



DECISION STATEMENT

NEIGHBOURHOOD PLAN PROCEEDING TO REFERENDUM

1. Napton-on-the-Hill Neighbourhood Development Plan

- 1.1 I confirm that the Napton-on-the-Hill Neighbourhood Development Plan (NNDP), as revised according to the modifications set out below, complies with the legal requirements and Basic Conditions set out in the Localism Act 2011, and with the provision made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004. The Plan can therefore proceed to referendum. A referendum cannot be held until May 2021 as a result of Covid.
- 1.2. I also declare that I have no personal or prejudicial interest in respect of this decision.

Signed

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

John Careford,
Policy Manager (Enterprise, Housing and Planning)

1. Background

- 2.1 The District Council confirms that for the purposes of Regulation 5 (1) of The Regulations Napton-on-the-Hill Parish Council is the "Qualifying Body" for their area.
- 2.2 On 17 July 2017, Napton-on-the-Hill Parish Council requested that, in accordance with section 5(1) of the Neighbourhood Planning (General) Regulations 2012 ("The Regulations"), the Parish of Napton-on-the-Hill be designated as a Neighbourhood Area, for which a Neighbourhood Development Plan will be prepared.
- 2.3 Through The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016, there is no longer a requirement to publicise area designation applications if the area

specified in the application encompasses the entire Parish area. This is the case with the Napton-on-the-Hill Parish Council application.

- 2.4 The District Council designated the Napton-on-the-Hill Neighbourhood Area by way of approval of The Leader of the Council under delegated powers on 17th July 2017.
- 2.5 In accordance with Regulation 7 of The Regulations, the decision to designate the Napton-on-the-Hill Neighbourhood Area was advertised on the District Council website together with the name, area covered and map of the area.
- 2.6 The Parish Council consulted on a pre-submission version of their draft Neighbourhood Development Plan between 12 November 2018 – 14 January 2019 fulfilling all the obligations set out in Regulation 14 of The Regulations.
- 2.7 The Parish Council submitted their Neighbourhood Development Plan to Stratford-on-Avon District Council on 18 October 2019 in accordance with Regulation 15 of The Regulations.
- 2.8 The District Council publicised the submitted Plan and its supporting documents for 6 weeks between 6 February 2020 and 20 March 2020 in accordance with Regulation 16 of The Regulations.
- 2.9 Ann Skippers was appointed by the District Council to independently examine the Plan, and the Examination took place between May and November 2020, with the final Examiner's report being issued on 16th November 2020.
- 2.10 The Examiner concluded she was satisfied that the Napton-on-the-Hill Neighbourhood Development Plan was capable of meeting the legal requirements set out in the Localism Act 2011, including meeting the Basic Conditions, subject to the modifications set out in her report, as set out in the table below.
- 2.11 Schedule 4B s.12 to the Town and Country Planning Act 1990, as inserted by the Localism Act 2011, requires that a Local Authority must consider each of the recommendations made in the Examiner's report and decide what action to take in response to each recommendation. If the Local Authority is satisfied that, subject to the modifications made, the draft Neighbourhood Development Plan meets the legal requirements and Basic Conditions as set out in legislation, a referendum must be held on the 'making' (adoption) of the Plan by the Local Authority. If the Local Authority is not satisfied that the plan meets the basic conditions and legal requirements then it must refuse the proposal. Should a referendum take place, a majority of residents who turn out to vote must vote in favour of the Neighbourhood Plan (50% plus one vote) before it can be 'made'.
- 2.12 The Basic Conditions are:
 1. Have regard to national policy and guidance issued by the Secretary of State.
 2. Contribute to the achievement of sustainable development.
 3. Be in general conformity with the strategic policies contained in the development plan for the area of the Authority (or any part of that area).

4. Does not breach, but is otherwise compatible with EU obligations – this includes the SEA Directive of 2001/42/EC and Human Rights requirements.

Examiner's Recommendations and Local Authority's Response (Regulation 18(1))

Examiner's Recommendation (incl. page number in the report)	Section/page no. in submission draft NDP	SDC Decision and reason	New text or amendment to original text, as applicable – as shown in Referendum version NDP
Introduction			
Delete the words "...and the emerging Site Allocations Plan".	Page 6, para 1.12.	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	Delete: And the emerging Site Allocations Plan.
National and Local Planning Context			
Change the reference to "July 2018" in paragraph 2.3 on page 8 of the Plan to "July 2019".	Page 8, para 2.3.	<i>Modification Not Agreed.</i> The NPPF was revised in February 2019 and the suggested amendment by the Examiner is not factually correct. Therefore, the Parish has amended the text to accurately reflect the dates of revisions to the NPPF.	Examiner modification: Delete: July 2018 Insert: <u>July 2019</u> Parish has amended text to read as follows: <u>This revised Framework was further updated in February 2019. When published, it replaced both the 2012 and 2018 documents.</u>
Add the word 'around' after "of which no more than..." in the second sentence of the paragraph	Page 9, para 2.12	<i>Modification Agreed.</i> The amendments to the text	Amend: This states that in Local Service Villages (Category 2) there will be approximately

2.12 on page 9 of the Plan.		ensure that it is clear and robust.	700 additional homes in total between 2011 and 2031, of which no more than <u>around</u> 12% should be provided in any individual settlement.
Delete paragraphs 2.14, 2.16, 2.17, 2.18 and 2.19 on pages 9 and 10 of the Plan.	Pages 9 & 10, paras 2.14, 2.16, 2.17, 2.18 and 2.19.	<p><i>Modification Agreed.</i></p> <p>The deletions to the NDP ensure that the Plan is up to date and robust.</p>	<p><u>Delete:</u></p> <p>The District Council has started work on preparing the following additional documents that will apply across the whole of Stratford-on-Avon District:</p> <p>Site Allocations Plan – The site specific planning policy document will accompany the Core Strategy. It will allocate and designate land for development, including identifying settlement boundaries; and</p> <p>Gypsy and Traveller Local Plan – The site specific planning policy document that will allocate land for Gypsy and Traveller pitches and plots for Travelling showpeople, based upon the identified need within the District.</p> <p>The original intention was that the Site Allocations Plan would identify additional sites for housing development to supplement the strategic sites identified in the Core Strategy. However, sufficient housing provision has been made in the Core Strategy and through planning</p>

			<p>permissions to meet the housing requirement identified for the current plan period to 2031. The focus of the Site Allocations Plan will now be on the identification of 'reserve sites' in accordance with Policy CS.16 in the Core Strategy.</p> <p>The Site Allocations Plan will also cover a number of other matters including:</p> <p>The definition of Built-up Area Boundaries for a wide range of settlements (including Napton); Provisions for Self-Build and Custom-Build housing schemes; and Proposals relating to a number of specific sites</p> <p>In July 2019 the District Council endorsed the Site Allocations Plan for statutory consultation. The consultation period was from 8 August until 20 September 2019. Following this consultation 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. It is</p>
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			<p>envisaged that this will occur in the summer of 2020.</p> <p>Further information can be found here: https://stratford.gov.uk/planning-building/site-allocations-plan.cfm</p>
Change paragraph 2.15 on page 10 of the Plan to read “Whilst not a basic condition, the preparation of the Napton Neighbourhood Plan has been mindful of <i>any</i> emerging development plan documents and the evidence base that supports <i>them</i> .”	Page 10, para 2.15.	<p><i>Modification Agreed.</i></p> <p>The amendments to the text ensure that it is clear and robust.</p>	<p>Amend:</p> <p>Whilst not a basic condition, the preparation of the Napton Neighbourhood Plan has been mindful of the any emerging Site Allocations Plan and the evidence base that supports # <u>them</u>.</p>
Insert Map labelled as “Attachment 2” to the responses to the Examiner questions as Map 2 – Listed Buildings in the Village after paragraph 3.23/Table 1 in the Plan.	Page 15	<p><i>Modification Agreed.</i></p> <p>The amendment to the Map ensures that it accurately reflects the Listed Buildings in the village.</p>	<p>Insert new map labelled ‘Listed Buildings in the Village’ after paragraph 3.23/Table 1 in the Plan.</p>
Insert new paragraph at 3.26 on page 15 of the Plan that reads “Map 2 shows the Listed Buildings in the village”.	Page 15, para 3.26	<p><i>Modification Agreed.</i></p> <p>The amendment to the text ensures that it is clear and robust and reflects the updated Map 2 (see above).</p>	<p>Add:</p> <p><u>Map 2 shows the Listed Buildings in the village.</u></p>
Profile of the Area			
Change paragraph 5.10 on page 22 to read “Of the 135 responses to the question “is your current home	Page 22, para 5.10	<p><i>Modification Agreed.</i></p> <p>The amendments to the text</p>	<p>Amend:</p> <p>Of the 135 responses, <u>to the question is</u></p>

suitable”, 109 indicated that their current home is suitable for their household”.		ensure that it is clear and robust.	<u>your current home suitable?</u> , 109 indicated that their current home is suitable for their household.
Remove map on page 27 of the Plan which shows local amenities and Listed Buildings.	Page 27, Map 3	<i>Modification Agreed.</i> This map has been replaced with a new and updated Maps 2 and 3.	Delete existing Map 3.
Insert Map labelled as “Attachment 3” to the responses to my questions once it has been checked for accuracy and add the key on the existing Map 3 on page 27 of the Plan (once any corrections have been made).	Page 27, Map 3	<i>Modification Agreed.</i> The amendment to the Map ensures that it accurately reflects the Character Assessment Sub Areas.	Insert new Map 3 labelled as Attachment 3.
Change paragraph 5.38 on page 26 to read: “Map 3 indicates the location of some of the various amenities the village has to offer and is for information purposes only”.	Page 26, para 5.38	<i>Modification Agreed</i> The amendment to the text ensures that it is clear and robust and reflects the updated Map 3 (see above).	Add: <u>Map 3 indicates the location of some of the various amenities the village has to offer and is for information purposes only.</u>
Consequential amendments may be required to Map numbers etc. as a new Map is inserted.	Whole document	<i>Modification Agreed.</i> This will ensure that the numbering is correct and consistent throughout the document for ease of reference.	Map numbers to be changed if required.

Planning Policies			
Replace "...Stratford Core Strategy ..." with "Stratford on Avon Core Strategy" in bullet point two of paragraph 8.2 on page 35 of the Plan.	Page 35, para 8.2	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	Amend to: Strategic policies in the current development plan for the area, most notably the Stratford <u>on Avon</u> Core Strategy.
Change bullet point three of paragraph 8.2 to read: "any emerging development plan documents and any up to date information that informing their preparation.	Page 35, para 8.2, bullet point 3	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	Amend to: The <u>Any</u> emerging development plan documents, and most notably the <u>Site Allocations Plan</u> and and any up-to-date information that is informing its <u>their</u> preparation.
In paragraph 8.9 replace the word "will" with "could" and delete "through the emerging Site Allocations Plan or".	Page 36, para 8.9	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	In accordance with Policy CS.15 of the Core Strategy it is intended that the Built-up-Area Boundaries for the Local Service Villages will <u>could</u> be identified through the emerging Site Allocations Plan or.
In paragraph 8.10 delete "Prior to adoption of the emerging Site Allocations Plan and replace with "As an interim measure" and insert "a methodology and defined" after "endorsed".	Page 36, para 8.10	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	Amend as follows: Prior to adoption of the emerging Site Allocations Plan <u>As an interim measure</u> the District Council endorsed <u>a methodology and defined</u> draft Built-Up Area Boundaries as a material consideration to help determine planning applications. The boundary for Napton-on-the-Hill was endorsed by the District Council at the meeting of the Cabinet on 15 January 2018.

<p>Insert a new paragraph after the existing paragraph 8.10.</p>	<p>Page 36, after para 8.10</p>	<p><i>Modification Agreed.</i></p> <p>The amendments to the text ensure that it is clear and robust.</p>	<p>Insert new para:</p> <p><u>This version of the Built-up Area Boundary for Napton was then put forward in the draft neighbourhood plan. However, after further discussions with the District Council several small modifications to the boundary were agreed. These were largely to reflect recent planning permissions. In addition it is agreed that the Church of St. Lawrence and the adjoining churchyard should be removed from the Built-up Area Boundary to conform to the District Council's emerging methodology.</u></p>
<p>Delete paragraphs 8.11, the related table and 8.12.</p>	<p>Page 36-37, para 8.11, table and para 8.12</p>	<p><i>Modification Agreed.</i></p> <p>The deletions to the text ensure that the Plan is up to date and robust.</p>	<p>Delete:</p> <p>The revised Built-up Area Boundary for Napton-on-the-Hill is shown in the Proposed Site Allocations Plan, which was published by the District Council in August 2019 for consultation purposes. It incorporates around half a dozen proposed modifications to the boundary previously endorsed by the District Council. Whilst much of the distinction between the built-up area and the open countryside is clear cut, the plan states that subjective judgement has been necessary in certain cases. To assist in this process, the District Council has applied, subject to specific local</p>

			<p>circumstances, a set of criteria to ensure a consistent approach. This is set out below:</p> <p>The Parish Council broadly accepted the proposed new Built-up Area Boundary for the village as defined by the District Council in the Site Allocations Plan Proposed Submission 2019. However, the Parish Council's consultation response suggested several detailed amendments to the boundary in the light of recent planning approvals on the periphery of the village. Their inclusion within the Built-up Area Boundary would be in accordance with the methodology for drawing up such boundaries as set out in the emerging Site Allocations Plan and would therefore appear to be entirely appropriate.</p>
Add the word "around" after "no more than" in paragraph 8.15 on page 39.	Page 39, para 8.15	<p><i>Modification Agreed.</i></p> <p>The amendments to the text ensure that it is clear and robust.</p>	<p>Amend:</p> <p>To meet the strategic housing need set out in the Core Strategy the neighbourhood plan is therefore required to provide no more than <u>around</u> 84 additional dwellings within the Built-up Area Boundary over the period 2011-2031.</p>
Delete the sentence that begins "In addition the emerging Site Allocations Plan" in paragraph 8.19.	Page 40, para 8.19	<p><i>Modification Agreed.</i></p> <p>The amendments to the text ensure that it is clear and robust.</p>	<p>Delete:</p> <p>In addition the emerging Site Allocations Plan included a specific proposal for up to</p>

			80 dwellings on the site of the former brickworks.
Policy 1 – Residential Development			
Delete the sentence that begins “There is also an allocation...” and “This site also lies...” from para 8.20.	Page 40, para 8.20	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	Delete: There is also an allocation in the emerging Site Allocations Plan for approximately 5 plots on a site north of Dog Lane to help meet the District’s need for self-build and custom housebuilding. This site also lies outside the Built-up Area Boundary.
Change the first sentence of paragraph 8.24 on page 41 and delete the second sentence of the paragraph that begins “However some of this requirement could”.	Page 41, para 8.24	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	If the housing requirement of <u>no more than around set by the District Council of up to 21 dwellings</u> is to be met, future provision needs to primarily address the identified housing needs outlined above. However some of this requirement could be accommodated within the proposal for housing on the site of the former Napton Brickworks.
Delete paragraphs 8.36, 8.37 and 8.38.	Page 43, paras 8.36, 8.37 and 8.38	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	Delete: The Strategic Housing Land Availability Assessment (SHLAA) 2019 formed part of the evidence base for the Site Allocations Plan when it was published for statutory consultation. This included an assessment of 24 parcels of land on the periphery of Napton. Each site was considered against a

			<p>list of criteria to consider their suitability for development. The assessment concluded that almost all of the sites in and around the village were regarded as 'not deliverable'. Two sites were considered to be 'likely to be deliverable'. No sites were considered to be 'deliverable'.</p> <p>Further information on the SHLAA can be found here: https://www.stratford.gov.uk/planning-building/site-allocations-pplan.cfm</p> <p>In addition paragraph 2.1.18 in the emerging Site Allocations Plan states that there is an overriding constraint to further housing development in the north eastern part of the District which is the catchment for Southam College secondary school, which includes Napton Parish. 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. Paragraph 2.1.19 adds that, as things stand, there is no means of increasing the capacity of the school in the short to medium term. Warwickshire</p>
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			<p>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, the emerging Site Allocations Plan concludes that it would be inappropriate to identify reserve sites in the area as they are meant to be deliverable.</p>
<p>Insert new paragraph 8.36.</p>	<p>Page 43, paragraph 8.36</p>	<p><i>Modification Agreed.</i></p> <p>The new paragraph ensures that the NDP is clear and robust. However, there is a typographical error in the text and the final sentence should read ' No sites were considered to be definitely deliverable'. The word 'definitely' was missed out of the examiners recommended wording. Therefore, it has been added.</p>	<p>Insert new paragraph :</p> <p><u>The Strategic Housing Land Availability Assessment (SHLAA) 2020 forms part of the evidence base for emerging plans at District level. This included an assessment of 24 parcels of land on the periphery of Napton. Each site was considered against a list of criteria to consider their suitability for development. The assessment concluded that almost all of the sites in and around the village were regarded as 'not deliverable'. Three sites were considered to be 'likely to be deliverable'. No sites were</u></p>

			<u>considered to be 'definitely deliverable'.</u>
Add after "residential development" the words "unless it is for the purposes identified in national and local policy including self-build and custom-build"	Page 44, para 8.41	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	Amend: For instance any proposal for residential development <u>unless it is for the purposes identified in national and local policy including self-build and custom-build</u> must be located within the defined Built-up Area Boundary.
Add at the end of criterion a) of the policy: "or is otherwise acceptable outside the BUAB as set out in national and local policy"	Page 44, para 8.42	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	Amend: a) It is located within the defined Built-up Area Boundary of the village; <u>or is otherwise acceptable outside the BUAB as set out in national and local policy.</u>
Change criterion b) of the policy to read : "it is development on a small scale"	Page 44, para 8.42	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	Amend: b) It is sensitive infill development that is on a small scale b) <u>It is development on a small scale</u>
Add at the end of criterion c) of the policy: "or otherwise is acceptable in relation to the effect on the living conditions on the occupiers of any affected property".	Page 44, para 8.42	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	Amend: It is appropriate to its surroundings and does not overshadow or overlook adjoining properties; <u>or otherwise is acceptable in relation to the effect on the living conditions of the occupiers of an affected property.</u>

Add at the end of criterion d) of the policy: “or the latest available housing needs information”	Page 45, para 8.42	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	Amend: It has regard to the needs identified in the latest Housing Needs Survey for the parish; <u>or the latest available housing needs information.</u>
Policy 2 – Affordable Housing on Rural Exception Sites			
Delete criterion a)	Page 46, Policy 2	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	Delete: a) For a small number of properties
Add the words “or up to date information” after “...Housing Needs Survey” in criterion c)	Page 46, Policy 2	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	Amend: c) Justified by evidence of need through the latest Housing Needs Survey <u>or up to date information</u> for the parish;
Delete the words “...and also meets locally identified housing needs.” From criterion e)	Page 46, Policy 2	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	Amend: 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			

<p>Add a new paragraph under the sub-heading “Self-build homes and custom housebuilding” on page 47 of the Plan.</p>	<p>Page 47, new paragraph</p>	<p><i>Modification Agreed.</i></p> <p>The amendments to the text ensure that it is clear and robust.</p>	<p>Add:</p> <p><u>The Government wants to enable more people to build or commission their own home and make this form of housing a mainstream housing option. The self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) has placed this matter on a statutory basis.</u></p>
<p>Replace the words “...the District Council”... in paragraph 8.52 with “Policy CS.16”.</p>	<p>Page 47, para 8.52</p>	<p><i>Modification Agreed.</i></p> <p>The amendments to the text ensure that it is clear and robust.</p>	<p>Amend:</p> <p>The Core Strategy states that there are a number of mechanisms that can contribute to meeting the housing needs of the area and <u>Policy CS.16</u> the District Council supports the principle of schemes being delivered as self-build projects or by community land trusts.</p>
<p>Add at the end of paragraph 8.55, six new paragraphs.</p>	<p>Page 47, end of paragraph 8.55</p>	<p><i>Modification Agreed.</i></p> <p>The amendments to the text ensure that it is clear and robust.</p>	<p>Add:</p> <p><u>However, with the exception of plots expected to be provided at Gaydon Lighthorne Heath and Long Marston Airfield new settlements, there is no established local planning policy which supports the provision of self-build and custom build dwellings on greenfield sites on the edges of settlements in the District. This was because the Core Strategy was</u></p>

			<p><u>substantially complete when the obligation to deliver self and custom build housing emerged.</u></p> <p><u>The District Council has however, published guidance in respect of custom and self-build housing in Part J of the Development Requirements Supplementary Planning Document (SPD), which was adopted in July 2019. This includes a number of site specific requirements that such schemes should comply with.</u></p> <p><u>This is available at</u> www.stratford.gov.uk/devreq-spd</p> <p><u>The SPD states that the Government does not expect local authorities to provide such opportunities on plots or sites that would not otherwise be acceptable for other forms of housing development, such as in open countryside. It also notes that the Core Strategy provides scope for individual and small groups of dwellings, including self-build schemes, to be built in a wide range of settlements in the District. Local communities preparing neighbourhood plans are specifically encouraged to consider custom or self-build housing.</u></p>
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			<p><u>Custom and self-build housing can be developed either to provide affordable or market housing. In the case of market housing the SPD anticipates that there will be two main modes of delivery:</u></p> <ol style="list-style-type: none"><u>1. Individual plots, sourced and acquired by the developing household, or small sites provided to meet the specific identified needs of individual households.</u><u>2. Larger schemes, involving sub-division of the site in accordance with masterplan to provide serviced plots, for subsequent sale to households who will in due course prepare their own detailed designs.</u> <p><u>The SPD adds that it is essential that self-build schemes, due to their particular nature, can be implemented in an appropriate and effective manner. For this reason, the document states that a number of specific considerations need to be applied. Schemes that include self-build or custom-build plots are therefore expected to make the following provisions:</u></p> <ol style="list-style-type: none"><u>1. A legal access to a public highway (or equivalent) for each individual</u>
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			<p><u>plot,</u></p> <ol style="list-style-type: none"> 2. <u>A Design Code to help clarify and guide what design of dwellings might be appropriate, e.g. size, height, materials</u> 3. <u>A connection to all services, i.e. electricity, water, drainage, at the boundary of each plot;</u> 4. <u>A phasing plan, where applicable, to ensure CIL is not triggered for the self-build element due to commencement elsewhere on the site.</u>
Delete (existing) paragraphs 8.56, 8.57, 8.58 and 8.59	Pages 47-48, para 8.56, 8.57, 8.58 and 8.59		<p>The Core Strategy states that:</p> <p style="padding-left: 40px;">— Remove the Policy box</p> <p>The Proposed Submission version of the Site Allocations Plan allocates a number of suitable sites to be developed solely for self-build and/or custom-build dwellings. Policy SAP 4 includes an allocation on a site north of Dog Lane for approximately 5 plots. Each of these has been promoted for this specific type of housing scheme by the landowner. To ensure a high quality development and provide certainty to the local community, Policy SAP 4 adds that the applicant, working with the District Council</p>

			<p>and the relevant parish council, will be expected to prepare a Design Code or Plot Passports for the site. These will be approved by the District Council and form part of the planning permission for the site.</p> <p>Policy SAP.5 provides the criteria for assessing proposals for self build and custom build housing on unallocated sites. This could be within the Built-up Area boundary of a Local Service Village, or on a suitable site adjacent to the Built-up Area Boundary.</p> <p>The emerging Site Allocations Plan states that the proposed Built-up Area Boundaries do not incorporate the identified self build and custom build allocations. This is because their release will be dependent on specific circumstances arising, which will only become evident in the future. Should these sites be released, the Built-up Area Boundary for that settlement will be amended to include the development through a future revision of the Policies Map.</p>
Change (existing) paragraph 8.60.	Page 48, para 8.60	<p><i>Modification Agreed.</i></p> <p>The amendments to the text ensure that it is clear and robust.</p>	<p>Amend to read:</p> <p>In addition to the policies within the Site Allocations Plan <u>Core Strategy and SPD</u>, any</p>

			proposal for Self-Build or Custom Housebuilding within the parish will also need to meet the criteria specified in Policy 3 below. <u>This is to ensure that any plots or sites proposed for Self-Build homes or Custom Housebuilding are acceptable forms of housing development that do not cause demonstrable harm to the village or surrounding countryside.</u>
Delete the word 'immediately' from criterion a) of the policy and add at the end the words "or is otherwise acceptable as set out in national and local policy".	Page 48, Policy 3	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	Amend: a) It is located within or immediately adjacent to the defined Built-up Area Boundary of the village
Add at the end of criterion c): "or otherwise is acceptable in relation to the effect on the living conditions on the occupiers of any affected property.	Page 48, Policy 3	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	Amend: It is appropriate to its surroundings and does not overshadow or overlook adjoining properties <u>or otherwise is acceptable in relation to the effect on living conditions on the occupiers of any affected property.</u>
Policy 4 – Site of the Former Napton Brickworks			
Delete the entire section of the Plan entitled "The former Napton Brickworks"	Pages 49-52	<i>Modification Agreed.</i> The submitted version of the NDP indicated that the principle of residential development on this site would be supported subject to further criteria (of which this	Delete: The former Napton Brickworks This site is located on Brickyard Road, just off Daventry Road. It is about 1km (0.5 miles) to the west of the village and

		<p>did not appear in the draft 2019 SAP policy). Policy 4 therefore sought to add to the criteria in that draft policy.</p> <p>Since 2019, a revised version of the SAP has been produced and this has gone back a stage to Preferred Option, therefore the draft policy that was in the original version of the SAP no longer exists. The Parish Council put forward a revised Policy 4 which supported the principle of development on this site rather than allocating it in the Plan itself. The revised policy that was put forward supports the principle of development, subject to various criteria and refers to AS.11 in the CS.</p> <p>However, given the policy still refers to a specific site location it can't be regarded as anything other than a site allocation which would require more detail and a considerable amount of master planning.</p>	<p>comprises about 10 hectares of previously developed brownfield land. The brickworks closed in 1973 and the buildings and structures on the site have since been cleared. There remain extensive areas of concrete hardstanding and remnants of buildings. A small industrial development now occupies part of the site.</p> <p>The footprint of the former brickworks itself is about 6 hectares. The quarry part of the site, to the east of the former brickworks is designated as a geological Site of Special Scientific Interest (SSSI). The entire site is designated as a Local Wildlife Site.</p> <p>The emerging Site Allocations Plan points out that the site has a complex planning history. Planning permission was granted in 1995 to redevelop it as a business park but only access off Daventry Road was implemented. Subsequently, the site was allocated in the previous District Local Plan Review for a mix of Class B1 employment, residential units tied specifically to businesses on the site, holiday accommodation and canal-based recreation. A scheme comprising 56 live/work units and Class B1 business</p>
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		<p>Given the Plan did not promote the site at the time of submission, to do so would be a significant change warranting further public consultation, therefore it is concluded that the policy be removed but that it becomes a community aspiration if desired by the Parish.</p>	<p>buildings was granted planning permission in January 2015 but has now lapsed.</p> <p>In October 2018 a planning application for up to 100 dwellings was submitted but, at the time of writing, has yet to be determined.</p> <p>Policy AS.11 in the Core Strategy addresses large rural brownfield sites. The policy states, in part that:</p> <p>Delete policy box</p> <p>Although the re-use of four other brownfield sites is described in Policy AS.11, there is no specific mention of the former brickworks site in the policy.</p> <p>However, the Proposed Submission version of the Site Allocations Plan allocates the site for residential development. It states that development of this brownfield site would bring a range of benefits, including removal of an eyesore in the landscape, treatment of contamination, cessation of anti-social activities, management and enhancement of existing habitats, and improvements to the canal environment. It adds that a range of factors will require</p>
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			<p>detailed consideration when considering a scheme to develop the site, including the relationship of the site to the village of Napton-on-the-Hill, its accessibility by various means of travel, and the landscape and visual impact of development.</p> <p>Delete Policy box — Proposal Rural 1.</p> <p>If housing on the site is to be regarded as sustainable development, it must access the services and facilities available in the village and not become an isolated community in the open countryside. Towards this purpose links with the main village are being encouraged in the Site Allocations Plan through a high quality walking and cycling route along Brickyard Lane to/from Napton-on-the-Hill. This could improve the viability of services and facilities within the village. In addition, any residential development on the former brickworks site will impact on infrastructure in and around the village, especially roads.</p> <p>The Parish Council support the principle of residential development on the site of the former Napton Brickworks and therefore welcome its inclusion as an allocation in</p>
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			<p>the emerging Site Allocations Plan. However, this support is subject to certain criteria being met in addition to that specified in the emerging Site Allocations Plan.</p>
<p>Add a new community aspiration (if desired) to Section 9 of the Plan</p>	<p>Community Aspiration, Section 9, page 83</p>	<p><i>Modification Agreed.</i></p> <p>The addition of this text has been added as a community aspiration in light of it being deleted from the NDP as a policy.</p>	<p>Add :</p> <p><u>The former Napton Brickworks</u> <u>This site is located on Brickyard Road, just off the Daventry Road. It is about 1km (0.5 miles) to the west of the village and comprises about 10 hectares of previously developed brownfield land. The brickworks closed in 1973 and the buildings and structures on the site have since been cleared. There remain extensive areas of concrete hardstanding and remnants of buildings. A small industrial development now occupies part of the site.</u></p> <p><u>The footprint of the former brickworks itself is about 6 hectares. The quarry part of the site, to the east of the former brickworks, is designated as a geological Site of Special Scientific Interest (SSSI). The entire site is designated as a Local Wildlife Site.</u></p> <p><u>The site has a complex planning history. Planning permission was granted in 1995 to</u></p>

			<p><u>redevelop it as a business park but only the access off Daventry Road was implemented. Subsequently the site was allocated in the previous District Local Plan Review for a mix of Class B1 employment, residential units tied specifically to businesses on the site, holiday accommodation and canal-based recreation. A scheme comprising 56 live/work units and Class B1 business buildings was granted outline planning permission in January 2015 but has now lapsed.</u></p> <p><u>In October 2018 a planning application for up to 100 dwellings was submitted but, at time of writing, has yet to be determined.</u></p> <p><u>Policy AS11 in the Core Strategy addresses large rural brownfield sites. The policy states, in part, that:</u></p> <p><u>Proposals for the re-use and redevelopment of extensive previously developed sites in the countryside, outside the Green Belt, will be assessed against the following factors in order to minimise any adverse impacts:</u></p> <p><u>a) The extent to which the nature of the proposed development would be in</u></p>
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			<p><u>the national or local interest.</u></p> <p><u>b) Whether the form and scale of the proposed development could reasonably be provided elsewhere in the District in a manner that is consistent with the overall development strategy set out in this Plan.</u></p> <p><u>c) The extent to which the nature of the proposed development would be beneficial compared with the current use and condition of the site.</u></p> <p><u>d) The scale and nature of impacts, including visual, noise and light, on the character of the local area and local communities.</u></p> <p><u>e) The extent to which features that are statutorily protected or of local importance are affected and any impact on them can be mitigated.</u></p> <p><u>f) The scope to minimise the need to travel and promote the use of transport other than the private car.</u></p> <p><u>g) The absence of development on any area of the site liable to flood risk.</u></p> <p><u>Although the re-use of four other brownfield sites is described in Policy AS11, there is no specific mention of the former brickworks site in the policy.</u></p>
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			<p><u>The development of this brownfield site would bring a range of benefits, including removal of an eyesore in the landscape, treatment of contamination, cessation of anti-social activities, management and enhancement of existing habitats, and improvements to the canal environment. However a range of factors will require detailed assessment when considering a scheme to develop the site, including the relationship of the site to the village of Napton-on-the-Hill, its accessibility by various means of travel, and the landscape and visual impact of development.</u></p> <p><u>If housing on this site is to be regarded as sustainable development, it must access the services and facilities available in the village and not become an isolated community in the open countryside. Towards this purpose links with the main village should be encouraged through a high quality walking and cycling route along Brickyard Lane to/from Napton-on-the-Hill. This could improve the viability of services and facilities within the village. In addition, any residential development on the former brickworks site will impact on infrastructure in and around the village,</u></p>
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			<p><u>especially roads.</u></p> <p><u>The Parish Council support the general principle of residential development on the site of the former Napton Brickworks. However this support is subject to the aforementioned environmental and social factors being satisfactorily met. Any proposal coming forward should be a sustainable development that would not cause demonstrable harm to the environmental features of the site that would outweigh the benefits of residential development. Parish Council support is therefore subject to, amongst other things, the criteria specified in Policy AS.11 in the Core Strategy being satisfactorily met.</u></p> <p><u>The Parish Council welcome discussions and involvement in the future of the former Napton Brickworks site.</u></p>
Policy 5 – Business Development			
Delete “within the Built-up Area Boundary” from the first paragraph of the policy.	Policy 5, first paragraph, page 54	<p><i>Modification Agreed.</i></p> <p>The amendments to the text ensure that it is clear and robust.</p>	<p>Amend:</p> <p>Business and economic development will be supported within the Built-up Area Boundary providing that:</p>

Change criterion a) to read: “it is development on an appropriate scale to its location and setting”.	Policy 5, criterion a), page 54	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	Amend: It is sensitive infill development that is on a small scale. <u>It is development on an appropriate scale to its location and setting.</u>
Add at the end of criterion b): “or otherwise is acceptable in relation to the effect on the living conditions on the occupiers of any affected property.	Policy 5, criterion b), page 54	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	Amend: It is appropriate to its surroundings and does not overshadow or overlook adjoining properties <u>or otherwise is acceptable in relation to the effect on the living conditions on the occupiers of any affected property.</u>
Add the words “where appropriate” at the start of criterion c).	Policy 5, criterion c), page 54	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	Amend: <u>Where appropriate</u> 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.
Add the words “where appropriate” at the start of criterion f).	Policy 5, criterion f), page 54	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	Amend: <u>Where appropriate</u> 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;

Delete "Outside the Built up Area Boundary" from the second paragraph of the policy so that this part of the policy begins "Proposals".	Policy 5, second paragraph, page 54	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	Amend: Outside the Built up Area Boundary Proposals for development related to recreation and tourism, including agricultural diversification, will be supported providing that:
Change the last sentence of the policy to read: "This includes schemes that enhance the landscape setting".	Policy 5, final paragraph, page 54	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	Amend: This includes schemes that enhance the landscape setting or provide better signage to features of interest.
Policy 6 – Environmental Quality			
Change the first sentence of the policy to read : " Development proposals are particularly encouraged and as appropriate to their scale, nature and location to incorporate design features that minimise".	Policy 6, first sentence, page 55	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	Amend: A proposal for development will be supported where it incorporates design features that minimise. <u>Development proposals are particularly encouraged and as appropriate to their scale, nature and location to incorporate design features that minimise</u>
Change criterion d) to "energy wastage"	Policy 6, criterion d, page 55	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	Delete: Fuel poverty by incorporating cost-effective energy efficiency measures Add: <u>Energy wastage</u>

<p>Change criterion e) to “the generation of waste through maximising any opportunities for reuse and recycling.</p>	<p>Policy 6, criterion e, page 55</p>	<p><i>Modification Agreed.</i></p> <p>The amendments to the text ensure that it is clear and robust.</p>	<p>Delete:</p> <p>The generation of waste and maximises opportunities for reuse and recycling</p> <p>Add:</p> <p><u>The generation of waste through maximising any opportunities for reuse and recycling.</u></p>
<p>Change the third sentence of paragraph 8.83 on page 56 of the Plan.</p>	<p>Objective 5, paragraph 8.83, page 56</p>	<p><i>Modification Agreed.</i></p> <p>The amendments to the text ensure that it is clear and robust.</p>	<p>Delete: It points out that the more important the asset, the greater the weight should be.</p> <p>Add:</p> <p><u>Where a proposal would lead to substantial harm or total loss, this harm should be weighed against any substantial public benefits of the proposal or other scenarios outlined in national policy.</u></p>
<p>Delete the fourth sentence of paragraph 8.83 which starts ‘a balanced judgement’.</p>	<p>Paragraph 8.83, fourth sentence, page 56</p>	<p><i>Modification Agreed.</i></p> <p>The amendments to the text ensure that it is clear and robust.</p>	<p>Delete: A balanced judgement is therefore required having regard to the scale of any harm and the significance of the heritage asset.</p>
<p>Create a new paragraph below paragraph 8.83.</p>	<p>New paragraph.</p>	<p><i>Modification Agreed.</i></p> <p>The amendments to the text ensure that it is clear and robust.</p>	<p>Add:</p> <p><u>In relation to non-designated heritage assets, its significance should be taken into account. A balanced judgement will be required having regard to the scale of any</u></p>

			<u>harm and the significance of the heritage asset.</u>
Delete the first sentence and criteria a) and b) of the policy.	Policy 7, Heritage Assets, page 57	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	Delete: 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
Policy 9 – Local Green Space			
Substitute the area shown on the map emailed to SDC by the Parish Council on 4 March 2020 showing an amended, smaller area for Area A. on Policy Map 2.	Policy Map 2, Local Green Spaces, page 68	<i>Modification Agreed.</i> The amendments to the Plan ensure that the information shown is clear, accurate and robust.	<u>Plan has been amended.</u>
Delete the second paragraph of the policy that begins “A proposal for development...” and replace with “Development in the Local Green Spaces will be consistent with national policy for managing development in Green Belts”.	Policy 9, Local Green Space, page 69	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	Delete: 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.

			Add: <u>Development in the Local Green Spaces will be consistent with national policy for managing development in Green Belts.</u>
Policy 10 – Important Views			
Delete the last sentence of the policy that begins “Development proposals which have a harmful impact” from the policy	Page 74, Policy 10, final sentence	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	Delete: Development proposals which have a harmful impact on the view will not be supported.
Policy 11 – Open Countryside			
Delete paragraph 8.119 on page 76 of the Plan	Page 76, paragraph 8.119	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	Delete: Policy SAP.6 in the emerging Site Allocations Plan states that proposals for new development outside built up area boundaries will only be supported in principle subject to compliance with the provisions of Policy AS.10 Countryside and Villages within the Core Strategy.
Change the first sentence of the policy.	Page 77, Policy 11, first sentence	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	Amend: Outside the Built up Area Boundary, the development will only be supported <u>in line with national and local policies and where it does not cause demonstrable harm (in line with the hierarchy of statutory sites outlined in the NPPF), or cannot be satisfactorily mitigated, to</u>

Policy 12 – Trees and Hedgerows			
Add the words “unless there are wholly exceptional circumstances as set out in national policy” at the end of the first sentence of the policy.	Page 79, Policy 12, first sentence	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	Amend: There should be no harm to or loss of irreplaceable habitats such as ancient trees or veteran trees <u>unless there are wholly exceptional circumstances as set out in national policy.</u>
Change the second paragraph of the policy.	Page 79, Policy 12, second paragraph	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	Delete : A proposal for development should protect mature trees, woodlands, important hedgerows and verges wherever possible. Add: <u>Development should retain and protect mature trees, woodlands, important hedgerows and verges which are important for their historic, visual, amenity or biodiversity value unless the need for, and the benefits of, the development in that location clearly outweigh any loss. Any such loss will be appropriately mitigated.</u>
Community Aspirations Replace paragraph 9.5.	Page 83, paragraph 9.5	<i>Modification Agreed.</i> The amendments to the text ensure that it is clear and robust.	Delete: Paragraph 29 of the Framework states that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider

			<p>sustainability and health objectives. Paragraph 34 adds that plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.</p> <p><u>Paragraph 109 in the Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highways safety, or the residual cumulative impacts on the road network would be severe. Within this context paragraph 1.10 adds, amongst other things, that applications for development should: create places that are safe, secure and attractive – which minimises the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards.</u></p>
Delete paragraph 9.12 on page 84 of the Plan and replace with a new paragraph.	Page 84, paragraph 9.12	<p><i>Modification Agreed.</i></p> <p>The amendments to the text ensure that it is clear and robust.</p>	<p>Delete:</p> <p>Paragraph 75 of the Framework also states that planning policies should protect and enhance public rights of way and access.</p> <p>Add:</p>

			<p><u>Paragraph 102 of the Framework states that transport issues should be considered from the earliest stages of plan making and development proposals so that opportunities to promote walking, cycling and public transport are identified and pursued. Paragraph 104d) adds that planning policies should provide for high quality walking and cycling networks and supporting facilities.</u></p>
<p>Community Aspiration 2. Delete the 'or' between criteria a) and b) in Community Aspiration 2 and replace with "and"</p>	<p>Page 85, Community Aspiration 2</p>	<p><i>Modification Agreed.</i></p> <p>The amendments to the text ensure that it is clear and robust.</p>	<p>Amend:</p> <p>a) Improved public transport connections between Napton and Southam, Rugby and Daventry; or <u>and</u></p>
<p>List of Supporting Documents</p>			
<p>Update the Character Area Assessment in line with the updates shown in Attachment 7 of the responses to my queries; these relate to paragraphs 2.9 and 2.11 and pages 21, 27, 33 and 38 of the originally submitted Character Assessment.</p>	<p>Page 20, Character Area Assessment</p>	<p><i>Modification Agreed.</i></p> <p>The amendments to the Character Assessment ensures consistency throughout the Plan.</p>	<p>The Character Area Assessment has been updated and included which will replace the existing Character Area Assessment on page 20.</p>
<p>Delete the word 'Area' from paragraphs 4.28, 8.29, 8.34, 8.109, 11.1 and Policies 1, 3 and 5 where</p>	<p>Pages, 19, 42, 43, 44, 48, 54, 70, 87</p>	<p><i>Modification Agreed.</i></p> <p>The amendments to the text</p>	<p>Amend:</p> <p>The full character area assessment can be</p>

<p>it pertains to the Character Assessment.</p>		<p>ensure that the NDP is consistent and accurate in light of the amended Character Assessment.</p>	<p>viewed here</p> <p>Towards this purpose a character area assessment has been undertaken as part of the evidence base for the neighbourhood plan.</p> <p>As part of the character-area assessment consideration was given to the various gaps and open spaces that contribute to the form and setting of the village.</p> <p>The Character Area-Assessment demonstrated how this topography forms an important component with many areas of the village enjoying impressive views both within the settlement and to the countryside beyond.</p> <p>Napton-on-the-Hill Character Area Assessment</p>
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Assessment of the Neighbourhood Plan as a whole, against the three dimensions of sustainable development, as set out in the National Planning Policy Framework (NPPF):

Sustainable Development Role (NPPF)	Neighbourhood Development Plan's Contribution
Economic	<p>The Neighbourhood Plan seeks to support the local economy through the protection and enhancement of existing employment sites and the promotion of new employment sites/opportunities within the neighbourhood area.</p> <p>If implemented these policies will have a positive impact on the local economy, safeguarding jobs and local services.</p>
Social	<p>The Neighbourhood Plan sets a framework that will help to support the achievement of sustainable social development.</p> <p>The Plan promotes the retention and improvement of local community facilities.</p> <p>The Plan supports the protection, enhancement and expansion of existing formal and informal sport and recreational facilities.</p> <p>The Plan supports the provision of new leisure and sports facilities.</p> <p>The Plan looks to safeguard and promote improvements of locally important sites.</p> <p>Policies seek to promote the local distinctiveness of the area, and recognise locally important heritage assets.</p>
Environmental	<p>The Neighbourhood Plan includes a number of policies that support environmental sustainability for the community.</p> <p>The Plan has policies that look to protect heritage assets, natural features, biodiversity, valued landscapes as well as designate areas of Local Green Space.</p> <p>The NDP includes policies to protect the natural environment for future generations which have a positive impact on the environmental sustainability of the plan.</p>

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

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

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

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

[Napton-on-the-Hill Neighbourhood Plan | Stratford-on-Avon District Council](#)

And can be viewed in paper form at:

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