft landscape works to retain the canal as a green waterway;
- f) uses canal side furniture which is in-keeping with the setting and local heritage, but is robust;
- g) encourages a positive relationship between the canal and surrounding land by providing high quality and appropriate boundary treatment;
- h) provides, and if necessary upgrades, pedestrian access to maintain the role of the canal as a green pedestrian link; and
- i) promotes understanding of the canal heritage including the provision of signage, interpretation and public art.

Policy 9 – Local Green Space

The following areas are designated as Local Green Space:

- a) Napton Sports Club
- b) Land adjoining St Lawrence Church
- c) The Copse off Fells Lane
- d) Land adjacent to the former Napton Brickworks Site
- e) Pastoral field above Quincy Meadows Development.

A proposal for development that is incompatible with its importance as a Local Green Space will not be supported unless there are very special circumstances where the benefits of development clearly outweigh its loss or any harm caused by such development.

The boundaries of the Local Green Spaces are shown on Policy Map 2.

Policy 10 – Important Views

The following important views will be protected:

- 1) From Butt Hill at junction with Hillside;
- 2) From The Poplars, 100 metres south from the end house of the three storey terrace;
- 3) From the southern corner of the upper churchyard of St. Lawrence Church;
- 4) From the Oxford Canal approximately 160 metres north of Canal Bridge No.115;
- 5) From the top of Dannells Hill (campsite) back into the village; and
- 6) From School Hill by the Memorial Bench

The location and direction of these important views is indicated on Policy Map 3.

Any development proposals must ensure that the openness and key features of these important views can continue to be enjoyed including distant buildings, areas of landscape and the juxtaposition of the village edge, arboreal setting and the surrounding open countryside. Development proposals which have a harmful impact on the view will not be supported.

Policy 11 – Open Countryside

Outside the Built-up Area Boundary development will only be supported where it does not cause demonstrable harm to:

- a) the landscape quality of the Ironstone Hill Fringe Special Landscape Area;

- b) sites of ecological or geological value including Napton Hill Quarry SSSI (which is also designated as a Local Wildlife Site), Calcutt Locks Meadows SSSI, and Napton Hill Sandstone Doggers Local Geological Site;
- c) heritage assets and sites of archaeological interest including ancient ridge and furrow pastureland found at the junction of The Poplars, The Butts and Howcombe Lane;
- d) the intrinsic character, beauty and tranquillity of the countryside; or
- e) the appearance of the area in terms of its historic and vernacular built form.

Policy 12 – Trees and Hedgerows

There should be no harm to or loss of irreplaceable habitats such as ancient trees or veteran trees.

A proposal for development should protect mature trees, woodlands, important hedgerows and verges wherever possible.

Development that would result in the loss or damage to protected trees and hedgerows will not be supported unless a satisfactory scheme for the replacement of lost trees or mitigation of damage to the landscape is agreed.

Policy 13 – Local Services and Community Facilities

The provision of new services or community facilities, or the expansion of existing services and facilities, will be supported providing that:

- a) it does not have significant harmful impacts on the amenities of residents or on other neighbouring uses; and
- b) it is in an accessible location.

The loss of any of the following services and community facilities will only be supported if it can be demonstrated that it meets the criteria specified in Policy CS.25 of the adopted Core Strategy:

- 1) Napton Village Stores;
- 2) Kings Head Public House;
- 3) The Folly Public House;
- 4) Napton Victory Club;
- 5) Napton Sports Pavilion and associated playing fields;
- 6) Napton Village Hall;
- 7) St Lawrence Church;
- 8) Christadelphian Meeting Rooms;
- 9) St Lawrence Church of England Primary School;
- 10) Arc School;

- 11) Playground for young people in Dog Lane adjacent to Napton Sports Club playing fields;
- 12) Granton Playground for younger children in Dog Lane adjacent to St Lawrence Primary School;
- 13) Granton Playing Field behind Granton Playground;
- 14) Allotments off Poplar Road; and
- 15) Crossroads Garage.

Policy 14 – Telecommunications Infrastructure

Proposals for development that improve electronic communications such as superfast broadband and the mobile phone network will be supported providing any adverse impact on the environment can be adequately mitigated.

Appendix 2

**Letter from Stratford-on-Avon District Council to Napton-on-the-Hill
Parish Council re. Screening of the Neighbourhood Plan for a
Strategic Environmental Assessment (March 2019)**

Direct Line : 01789 260334
 e-mail : rosemary.williams@stratford-dc.gov.uk
 My ref : Napton-on-the-Hill NDP
 Your ref :
 Date : 22 March 2019



Mrs Jayne Warman
 Clerk to Napton-on-Hill Parish Council
 Dog Lane Farm House
 Napton, Southam
 Warwickshire
 CV47 8LT

By email only

Isabel Edgar Briançon
Executive Director

Dear Jayne,

**NAPTON-ON-THE-HILL NEIGHBOURHOOD DEVELOPMENT PLAN
 SCREENING FOR STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA)**

In accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations), Stratford-on-Avon District Council prepared a SEA Screening Document on behalf of Napton-on-the-Hill in 2019 to determine whether the Napton-on-the-Hill Neighbourhood Development Plan should be subject to a Strategic Environmental Assessment (SEA).

The Screening Document explored the potential effects of the proposed NDP and concluded that on the basis of the SEA Screening Assessment, the NDP would not result in significant environmental effects in relation to criteria set out in the SEA Regulations or the Habitats and Species Regulations.

This screening document was subsequently submitted to the statutory environmental bodies of Historic England, Environment Agency and Natural England for comment, in accordance with the SEA Regulations. All three agencies have replied to the consultation, all agreeing that significant environmental effects are not likely to arise as a result of the Napton-on-the-Hill NDP and that the preparation of a SEA is unlikely.

Following receipt of the responses from the statutory consultees confirming agreement with the conclusion of SDC's SEA screening report, I write to inform you that Stratford-on-Avon District Council determine that a Strategic Environmental Assessment (SEA) is not required in respect of the Napton-on-the-Hill NDP.

I hope this is sufficient for your records. However, should you have any queries please do not hesitate to contact Rosemary Williams, whose details are at the top of this letter.

Yours sincerely


Stratford-on-Avon District Council

John Careford
 Policy Manager (Enterprise, Planning and Housing)

Elizabeth House
 Church Street
 Stratford-upon-Avon
 CV37 6HX

telephone 01789 267575

minicom 01789 260747

website www.stratford.gov.uk

DX700737 STRATFORD-ON-AVON 2

