



## **DECISION STATEMENT**

### **NEIGHBOURHOOD PLAN PROCEEDING TO REFERENDUM**

#### **1. Alcester Neighbourhood Development Plan**

- 1.1 I confirm that the Alcester Neighbourhood Development Plan (ANDP), 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 could be held in early May 2020.
- 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 Alcester Town Council is the "Qualifying Body" for their area.
- 2.2 In September 2013, Alcester Town Council requested that, in accordance with section 5(1) of the Neighbourhood Planning (General) Regulations 2012 ("The Regulations"), the Town of Alcester be designated as a Neighbourhood Area, for which a Neighbourhood Development Plan will be prepared.
- 2.3 In accordance with Regulation 6 of the Regulations, Stratford-on-Avon District Council placed on their website this application, including a Parish boundary map, for a 6 week period between 10 October 2013 and 22 November 2013. In addition, it publicised the application by issuing a press release. Similarly, the relevant application, together with details of

where representations could be sent, and by what date, was advertised within the appropriate Parish via the Town Council.

- 2.4 The District Council designated the Alcester Neighbourhood Area by way of approval of The Cabinet on 13 January 2014.
- 2.5 In accordance with Regulation 7 of The Regulations, the decision to designate the Alcester Neighbourhood Area was advertised on the District Council website together with the name, area covered and map of the area.
- 2.6 The Town Council consulted on a pre-submission version of their draft Neighbourhood Development Plan between 29 September 2018 and 16 November 2018 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 10 April 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 30 May and 12 July 2019 in accordance with Regulation 16 of The Regulations.
- 2.9 Richard High was appointed by the District Council to independently examine the Plan, and the Examination took place during October 2019 and January 2020, with the final Examiner's report being issued on 13 January 2020.
- 2.10 The Examiner concluded he was satisfied that the Alcester Neighbourhood Development Plan was capable of meeting the legal requirements set out in the Localism Act 2011, including meeting the Basic Conditions, subject to the modifications set out in his report, as set out in the table below.
- 2.11 Schedule 4B s.12 to the Town and Country Planning Act 1990, as inserted by the Localism Act 2011, requires that a Local Authority must consider each of the recommendations made in the Examiner's report and decide what action to take in response to each recommendation. If the 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
<b>Between the heading for section 6 and the heading for section 6.1 (p. 17)</b>			
<p>Between the heading for section 6 and the heading for section 6.1 insert an additional paragraph "The Alcester Neighbourhood Development Plan should be read as a whole. Proposals will be judged against all relevant policies in the Development Plan which includes the Stratford-on-Avon District Local Plan and the Alcester Neighbourhood Development Plan."</p> <p>Delete all references to conformity with other policies in the Plan.</p>	<p>Section 6: Housing (page 15)</p>	<p><i>Modification Agreed</i></p> <p>The Examiner considered that as drafted, several policies include a reference to "compliance with other policies in the neighbourhood plan" whereas other policies do not. He noted that it is a general convention that the Development Plan should be read as a whole and the application of one policy does not preclude the application of others. The inconsistent use of this form of words was therefore considered potentially confusing as it could imply that where these words are not used other policies will not apply. It also could imply that some policies have primacy over others.</p>	<p>After Section 6 Heading insert following text:</p> <p>"The Alcester Neighbourhood Development Plan should be read as a whole. Proposals will be judged against all relevant policies in the Development Plan which includes the Stratford-on-Avon District Local Plan and the Alcester Neighbourhood Development Plan."</p> <p>References to conformity with other policies in the Plan deleted throughout the Plan.</p>

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		The modification recommended would address the inconsistency of the plan as currently drafted by including reference to the fact that all policies in the Plan should be read as a whole and judged against existing local and national policy. SDC therefore agree with this modification.	
<b>After the additional paragraph recommended above, between Section 6 and 6.1 (p. 17)</b>			
Insert a further paragraph: "The policies in the Alcester Neighbourhood Plan draw on evidence in a large number of publications and reports, some of which were commissioned specifically to support the preparation of the Plan and others published by other bodies. These publications are listed in Section 11, which also provides weblinks to them. Where these documents are referred to in policies or the reasoned justification, the	Section 6: Housing (page 15)	<i>Modification Agreed.</i>  The Examiner noted that the Explanations for each policy contain references to other relevant publications. In some cases, it provides a weblink but in other cases, does not. He also noted that Section 11 of the plan contains a numbered list of references with weblinks to all of the documents, but there is no link between the reference in the text and this	Before Section 6.1 insert following text:  "The policies in the Alcester Neighbourhood Plan draw on evidence in a large number of publications and reports, some of which were commissioned specifically to support the preparation of the Plan and others published by other bodies. These publications are listed in Section 11, which also provides weblinks to them. Where these documents are referred to in policies or the reasoned justification, the references are to the number of the document in Section 11."  Insert footnotes or endnotes to relevant

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<p>references are to the number of the document in Section 11.”  Insert footnotes or endnotes to relevant supporting evidence where relevant throughout the policies and supporting text.</p>		<p>numbered reference list in Section 11.</p> <p>SDC officers agree that this modification would aid understanding of the Plan, as it is not currently obvious that the reference list in Section 11 exists. The addition of the recommended paragraph and insertion of footnotes/endnotes would ensure that readers of the plan can easily access the supporting evidence, required to understand the policy context of the Plan.</p>	<p>supporting evidence where relevant throughout the policies and supporting text.</p>
<p><b>Objective A – Housing and the Built Environment (p.18)</b></p>			
<p>At the beginning of Objective A delete “Provision of” and insert “To contribute to meeting strategic housing needs in Stratford-on-Avon District and to provide”</p>	<p>Section 6.1:  Housing and the Built Environment (p.15)</p>	<p><i>Modification Agreed.</i></p> <p>The Examiner was concerned that the objective as drafted was not sufficiently wide enough to meet the basic conditions, as it did not recognise the role of Alcester as a “Main Rural Centre” in contributing to meeting the housing needs of a wider</p>	<p>Objective amended to read:</p> <p><u>“Provision of To contribute to meeting strategic housing needs in Stratford-on-Avon District and to provide</u> a range of housing types to meet community needs, whilst protecting the Town’s character.”</p>

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		<p>area. He considered it was important that the Plan recognises its strategic context and does not aim to constrain or undermine the provision of housing to meet a strategic need. He also noted that the emerging Site Allocations Plan (SAP) identifies reserve sites which may be released in specific circumstances which mean that housing needs will not be met by existing allocations. It is therefore important that Objective A recognises this wider strategic context.</p> <p>SDC agree that the Objective should be modified to recognise Alcester's role as a Main Rural Centre, which may contribute to the housing needs of the wider District or possibly from outside of the District. SDC also agree that the reserve sites identified in the emerging SAP should be acknowledged within the</p>	

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		Plan. This modification is considered necessary to meet the Basic Conditions, so that the Plan is in general conformity with the Strategic Policies of the Local Plan.	
<b>Policy HBE1 – Residential Development within the Built-up Area Boundary (p.19)</b>			
Expand Map 2 to include the whole neighbourhood area and show the extent of the Green Belt and the Special Landscape Area.  Modify Maps 3 and 7 to show the correct alignment of the parish boundary.	Section 6: Housing and the Built Environment (p. 15)	<i>Modification Agreed</i>  The Examiner noted that the supporting text to Policy HBE1 refers extensively to the relationship between both the Green Belt and the Special Landscape Area and the Built-up Area Boundary but none of the maps in the Plan defines these areas. He also noted an inconsistency between Map 2 and Maps 3 and 7 in terms of the definition of the Parish boundary.  SDC Officers agree that Maps 3 and 7 incorrectly showed the parish boundary and a	Expand Map 2 to include the whole neighbourhood area and show the extent of the Green Belt and the Special Landscape Area.  Modify Maps 3 and 7 to show the correct alignment of the parish boundary.

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		modification to these maps is required to correct this error. It is also considered appropriate to expand Map 2 to show the full neighbourhood area and its relationship to the Green Belt and Special Landscape Area, so that the Plan can be more readily understood by readers.	
<b>Policy HBE1 - Residential Development within the Built-up Area Boundary (p.19)</b>			
<p>In the first section of Policy HBE1 delete "underused" and insert "vacant or partly occupied" and delete "provided the proposals satisfy other policies in this Plan" and insert "where appropriate having regard to Policies EC1, EC4 and CLW1."</p> <p>Delete "Within the Built-up Area Boundary, schemes for key worker housing will also be supported."</p>	Section 6:Housing and the Built Environment (p. 15)	<p><i>Modification Agreed</i></p> <p>SDC Officers commented at the Reg. 16 stage that the use of the phrase 'underused' was not clearly defined. Therefore, we support the Examiner's recommendation to provide more specific wording within this policy.</p> <p>SDC Officers commented within the Reg. 16 consultation response that the conversion, extension or</p>	<p>Amend HBE1 as follows:</p> <p>"Proposals for new housing within the Built-up-Area Boundary, either by means of new build, or by converting, extending and/or redeveloping <del>existing underused buildings, will be supported, provided the proposals satisfy other relevant policies in this Plan</del> existing vacant or partly occupied buildings, will be supported, where appropriate having regard to Policies EC1, EC4 and CLW1.</p> <p>The Built-Up-Area Boundary as defined in the Core Strategy is shown on Map 2. For the avoidance of doubt, the sections which are within</p>



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		<p>redevelopment of underused buildings could potentially conflict with policies to retain existing employment or community uses. The Examiner considers that the reference to other relevant policies in the Plan would address this but considers it is not normally necessary to make a reference to all other policies. However, the Examiner concludes that where there is clearly a potential for conflict between policies it would be appropriate to make a specific cross reference within the policy. Therefore SDC agrees with the Examiners recommendation to include reference to policies EC1, EC4 and CLW1 within the policy as they are particularly relevant to the application of the policy.</p> <p>SDC made representation that the use of the term 'key worker' is undefined in the Plan itself, the Core Strategy</p>	<p>the parishes of Kinwarton and Arrow with Weethley and not included in the Neighbourhood Area are shaded blue.</p> <p>Within the Built-up-Area boundary, community-led housing schemes and serviced plots for those wishing to build or commission their own housing will be supported.</p> <p><del>Within the Built-up-Area boundary, schemes for key worker housing will also be supported.</del></p> <p>All areas outside of the Built-up-Area Boundary are classed as countryside. New housing in the countryside will only be supported in accordance with the criteria in paragraph 79 of the NPPF and Policies AS.10 and CS.10 of the Core Strategy."</p>

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		or the NPPF. Furthermore, no need for 'key worker' accommodation is identified in the 2017 Housing Needs Survey. The recommendation of the Examiner to delete this reference to key worker housing in the Plan is therefore agreed as it is required for the Plan to comply with the Basic Conditions.	
<b>Policy HBE1 - Residential Development within the Built-up Area Boundary (p.19)</b>			
Modify paragraph 6.1.7 to read: "The Core Strategy (see paragraph 6.2.22) refers to an indicative target of about 530 homes .....in the parish of Kinwarton). Stratford-on-Avon District Council is preparing a Site Allocations Plan which proposes the allocation of reserve sites to be released in defined circumstances which demonstrate the need for additional houses. The sites	Section 6: Housing and the Built Environment (p. 16)	<i>Modification Agreed</i>  The Examiner agreed with the SDC representation that clarification was required to the reference of 530 homes, to clarify that this is an indicative target, not a requirement. The proposed modification is therefore supported by SDC as it is required for factual accuracy.  The reference to the	The Core Strategy (see para 6.2.22) refers to a <del>requirement</del> <u>an indicative target</u> of about 530 homes, plus windfall development for the Alcester area (including the parish of Kinwarton) over the Plan period. To date permissions and commitments in the Alcester area amount to 554 (including 119 homes in the parish of Kinwarton). <u>Stratford-on-Avon District Council is preparing a Site Allocations Plan which proposes the allocation of reserve sites to be released in defined circumstances which demonstrate the need for additional houses. The sites being considered include two sites to the south of Allimore Lane. If these allocations are made it</u>

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<p>being considered include two sites to the south of Allimore Lane. If these allocations are made it will be necessary to modify the Built-up Area Boundary to include them.”</p>		<p>emerging Site Allocations Plan is considered necessary to provide the policy context to the Plan and its relationship to the emerging SAP. The modification is therefore agreed as it is needed to ensure the policy context of the Plan is made clear to users of the NDP.</p>	<p><u>will be necessary to modify the Built-up Area Boundary to include them.</u></p>
<p><b>Policy HBE 2-Local Needs Housing (p. 22)</b></p>			
<p>In the second bullet point modify the wording after “...will remain affordable” to read “and that priority in the allocation of the houses should be given to those with a local connection as defined in this policy”</p> <p>Modify the first line at the top of page 18 to read “For the purposes of local needs housing, a local connection is defined as meeting any of the following criteria:”</p> <p>Move the paragraph beginning “Where viability for 100%...” to follow the criteria at the top of</p>	<p>Section 6 – Housing and the Built Environment (Pg 17-18)</p>	<p><i>Modification agreed</i></p> <p>The proposed modification is considered necessary to avoid ambiguity and clarify the definition of local housing needs criteria. SDC agree with the proposed modification to ensure that the policy accords with the Basic Conditions, so that the policy is clear and can be consistently applied by Planning Officers.</p>	<p>Modify HBE 2 as follows:</p> <p>“Local needs housing development will be supported on small sites beyond, but adjacent to the Built-up-Area Boundary where the following is demonstrated:</p> <ul style="list-style-type: none"> <li>• There is a proven and as yet unmet local need, having regard to the latest Housing Needs Survey; and</li> <li>• Secure arrangements exist to ensure the housing will remain affordable <u>and that priority in the allocation of the houses should be given to those with a local connection as defined in this policy available to meet the continuing needs of local people.</u></li> </ul> <p><del>Where viability for 100% local needs housing provision cannot be achieved, an element of</del></p>

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<p>page 18.</p> <p>Modify the definition of affordable housing on page 64 to read: "Housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership) and which complies with one or more of the following definitions in accordance with Annex 2: Glossary of the NPPF 2018:</p> <ul style="list-style-type: none"> <li>• Affordable housing for rent</li> <li>• Starter homes</li> <li>• Discounted market sales housing</li> <li>• Other affordable routes to home ownership"</li> </ul>			<p><del>market housing may be included within a rural exception scheme, to provide sufficient cross-subsidy to facilitate the delivery of affordable homes. In such cases, promoters will be required to provide additional supporting evidence in the form of an open book development appraisal for the proposal containing inputs assessed and verified by a chartered surveyor.</del></p> <p>For the purpose of local needs housing, a local connection is defined <u>as meeting any of the following criteria</u> <del>the following:</del></p> <ul style="list-style-type: none"> <li>• Born in the parish or whose parents were ordinarily resident in the parish at the time of birth</li> <li>• Currently lives in the parish and has done so for at least the past 12 months</li> <li>• Used to live in the parish and did so for a continuous period of not less than 3 years</li> <li>• Currently works in the parish and has done so for at least the past 12 months for an average of not less than 16 hours per week</li> <li>• Currently has a close family member (ie mother, father, brother, sister, son, daughter) living in the parish and who has done so for a continuous period of not less than 3 years</li> </ul> <p><u>Where viability for 100% local needs housing provision cannot be achieved, an element of market housing may be included within a rural exception scheme, to provide sufficient cross-</u></p>

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			<p><u>subsidy to facilitate the delivery of affordable homes. In such cases, promoters will be required to provide additional supporting evidence in the form of an open book development appraisal for the proposal containing inputs assessed and verified by a chartered surveyor."</u></p> <p>Modify the definition of affordable housing on page 64 (Glossary) as follows:</p> <p><del>Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market</del></p> <p><u>"Housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership) and which complies with one or more of the following definitions in accordance with Annex 2: Glossary of the NPPF 2018:</u></p> <ul style="list-style-type: none"> <li><u>• Affordable housing for rent</u></li> <li><u>• Starter homes</u></li> <li><u>• Discounted market sales housing</u></li> <li><u>• Other affordable routes to home ownership"</u></li> </ul>
<b>Policy HBE 3 - Housing Mix (p. 23)</b>			

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<p>Modify the beginning of the policy to read: "Developments of ten dwellings or more should reflect the housing mix in the table below or those in the most up to date published housing needs assessment at district wide or parish level. Smaller developments should also have regard to the need for one and two bedroom dwellings. Developers will be required to..."</p>	<p>Section 6 – Housing and the Built Environment (Pg 18-19)</p>	<p><i>Modification Agreed</i></p> <p>The Examiner considered SDC's query as to whether the policy should only apply to developments of 10 dwellings or more, and considered that it is not practical for small developments to provide specific percentages. However, he considers that smaller developments can still have regard to the general intentions of the policy. SDC agree with the modification made as it provides sufficient flexibility and is in general conformance with the Core Strategy and NPPF, required to meet the Basic Conditions.</p>	<p>Modify HBE 3 to read:</p> <p>"Developments <u>of ten dwellings or more</u> should reflect the housing mix in the table below or those in the most up to date published housing needs assessment at district wide or parish level. <del>Developers will be required to justify developments which depart from this approach having regard to viability and the character of the area.</del> <u>Smaller developments should also have regard to the need for one and two bedroom dwellings. Developers will be required to justify developments which depart from this approach having regard to viability and the character of the area.</u>"</p>
<p><b>Policy HBE6 – Healthy Living (p. 24)</b></p>			

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<p>In Policy HBE 6 delete the second and third paragraphs</p> <p>Move the heading "Higher Level Policies" and paragraphs 6.1.29 and 6.1.30 to follow paragraph 6.1.7.</p>	<p>Section 6: Housing and the Built Environment (p. 20)</p>	<p><i>Modification Agreed.</i></p> <p>The Examiner agrees with SDC's consideration that the requirement for developers to adhere to criteria in the Health Placemaking report would go beyond the scope of planning policy and would therefore not accord with the NPPF. The Examiner also considered that the requirement for developments of 10 or more new dwellings to calculate indoor Air Quality and Overheating Risk Performance is relevant to building regulations rather than planning policy.</p> <p>The modification is therefore required to ensure the Plan adheres to the Basic Conditions and is in general conformity with the NPPF.</p>	<p>Amend Policy HBE6 to read:</p> <p>"Where justified by the scale of development, proposals should demonstrate how they protect occupant health and the wider environment by making the best use of site orientation, building form, layout, landscaping and materials to maximise natural light and heat, whilst avoiding internal overheating by providing passive cooling and ventilation.</p> <p><del>Proposals for 10 or more new dwellings will be required to calculate Indoor Air Quality and Overheating Risk performance.</del></p> <p><del>Development for 10 or more dwellings including conversions, extensions and changes of use will be required to demonstrate how the development will satisfy the criteria set out in Healthy Placemaking, as published by Design Council and Social Change UK."</del></p> <p>Move following higher level policies to follow para 6.1.7 under Policy HBE1 (Residential Development within the Built-up Area Boundary):</p> <p><b>"Higher Level policies</b> 6.1.29 SDC Core Strategy Policy CS.15 (Distribution of Development) Requirement 1 requires that, for residential development, the number of homes proposed is consistent with the</p>

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			<p>overall scale of development identified in SDC Core Strategy Policy CS.16 (Housing Development) for the settlement.</p> <p>6.1.30 Strategic allocations have been identified in the Core Strategy as ALC.1 and ALC.2."</p>
<b>Policy HBE 7 – Electric Charging Points (p. 26)</b>			
<p>Add the following sentence before the first part of the policy "New development will be required to meet the following standards for the provision of electric vehicle charging points unless they are superseded by national standards:"</p> <p>In the first part of the policy after "All new dwellings" insert "where parking is provided within the curtilage,".</p> <p>In the second part of the policy insert at the beginning "Residential development with unallocated parking and" and change "Non" to "non".</p>	<p>Section 6: Housing and the Built Environment (p. 21)</p>	<p><i>Modification agreed.</i></p> <p>The Examiner agreed with SDCs comment during Reg.16 consultation that the policy did not address housing where parking spaces are not allocated to dwellings. Therefore, SDC Officer's agree with the Examiner modification to the policy to ensure the policy is robust and can be consistently applied by planning officers.</p> <p>The Examiner also agreed with SDC Officer's consideration that flexibility</p>	<p>Amend HBE 7 as follows:</p> <p><u>New development will be required to meet the following standards for the provision of electric vehicle charging points unless they are superseded by national standards:</u></p> <p>All new dwellings <u>where parking is provided with the curtilage,</u> shall be provided with at least one permanently wired electric car charging point per dwelling.</p> <p><u>Residential development with unallocated parking and Non residential development shall provide one permanent wired electric car charging point per 10 spaces of parking.</u></p> <p><u>The requirements of this policy may be modified where they would be harmful to heritage assets.</u></p>



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At the end of the policy add "The requirements of this policy may be modified where they would be harmful to heritage assets."		needed to be included within the policy for where it would have an impact on heritage assets. SDC Officer's therefore agree with the additional section added by the Examiner to the end of the policy. This modification is considered necessary to enable sustainable development as required by the NPPF and to meet the Basic Conditions.	
<b>Policy HBE8 – Renewable Energy (p. 26)</b>			
Delete Policy HBE8	Section 6: Housing and the Built Environment (p. 21)	<p><i>Modification Agreed</i></p> <p>SDC agree with the Examiner's recommendation that the Policy adds little to the existing policy requirements of CS.3 and the NPPF. The policy is also expressed within very general terms and therefore will not effectively contribute to the determination of applications for renewable energy. PPG requires that neighbourhood plan policies</p>	<p>Delete Policy HBE8 and supporting text.</p> <p><b><del>Policy HBE 8 – Renewable energy</del></b>  <del>Development proposals relating to the production of renewable energy will be supported where they are in accordance with other policies in the Neighbourhood Plan and provided that they do not cause unreasonable adverse impact on neighbouring properties, or the character or landscape of the area.</del></p> <p><del>Plans coming forward should ensure that any adverse impacts are addressed, including cumulative landscape and visual impact.</del></p>

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		<p>should be "distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood plan for which it has been prepared". The deletion of the policy is therefore required in order to meet the Basic Conditions.</p>	<p><b>Explanation</b>  <del>6.1.40 The benefits of renewable energy generation through processes such as biomass, ground source heating, air source heating, hydroelectric, wind and thermal capture are all well documented. This Neighbourhood Development Plan seeks to encourage rather than stifle opportunities to establish the generation of renewal energy in appropriate locations where the benefits of such projects clearly outweigh any harm.</del></p> <p><del>6.1.41 Proposals which lead to a tangible benefit to the community are encouraged.</del></p> <p><b>Higher Level Policies</b>  <del>6.1.42 NPPF requires all development to be "sustainable"</del></p> <p><del>6.1.43 SDC Core Strategy Policy CS.2 encourages development to help mitigate and adapt to climate change</del></p>
<p><b>Policy HBE9 and HBE10 (Development design and HBE 10 Responding to local character) p. 27</b></p>			
<p>Combine policies HBE 9 and HBE 10 to read:  "All development proposals in the Neighbourhood Area must</p>	<p>Section 6: Housing and the Built Environment (p. 22)</p>	<p><i>Modification Agreed.</i>  The Examiner agreed with the representation submitted by SDC that HBE9 and</p>	<p>Combine policies HBE9 and HBE10 to read:  <u>"All development proposals in the Neighbourhood Area must demonstrate a high standard of design that is sensitive to the character of its</u></p>

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<p>demonstrate a high standard of design that is sensitive to the character of its surroundings in accordance with the following principles:</p> <ul style="list-style-type: none"> <li>• Be compatible with the distinctive character of the area, respecting the local settlement pattern, building styles and materials whilst taking a positive approach to innovative, contemporary designs that are sensitive to their setting;</li> <li>• Be of a density and scale that is in keeping with the character of the surrounding development and landscape;</li> <li>• Use materials that are consistent with the Alcester vernacular;</li> <li>• Building heights will not exceed three storeys unless the proposal clearly demonstrates that this is appropriate in terms of the function and significance of the building and the building will make a positive contribution to the street scene.</li> </ul> <p>Proposals for major development as defined in the</p>		<p>HBE10 overlap considerably in content and would be more usefully combined into one policy. The modification is therefore considered appropriate to avoid the duplication of policies and provide for a more concise and effective policy. Modifications recommended by the Examiner also provide more clarity to the policy so that it can be applied consistently and without ambiguity. The modifications recommended by the Examiner are therefore considered necessary for the Plan to meet the Basic Conditions.</p>	<p><u>surroundings in accordance with the following principles:</u></p> <ul style="list-style-type: none"> <li>• <u>Be compatible with the distinctive character of the area, respecting the local settlement pattern, building styles and materials whilst taking a positive approach to innovative, contemporary designs that are sensitive to their setting;</u></li> <li>• <u>Be of a density and scale that is in keeping with the character of the surrounding development and landscape;</u></li> <li>• <u>Use materials that are consistent with the Alcester vernacular;</u></li> <li>• <u>Building heights will not exceed three storeys unless the proposal clearly demonstrates that this is appropriate in terms of the function and significance of the building and the building will make a positive contribution to the street scene.</u></li> </ul> <p><u>Proposals for major development as defined in the NPPF are encouraged to apply the "Building For Life 12" criteria and achieve as many green ratings as possible with no red ratings."</u></p> <p>Organise Explanation and Higher Level Policies as follows:</p> <p><b><u>"Explanation</u></b>  <u>6.1.36 This policy seeks to guide new development to achieve high standards of design quality and to ensure schemes make a positive contribution to their surroundings and Alcester as</u></p>

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<p>NPPF are encouraged to apply the "Building For Life 12" criteria and achieve as many green ratings as possible with no red ratings."</p> <p>Combine the text under the heading "Explanation" for the two policies in the order 1.44, 1.49, 1.45, 1.50.</p> <p>Combine the references to "Higher Level Policies" for the two policies in the order they are presented in the submission document.</p> <p>Renumber the policies which follow.</p>			<p>a whole.</p> <p><u>6.1.37 It is important to ensure that local character is preserved and where appropriate enhanced. New development that is at odds with a distinctive local character can be harmful so will be resisted. The purpose of this policy is to manage development so that the most appropriate design is found for the site having regard to local character to ensure that all developments are of high quality and reflect the character of the areas around them in spatial layout, scale, materials, design and landscape terms.</u></p> <p><u>6.1.38 From the results of the 2015 Household Questionnaire, 91.7% of residents agreed that the quality of design for new development in Alcester is important.</u></p> <p><u>6.1.39 The Alcester Conservation Area Character Appraisal dated December 2008 provides a comprehensive assessment of the character of the Conservation Area</u></p> <p><b>Higher Level Policies</b></p> <p><u>6.1.40 SDC Core Strategy Policy CS.9 (Design and Distinctiveness) requires developments to improve the quality of the public realm and enhance the sense of place, reflecting the character and distinctiveness of the locality. It</u></p>

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			<p><u>further requires design to be attractive, sensitive, distinctive, connected, environmentally sustainable, accessible, safe and healthy.</u></p> <p><u>6.1.41 SDC Development Requirements SPD Part A: How to Achieve Good Design.</u></p> <p><u>6.1.42 NPPF para 130 requires Local Planning Authorities to seek to ensure that the quality of approved development is not materially diminished between permission and completion as a result of changes being made to the permitted scheme.</u></p> <p><u>6.1.43 NPPF para 125 requires 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 designing characteristics"</u></p> <p><u>6.1.44 NPPF para 127 states that developments should be "sympathetic to local character and history"</u></p> <p>Renumber following policies in the Plan.</p>
<b>Policy HBE11 – Public Realm (p. 29)</b>			
Modify Policy HBE 11 to read: "Wherever possible new	Section 6: Housing and the Built	<i>Modification Agreed.</i>	Amend Policy HBE11 to read:

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residential and town centre developments should respond to opportunities to provide a high quality of public realm that will enhance the sense of place in Alcester."	Environment (p. 24)	The Examiner concluded that the aim of the policy was broadly consistent with Paragraph 127 of the NPPF and Policy CS.9, but was less demanding. As such, SDC agree that the modification is required to ensure that the policy accords with local and national policy so as to meet the Basic Conditions.	<p><del>"Where appropriate, developments should strive to establish a high quality environment. Developments which offer high standards of public realm design as part of residential and Town Centre developments will be supported, subject to meeting other policies in this Plan.</del></p> <p><u>Wherever possible new residential and town centre developments should respond to opportunities to provide a high quality of public realm that will enhance the sense of place in Alcester."</u></p>
<b>Policy HBE 12 – Heritage Assets (p. 29)</b>			
<p>Modify the first section to read "Development within or adjacent to the Alcester Conservation Area and /or affecting a heritage asset or within the setting of a heritage asset, will only be supported where the public benefits of the proposal clearly outweigh any harm to the conservation area, a heritage asset, or its setting."</p> <p>Combine the second and third sections to read "Developments which ensure that heritage assets remain in an active and viable use appropriate to their</p>	Section 6: Housing and the Built Environment (p.24)	<p><i>Modification Agreed</i></p> <p>The Examiner considered that the policy was not in alignment with NPPF policy regarding heritage assets as it did not recognise the need for a balanced approach in protecting heritage assets. Furthermore, the Examiner considered that parts of the policy were repetitive and unnecessary. It was also considered that some parts were contradictory. As such, SDC agree with the Examiner's modification, to</p>	<p>Amend HBE12 to read:</p> <p>"Development within or adjacent to the Alcester Conservation Area and/or affecting a heritage asset or within the setting of a heritage asset, will only be supported <u>where the public benefits of the proposal clearly outweigh any harm to the conservation area, a heritage asset, or its setting. if it conserves or enhances the Conservation Area or heritage asset.</u></p> <p>Developments which ensure that heritage assets remain in <u>an active and viable use and are properly maintained in a manner appropriate to their location or bring heritage assets back into such a use in a manner appropriate to their heritage value,</u> <del>significance</del> will be supported.</p>

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<p>location or bring heritage assets back into such a use in a manner appropriate to their heritage value, will be supported.”</p> <p>Delete the last sentence of the third section.</p> <p>Delete the fourth section.</p>		<p>ensure that the Policy is in line with national and local planning policy and is worded in a clear and unambiguous manner.</p>	<p><del>Developments which seek to bring heritage assets back into use in a manner appropriate to their heritage value will be strongly supported. Applications which negatively impact the collective heritage value of buildings within the Conservation Area, including the historic urban plots and grid patterns will not be supported.</del></p> <p><del>Where a development proposal will cause harm to a heritage asset, it will be supported only where an assessment of the significance of the harm to the heritage asset has been carried out, and the proposal can be shown to be justified.</del></p> <p>This policy will be applied to applications affecting both designated and non-designated heritage assets and their settings. Maps 4 and 5 show the heritage assets in the Neighbourhood Area.”</p>
<p><b>Policy EC 1 –Development within the Town Centre (p. 30)</b></p>			
<p>In the heading add “(as defined on Map 4)”</p> <p>In the fourth section modify the second section to read “Any application for change of use will need to be supported by evidence that the site has been</p>	<p>Section 6.2: Economy (p. 28)</p>	<p><i>Modification Agreed</i></p> <p>The Examiner agreed with SDC’s representation that greater clarity to the marketing requirement in the fourth section of the policy was required. Whilst SDC</p>	<p>Modify policy heading as follows:</p> <p><b>“Policy EC1</b> Development within the Town Centre <u>(as defined on Map 4)</u>”</p> <p>Modify policy wording as follows:</p>

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<p>marketed for a minimum of 12 months for a range of possible business uses at a price reflecting open market value for these uses. Full details of the marketing arrangements will be agreed with Stratford-on-Avon District Council."</p>		<p>provided representation that the required 12 months marketing period was excessive as the SDC validation requirements was only 6 months, the Examiner considered that only general conformity is required rather than absolute conformity to meet the Basic Conditions. SDC therefore agree with the Examiner's modification to ensure the policy accords with the Basic Conditions and is clear and robust.</p>	<p>"Proposals that provide new retail, offices, hospitality, or tourism units or which look to enhance/extend existing units for the same uses will be supported.</p> <p>Development that results in any loss of parking provision in the town will not be supported unless it is replaced by equivalent or enhanced provision in a suitable location.</p> <p>Development proposals which require permission to change the use of existing retail, office, hospitality or tourism units to alternative business use will be supported where it can be demonstrated that proposals will enhance or support the vitality of the Town Centre.</p> <p>Where permission is required, change of use of commercial premises to residential will be resisted at ground floor level unless it can be demonstrated that their continued use is no longer viable. Any applications for change of use will need to be supported by evidence of a minimum of 12 months of appropriate but unsuccessful marketing for range of possible <u>that the site has been marketed for a minimum of 12 months for a range of possible business uses at a price reflecting open market value for these uses. Full details of the marketing arrangements will be agreed with Stratford-on-Avon District Council business/employment uses.</u></p>



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			Where permission is required, change of use of commercial premises above ground level to residential will be supported where separate access and adequate resident parking provision with 24 hour availability is provided and where development would not result in the loss of, or adversely affect the ground floor business use."
<b>Policy EC 3 – Supporting business start-ups (p. 32)</b>			
In the last section of Policy EC 3 delete "provided that they comply with other policies in this plan."	Section 6.2: Economy (p. 31)	<p><i>Modification Agreed</i></p> <p>The Examiner included this recommendation to delete all references to conformity with other policies in the Plan within page 17 of the report. This recommendation therefore ensures that the policy accords with this recommendation. SDC agree with the modification, as it is considered unnecessary to state the policies must be in compliance with other policies of the Plan as this is already assumed. The modification is therefore appropriate to ensure a consistent and concise policy</p>	<p>Modify Policy EC3 to read:</p> <p>"Proposals for small-scale business space suitable for start-ups will be supported <del>provided that they comply with other policies in the Neighbourhood Plan.</del> Support will also be given to the development of flexible units that can be altered to meet the needs of new and small businesses.</p> <p>Development proposals for new build or conversions providing live/work space will be supported where the amenity of neighbouring properties is fully addressed.</p> <p>Proposals for new residential developments which include home office space will be supported <del>provided that they comply with other policies in this Plan."</del></p>

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		approach, as required by the Basic Conditions.	
<b>Policy EC 4 – Employment land change of use (p. 32)</b>			
<p>Change the heading of Policy EC 4 to "Employment land changes of use and mixed use development"</p> <p>Modify the second sentence of the second paragraph to read "Any applications will need to be supported by evidence that the site has been marketed for a minimum of 12 months for a range of possible business uses at a price reflecting open market value for these uses. Full details of the marketing arrangements will be agreed with Stratford-on-Avon District Council."</p> <p>Modify the last paragraph to read "Proposals for changes of use from employment use to provide a mix of employment and residential use will only be supported if the residential element is necessary to make</p>	<p>Section 6.2: Economy (p. 31)</p>	<p><i>Modification Agreed</i></p> <p>The Examiner agreed with SDC's representation that amendment was required to the last section of the policy to clarify that this only applied to change of use proposals, and did not support new development outside of the BUAB.</p> <p>The Examiner considered that clarification was required to the marketing period detailed in the second section in-line with Policy EC1.</p> <p>SDC agreed with the proposed modification to ensure that the policy accords with local and national policy and is clear and ambiguous, so as to</p>	<p>Amend title to read:</p> <p>"<u>Employment land changes of use and mixed use development</u>"</p> <p>Amend policy wording to read:</p> <p>Where planning permission is required for land currently in employment use (including offices, retail, hospitality, tourism and other commercial uses), proposals for changes of use to other employment uses will be supported.</p> <p>Where permission is required, change of use from employment use to residential use will only be supported where it can be clearly demonstrated that the continued business use is no longer viable. Any applications will need to be supported by evidence <del>of a minimum of 12 months of appropriate but unsuccessful marketing for a range of possible</del> <u>that the site has been marketed for a minimum of 12 months for a range of possible business uses at a price reflecting open market value for these uses. Full details of the marketing arrangements will be</u></p>

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the scheme viable."		comply with the Basic Conditions.	<p>agreed with Stratford-on-Avon District Council <del>business/employment uses.</del></p> <p><u>Proposals for changes of use from employment use to provide a mix of employment and residential use will only be supported if the residential element is necessary to make the scheme viable</u> <del>Development proposals for a mixed-use scheme of employment and residential will only be supported if the residential element is necessary to enable the development or change of use of the site to an employment use and the residential element should not occupy the majority of the site.</del></p>
<b>Policy EC 5 – Support for commercial development (p. 33)</b>			
In the second paragraph of Policy EC 5 delete "in line with SDC's Convenience Goods Retail Study"	Section 6.2: The Economy	<p><i>Modification Agreed.</i></p> <p>The Examiner considered that the reference to the SDC Convenience Goods Retail Study should be removed from the policy as it is dated (from 2008) and has no reference to impact assessment for new proposals and would not be relevant in relation to</p>	<p>Amend Policy EC5 to read:</p> <p>"Proposals for new commercial developments, particularly where they demonstrate direct benefits to the local area and support and promote use of the local workforce and products, will be supported within the Built Up Area Boundary provided that they provide adequate parking provision for staff and visitors.</p> <p>Any proposals for retail development outside the town centre, whether on greenfield or brownfield</p>

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		durable goods retailing. Furthermore, the NPPF also makes clear when an impact assessment is necessary. SDC agree with this modification in order to provide a more clear and effective policy and is required to meet the Basic Conditions.	sites, will be subject to an impact assessment in relation to the town centre <del>in line with SDC's Convenience Goods Retail Study</del> and will only be supported where it can be shown that the impact to the Town Centre vitality and viability is not adversely affected.  Environmental improvements to existing employment land will be supported within the Built Up Area Boundary. Proposals that include business conferencing and meeting facilities will be supported within the Built Up Area Boundary.  Proposals that include the provision of low-cost business space within the Built Up Area Boundary to meet the needs of micro or small enterprises and to support firms wishing to start-up or expand will be supported."
<b>Policy EC 6 – Education and childcare provision (p. 34)</b>			
Combine the two elements of Policy EC 6 to read: "Developments which propose the provision and expansion of educational and childcare facilities, will be supported where they: • Meet an identified need • Are accessible to the area they	Section 6.2: The Economy (p.32)	<i>Modification Agreed.</i>  The Examiner concluded that there was no reason why new facilities should not be subject to the same criteria as the expansion of existing facilities to provide adequate parking. SDC therefore agree	Modify EC6 to read:  <del>The provision of new educational and childcare facilities will be supported where they:</del> Developments which propose the provision and expansion of educational and childcare facilities, will be supported where they: • Meet an identified need • Are accessible via a footpath/cycle link

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<p>serve by adequate footpath and cycle links</p> <ul style="list-style-type: none"> <li>• Demonstrate high quality design</li> <li>• Can provide on-site parking in accordance with the standards of Warwickshire Council"</li> </ul>		<p>with the Examiner's recommendation to combine the two elements of policy EC6 so that both new and the expansion of existing facilities are required to provide adequate parking, as this provides for a more consistent policy.</p>	<ul style="list-style-type: none"> <li>• Demonstrate high quality design</li> <li>• Can provide on-site parking in accordance with the standards of Warwickshire Council</li> <li>• <del>comply with other relevant Neighbourhood Plan policies</del></li> </ul> <p><del>Developments which propose the expansion or improvement of existing school sites will be supported subject to provision of adequate parking provision and compliance with other relevant Neighbourhood Plan policies including demonstrating high quality design.</del></p>
<p><b>Policy EC 7 – Further Education Support (p. 34)</b></p>			
<p>Modify the heading to Policy EC 7 to read: "Further and adult education and training".</p> <p>Delete "provided that they comply with other policies in the Neighbourhood Plan."</p>	<p>Section 6.2: Economy (p.34)</p>	<p><i>Modification Agreed</i></p> <p>The amended policy title is considered to more accurately reflect the contents of the policy, as Further Education has a specific meaning. SDC therefore support this modification as it is required for clarity.</p> <p>The Examiner has recommended all references to conformity with other</p>	<p>Amendment to policy title as follows:</p> <p><u>"Further education support and adult education and training"</u></p> <p>Amend policy wording as follows:</p> <p>"Developments which include tertiary education, adult education, apprenticeship training and general learning and training facilities will be supported <del>provided that they comply with other policies in this Neighbourhood Plan.</del></p> <p>Such facilities will be supported where they are of high quality design, accessible via footpath /</p>

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		policies in the Plan be deleted as it is unnecessary and potentially confusing for readers of the Plan. SDC support this modification as it results in a more clear and concise policy.	cycle links and include adequate parking for staff and students."
<b>Policy EC 8 - Support for new or improved tourist attractions and accommodation (p. 34)</b>			
In the third section delete "subject to compliance with other policies in this Plan".	Section 6.2: Economy (p. 34)	<p><i>Modification Agreed.</i></p> <p>The Examiner has recommended all references to conformity with other policies in the Plan be deleted as it is unnecessary and potentially confusing for readers of the Plan. SDC support this modification as it results in a more clear and concise policy.</p>	<p>Amend EC8 to read:</p> <p>"Development proposals that will increase or improve the amount and range of visitor attractions and accommodation in the town will be supported.</p> <p>Proposals will need to demonstrate how they contribute towards other objectives of the Neighbourhood Plan by providing adequate parking provision, cycle storage, linkages to public transport, new and improved footpath and cycle routes and ensuring all facilities are fully accessible for all.</p> <p>Development proposals that contribute to the creation of new town centre facilities for providing visitor and tourist information will be supported <del>subject to compliance with other policies in this Plan.</del></p>

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			Proposals that enhance the visitor enjoyment of or engagement with Alcester's natural environment and historical sites including Alcester Abbey and Beauchamp Court will be supported."
<b>Policy TI 1 – New development and connectivity (p. 35)</b>			
<p>Insert "Residential" before "developments" at the beginning of the policy.</p> <p>In the second part of the policy delete "any visual impact should be minimised through landscaping, screening and planting."</p> <p>Combine what remains of the second paragraph with the third paragraph by deleting "Such developments" at the beginning of the third section.</p>	<p>Section 6.3: Transport and Infrastructure (p. 36)</p>	<p><i>Modification Agreed</i></p> <p>The Examiner considered that the wording of the policy is ambiguous in two respects. The first paragraph refers to "Developments of 10 or more units" but does not say which type of units. It has been confirmed that this should refer to residential units. In the second paragraph there is a requirement for "visual impact" to be "minimised" and it is not clear what this refers to. It has been confirmed that this reference is an error and should be deleted.</p> <p>SDC agree with the</p>	<p>Amend Policy TI 1 to read:</p> <p>"<u>Residential</u> developments of 10 or more units should provide direct connections to the existing network of public footpaths, cycleways, bridleways and rights of way with clear signposting (with distance and time markers) and ensure full accessibility for all users except where it can be clearly demonstrated to be physically impossible.</p> <p>Such developments should improve and not impede accessibility to existing routes, and <del>any visual impact should be minimised through screening, landscaping and planting.</del> Such developments should seek to encourage a modal shift (or transition) to reduce car journeys by integrating into existing footpaths, cycleways and bus routes, which may require developers liaising with local public transport providers. Such developments should also provide bike storage."</p>

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		Examiner's recommendation to address the ambiguities within the Policy, so as to provide for a clear and unambiguous policy that can be consistently applied by Planning Officers. The modification is therefore required in order to meet the Basic Conditions.	
<b>Policy CLW 1- Community and leisure facilities development (p. 36)</b>			
<p>Insert "economically" before "sustainable".</p> <p>In the second section delete "should be located".</p>	<p>Section 6.4: Community, leisure and wellbeing (p. 39)</p>	<p><i>Modification Agreed.</i></p> <p>The Examiner agreed with SDC's representation that the use of the term 'sustainable' should be clarified as it was unclear what sort of sustainability the policy was referring to. SDC therefore agree with the recommended modification to clarify this term, which is needed in order for the policy to meet the Basic Conditions.</p> <p>An amendment was also required to correct an error</p>	<p>Amend Policy CL1 1 as follows:</p> <p>"Development Proposals which enhance and improve existing community and leisure facilities, indoor and outdoor, will be supported, where shown to be <u>economically sustainable</u> and serve a demonstrable need.</p> <p>Proposals for new leisure and community facilities will be supported provided that they are compatible with existing neighbouring uses. New sites for such facilities <del>should be located</del> will be supported where they are accessible via good footpath/cycle links.</p> <p>The loss or partial loss of existing community facilities will not be supported unless it can be</p>



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		as the policy was not coherent as written. SDC therefore agree with the Examiner's recommendation to delete the word 'should be located' from the policy.	demonstrated that the facility is no longer required and has no prospect of being brought back into use."
<b>Policy CLW2 - Enhancing access to and utilisation of open green spaces (p.37)</b>			
Insert an additional paragraph at the beginning of the explanation section for policy CLW 2 to state "For the purposes of policy CLW 2 'open green space' means land that is accessible to the public and partly or completely covered with grass, trees, shrubs or other vegetation."	Section 6.4: Community, leisure and wellbeing (p. 39)	<i>Modification Agreed</i> The policy as written did not clarify what was meant by 'open green space'. SDC agree with the Examiner that it is important for this term to be defined within the explanation so that the policy can be consistently applied, and to ensure its scope is not too broad to comply with the Basic Conditions.	Insert additional paragraph to beginning of explanation of CLW 2 as follows:  "For the purposes of policy CLW 2 'open green space' means land that is accessible to the public and partly or completely covered with grass, trees, shrubs or other vegetation"
<b>Policy CLW 3 – Health Provision (p. 37)</b>			
Delete "subject to compliance with other Plan policies".	Section 6.4: Community, leisure and wellbeing (p. 40)	<i>Modification Agreed</i>  The Examiner has recommended all references to conformity with other policies in the Plan be deleted as it is unnecessary	Amend Policy CLW 3 as follows:  "Any development proposal, meeting a proven local need, which would create or enhance facilities for supporting or improving people's mental or physical health will be supported. <sup>7</sup> <del>subject to compliance with other Plan policies."</del>

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		and potentially confusing. SDC support this modification as it results in a more clear and concise policy.	
<b>Policy CLW 4 – Allotments and growing spaces (p. 38)</b>			
In the first and second lines delete "within the Neighbourhood Area". In the second section delete "in appropriate and suitable locations" and insert "in locations which are accessible to the community they will serve and where the ground conditions are suitable for cultivation". Delete the last line of the policy.	Section 6.4: Community, leisure and wellbeing (p. 40)	<p><i>Modification Agreed</i></p> <p>SDC agree with the Examiner's consideration that greater clarification was needed as to which locations would be appropriate for new allotments, as included within the Examiner's revised policy wording.</p> <p>The Examiner considered that the final section of the policy should be removed, as it was not possible for all new dwellings to have outdoor space for growing food (e.g. Apartments), and the use of the phrase 'sufficient space' was not precise enough, as any amount of space could be</p>	<p>Amend Policy CLW 4 as follows:</p> <p>"Any development proposal that would result in the partial or entire loss of an existing allotment site <del>within the Neighbourhood Area</del> will not be supported unless it can be clearly demonstrated that there would be a positive improvement to existing provision or a net increase in allotment provision elsewhere in the Neighbourhood Area.</p> <p>Proposals for the provision of new allotments <del>in appropriate and suitable locations</del> <u>in locations which are accessible to the community they will serve and where the ground conditions are suitable for cultivation</u> will be supported. Proposals for new allotments should clearly demonstrate the following criteria:</p> <ul style="list-style-type: none"> <li>• There are no adverse impacts on the landscape or character of the area;</li> <li>• There are satisfactory arrangements for water supply; and</li> <li>• There would be no adverse impacts on</li> </ul>

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		used to grow food. SDC agree that the section of the policy should be removed as it is not possible to be applied consistently, and would not meet the Basic Conditions.	neighbouring uses  <del>New dwellings should provide sufficient space for individual homeowners with the opportunity to grow their own food.</del>
<b>Policy CLW 5 - Protecting against air, noise, water and light pollution (p. 38)</b>			
Delete Policy CLW 5	Section 6.4: Community, leisure and wellbeing (p. 41)	<p><i>Modification Agreed</i></p> <p>The Examiner considers that the policy is very generally worded and does not define what unacceptable levels of pollution are. He considers that it is not locally distinct in any way and does not add to the more detailed guidance in paragraphs 178-183 of the NPPF. It therefore provides no clear guidance to a decision maker.</p> <p>Although the Examiner noted that the Environment Agency had provided suggestions for more detailed guidance which could be added, he concluded that there is no</p>	<p>Delete Policy CLW 5:</p> <p><del>Policy CLW 5 – Protecting against air, noise, water and light pollution</del></p> <p><del>Proposals which will give rise to unacceptable levels of air, noise or water or light pollution will not be supported.</del></p> <p><del>Where appropriate, development proposals will be required to demonstrate how measures to minimise the impact of pollution have been considered.</del></p> <p><b>Explanation</b>  <del>6.4.32 By working collaboratively with developers, the Town Council will seek to maintain good air quality in the town and strive to deliver improvements so that air quality does not fail national objectives in order to protect public health and the environment.</del></p>

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		<p>requirement to include any particular policy to meet the basic conditions and for him to insert new policies at this stage would not be appropriate as they would not have been subject to consultation.</p> <p>SDC agree with the proposed modification to delete the policy, as it is agreed that the policy was overly generic and did not add anything to existing local or national policy guidance. The policy therefore would not comply with the Basic Conditions, and its deletion is necessary, as the insertion of new policies at this stage would be inappropriate.</p>	<p><del>6.4.33 The CPRE has stated "The tranquillity of the English countryside is one of its most important qualities. Tranquillity is important for our mental and physical well-being. It improves our quality of life. It is also critical to rural economies because it's one of the main reasons why people head out of towns and cities to 'get away from it all'. But getting away from it all is becoming harder and harder to do. Aircraft, cars, roads and building developments are all eroding the tranquillity that means so much to all of us."</del></p> <p><del>6.4.34 The objections received from residents neighbouring the SIG Roofspace facility in response to planning application 17/03089/FUL provide evidence of the need to protect residents who live close to employment sites from noise and light pollution. These are supported by the SDC Environmental Health consultation responses to this application.</del></p> <p><b>Higher level policies for Objective C</b></p> <p><del>6.4.35 SDC Core Strategy Policy CS 25 Healthy Communities supports healthy inclusive communities and sets out the Council's approach to open space and recreation facilities provision for residential developments.</del></p> <p><del>6.4.36 Stratford on Avon District Active Communities Strategy (2012-2018) seeks to ensure effective planning and co-ordination of</del></p>

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			<p><del>opportunities for participation in sport and physical activity.</del></p> <p><del>6.4.37 SDC SPD 12 Healthy Communities refers to the importance of design of the built environment on health. The way in which buildings and areas are connected through street layout, footpaths and cycle paths and open space can have an impact on physical and mental health and the amount of physical activity that people can undertake. The public realm should be designed to encourage and promote physical exercise and mental well-being.</del></p> <p><del>6.4.38 SDC SPD 9.4 refers to Dementia Friendly communities and how to create better environments for those living with dementia.</del></p> <p><del>6.4.39 SDC Core Strategy Policy CS.7 (Green Infrastructure) is supported by section 3.6.6 "Allotments are an important community facility and demand for them is growing steadily. They make a valuable contribution to biodiversity and healthy lifestyles, represent years of public and individual investment, and are worthy of protection."</del></p> <p><del>6.4.40 SDC Core Strategy Policy AS.2 B Social 5. allows for the provision of additional allotments</del></p> <p><del>6.4.41 WCC Neighbourhood Development</del></p>

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			Planning for Health promotes healthy, active communities through the neighbourhood planning process.
<b>Policy NE 1 – Trees, hedges and landscape features (p. 39)</b>			
<p>In the first section, in the first and 4th line replace "as per" with "in accordance with".</p> <p>Modify the second part of the policy to read "Major developments, as defined by the NPPF, and other proposals which would have a significant impact on the landscape will need to demonstrate that they have been shaped by a landscaping strategy which takes into account the essential characteristics of the site."</p>	<p>Section 6.5 : Natural Environment (p. 42)</p>	<p><i>Modification Agreed</i></p> <p>The Examiner agreed with SDC's representation that it was unclear what was meant by 'significant or sensitive development'. He also considered that The reference to "landscape led" suggests that landscape should be the first consideration in the design process rather than one of many important considerations. He therefore recommends a revised second part of the policy to remove these ambiguities and suggestion that landscape should be the first consideration in the process. SDC agrees with the modification as it results in a more clear policy which</p>	<p>Amend Policy NE 1 as follows:</p> <p>"All new development will be expected to protect mature healthy trees and hedges where appropriate, <del>as per</del> <u>in accordance with</u> BS 5837: 2012 or the latest British Standard. Where this is not appropriate, new trees and hedges should be planted to replace those lost as part of a mitigation scheme. Where possible and appropriate, new development should incorporate new native tree and hedge planting of a suitable size and species. The new hedge or shrub planting should be implemented <del>as per</del> <u>in accordance with</u> the recommendations in BS 4428:1989 and any new tree planting should be carried out in accordance with BS 8545:2014 or the latest British Standard.</p> <p><del>Significant or sensitive development proposals will also need to demonstrate how they have incorporated a landscape led strategy from the outset in order to avoid retro-fitting of poor quality or token landscape features. Major developments, as defined by the NPPF, and other</del></p>

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		adheres to local and national policy, as required by the Basic Conditions.	<u>proposals which would have a significant impact on the landscape will need to demonstrate that they have been shaped by a landscaping strategy which takes into account the essential characteristics of the site.</u>
<b>Policy NE 2 – Biodiversity (p. 40)</b>			
In the first part of Policy NE 2 delete "contributes to and enhances the natural and local environment;" and after "...wherever possible." add "Where developments would result in significant harm to biodiversity it will be necessary to demonstrate how this harm will be mitigated by the creation of new habitats and ecological assets."	Section 6.5 : Natural Environment (p. 43)	<i>Modification Agreed</i>  The Examiner agreed with SDC's representation that reference to the need to mitigate harm to biodiversity (as required by para 175 of the NPPF) was needed within the policy, and the modification recommended addresses this. The Examiner also considered that the policy requirement for all development to contribute to and enhance the natural environment would not be possible in all cases, and was more onerous than the requirements of the NPPF. Furthermore, it was not clear what was meant by the "local environment". SDC agree the modification proposed as it	Amend Policy NE 2 as follows:  "Development will not be supported unless it <del>contributes to and enhances the natural and local environment;</del> minimises impacts on biodiversity and provides net gains in biodiversity wherever possible. <u>Where developments would result in significant harm to biodiversity it will be necessary to demonstrate how this harm will be mitigated by the creation of new habitats and ecological assets.</u>  Existing ecological networks should be retained and enhanced. New ecological habitats and networks are particularly encouraged and measures to improve landscape quality, scenic beauty and tranquillity and to reduce light pollution are encouraged."

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
		would clarify the policy and ensure it adheres with local and national policy, in order to meet the Basic Conditions.	
<b>Policy NE 3 – Local Green Spaces (p. 40)</b>			
<p>Combine the areas identified as LGS2,3 and 4 into one area numbered LGS2 and named "Arrow Valley corridor"</p> <p>Delete LGS 7 Crooks Lane Play Area, LGS 14 Bleachfield Street North Allotments, LGS 15 Bleachfield Street South Allotments, LGS 16 Allimore Lane Allotments and LGS 17 School Road Allotments.</p> <p>Renumber the remaining Local Green Spaces accordingly and modify Map 7 and Appendix 2 to remove the deleted spaces and renumber the others.</p>	<p>Section 6.5 : Natural Environment (p. 43)</p>	<p><i>Modification Agreed</i></p> <p>The Examiner considered that LGS 2, 3 and 4 would be better combined into one LGS, as while different parts of the area are already protected for different reasons, he considered that these areas collectively have a unified character and should be regarded as one Local Green Space.</p> <p>The Examiner considered that LGS 7, LGS14, LGS15, LGS 16 and LGS 17 should be removed from the policy as designated Local Green Spaces, as they did not meet the criteria for LGS as specified in the NPPF or conflicted with other policies in the Plan.</p>	<p>This Plan identifies the following sites to be designated as Local Green Space:          "LGS 1 Westbury Park          LGS 2 Arrow Valley Corridor          LGS 3 Jubilee Fields          LGS 4 St Mary's Park, Kinwarton          LGS 5 Bleachfield Street Play Area          LGS 6 Collins Way Play Area          LGS 7 Moorfields Park          LGS 8 Gas House Lane Recreation Ground (Centenary Field)          LGS 9 Alcester Town Cemetery          LGS 10 Whitehall Farm Green Space          LGS 11 Land at Eclipse Road</p> <p>The Local Green Spaces are identified on Map 7 and full details are included in Appendix 2.</p> <p>Development that would harm the openness or special character of a Local Green Space or its significance and value to the local community will not be supported unless there are very special circumstances which outweigh the harm to the Local Green Space."</p>



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
		SDC agrees with the Examiner's proposed modification, as it is necessary to ensure that the policy complies with local and national policy and to meet the Basic Conditions.	
<b>Policy NE 4 -Safeguarding rivers and ponds (P. 43)</b>			
Delete Policy NE 4	Section 6.5: Natural Environment (p. 44)	<p><i>Modification Agreed</i></p> <p>The Examiner considered there were significant defects with this policy, as it was not clear what was meant by 'adverse effects'. He also noted that sometimes mitigation of harmful effects can be possible, which was not allowed for by the policy. The deletion of the policy was therefore considered appropriate.</p> <p>SDC agree with the proposed deletion of the policy, as the policy would not contribute to the aims of sustainable development as required by</p>	<p>Deletion of Policy NE 4:</p> <p><del>"Policy NE 4 – Safeguarding rivers and ponds</del></p> <p><del>Development proposals which adversely affect existing rivers, streams and ponds, including the creation of new culverts, will not be supported.</del></p> <p><b>Explanation</b></p> <p><del>6.5.20 Alcester is located at the confluence of the River Arrow and smaller River Aine. The Town Council acquired Priory Meadow site (LGS 4) in 2016 to complete the Alcester "Green River Corridor" to allow public access for recreational purposes to a central swathe of land in the town adjoining the river.</del></p> <p><del>6.5.21 As the river network is such a part of Alcester's history, all development will be required to safeguard it for the future."</del></p>

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		the Basic Conditions. It would also not be possible to apply consistently as the wording is ambiguous.	
<b>Policy NE 5 - Protecting Valued Landscapes and Important Views (p. 44)</b>			
Delete the existing wording after the first paragraph and insert: "Development proposals should demonstrate that they maintain the essential character of the important landscapes as seen from the viewpoints on Map 8 and the important views within, into or out of the Conservation Area indicated on Map 9. Where development would have a significant adverse effect on these views it will only be permitted where the benefits of the proposal clearly outweigh the harm."	Section 6.5: Natural Environment (p. 44)	<p><i>Modification Agreed</i></p> <p>The Examiner agreed with SDC's representation that clarification was need regarding Map 8 and the difference between landscapes and views.</p> <p>The Examiner also considered that the last two paragraphs of the policy were worded very strongly and balance was needed between the potential for harm and benefits that may arise from development.</p> <p>SDC agree that the modification is necessary to meet the Basic Conditions, so as to apply the appropriate level of balance to the policy as required by the NPPF, and</p>	<p>Amend Policy NE 5 as follows:</p> <p>"Development proposals must demonstrate how they are appropriate to, and integrate with, the character of the landscape setting whilst conserving, and where appropriate, enhancing the character of the landscape including important landscape features.</p> <p><u>Development proposals should demonstrate that they maintain the essential character of the important landscapes as seen from the viewpoints on Map 8 and the important views within, into or out of the Conservation Area indicated on Map 9. Where development would have a significant adverse effect on these views it will only be permitted where the benefits of the proposal clearly outweigh the harm.</u></p> <p><del>The Valued Landscapes and Important Views are shown on: Map 8 — Valued Landscapes; and Map 9 — Important Views within the Conservation Area</del></p>

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
		in order to promote sustainable development.	<p><del>Development proposals should ensure that all important vistas of the Valued Landscape or Important View (as shown on Maps 8 and 9) and skylines are maintained and safeguarded, particularly where they relate to heritage assets and town approaches.</del></p> <p><del>Proposal which have an adverse effect on a Valued Landscape, Important View or skyline will not be supported.</del></p>
<b>Policy NE 6 - Mitigating and preventing increased flood risk (p. 44)</b>			
<p>Modify the second section of NE 6 to read:</p> <p>"All developments should seek to control and discharge all surface water runoff generated onsite during the 1 in 100 year plus climate change rainfall event. For greenfield development sites the surface water runoff generated as a result of the developments should not exceed the greenfield runoff rate. For brownfield development sites, developers are expected to achieve a substantial reduction in the</p>	<p>Section 6.5: Natural Environment (p. 44)</p>	<p><i>Modification Agreed</i></p> <p>The Examiner considered a modification was necessary to the second section as both EA and WCC commented on the second paragraph, to the effect that the discharge of surface water into the River Arrow is not undesirable providing the rate of surface water run off does not exceed that from a greenfield site and EA indicate that detailed hydraulic modelling is not necessary to determine this. The Examiner has</p>	<p>Amend Policy NE 6 as follows:</p> <p>"Development should not increase pluvial or fluvial flood risk. Planning applications for development within the Plan area must be accompanied by site-specific flood risk assessment in line with the requirements of national and district policy but may also be required on a site-by-site basis based on locally available evidence.</p> <p><del>Development proposals involving the discharge of surface water into the River Arrow will not be supported unless it can be demonstrated by means of approved comprehensive digital modelling techniques that the proposal will not increase the risk of flooding to properties in the</del></p>

<b>Examiner's Recommendation (incl. page number in the report)</b>	<b>Section/page no. in submission draft NDP</b>	<b>SDC Decision and reason</b>	<b>New text or amendment to original text, as applicable – as shown in Referendum version NDP</b>
<p>existing runoff rate, and where possible, reduce the runoff to the equivalent greenfield rate”</p>		<p>therefore recommended a modification along the lines suggested by the EA.</p> <p>SDC agree that the modification is necessary to accord with guidance and to promote sustainable development, as required by the Basic Conditions.</p>	<p>Neighbourhood Area-</p> <p><u>All developments should seek to control and discharge all surface water runoff generated onsite during the 1 in 100 year plus climate change rainfall event. For greenfield development sites the surface water runoff generated as a result of the developments should not exceed the greenfield runoff rate. For brownfield development sites, developers are expected to achieve a substantial reduction in the existing runoff rate, and where possible, reduce the runoff to the equivalent greenfield rate.</u></p> <p>All proposals, in areas requiring a flood risk assessment under national policy, must demonstrate that flood risk will not be increased elsewhere and that the proposed development is appropriately flood resistant and resilient.</p> <p>Information accompanying applications should demonstrate how any mitigation measures will satisfactorily be integrated into the design and layout of the development.</p> <p>All developments will be expected to include sustainable drainage systems and permeable surfaces. Where site conditions are proven to be unsuitable an alternative drainage solution will need to be agreed with the local planning authority and water authority.</p>

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
			The re-use and recycling of water within developments will be encouraged. Proposals which do not satisfactorily demonstrate secure arrangements for the prevention of flooding will not be supported."

SDC Decisions		
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
Appendix 2 – Local Green Spaces (p.52)	The Examiner recommends in relation to <b>Policy NE3 – Local Green Spaces</b> that LGS 2, 3 and 4 are combined into one LGS – LGS 2 (Arrow Valley corridor). However, the Examiner has omitted to specify that the LGS descriptions in Appendix 2 also need combining, so that the analyses for LGS 2, 3 and 4 are combined into a single LGS2 description/analysis. The Parish Council have proposed a revised description/analysis of LGS2 (Arrow Valley corridor) which retains the same text as the Draft NDP, but combines the descriptions into one section so that it reads grammatically correctly. SDC agree with this proposed change as it is needed	Amend LGS2, LGS3 and LGS4 in Appendix 2 as follows:  <b><u>LGS2 River Arrow Nature Reserve-<del>Arrow Valley corridor</del></u></b> <del>Owned by</del> The Nature Reserve is owned by Stratford-on-Avon District Council and managed by the Wildlife Trust, with the support of a local group of volunteers. Designated a Local Nature Reserve in 1993, it contains a variety of habitats including ponds, river, meadow and woodland. Supports a variety of wildlife including bats, small teasel, kingfishers and regionally scarce beetles. It is also designated as a Field in Trust.

	<p>to reflect the modification proposed by the Examiner to Policy NE3, by combining LGS 2, 3 and 4 into one policy. The modification is required to ensure clarity in the NDP, but is not considered to be a Basic Conditions matter.</p>	<p>The banks of the River Arrow are edged with willow, alder, oak and hawthorn, which provide ideal perches for kingfishers. The sloping pebble beach provides the perfect habitat for reeds and wetland plants, as well as offering an attractive feeding area for many birds and insects such as grey wagtails and several regionally scarce beetles.</p> <p>In addition to being a popular walking area by residents, the nature reserve is also regularly attended by science groups from nearby Alcester Grammar School to study the flora and wildlife.</p> <p>The site is identified as a potential Local Wildlife Site in the 2018 Ecological Report by the HBA Partnership.</p> <p><b>LGS 3 Abbey Field</b>  <u>Abbey Field</u> is owned and managed by Stratford-on-Avon District Council, <del>it is part of the River Arrow Nature Reserve</del> and includes a Scheduled Monument site. Mounds and depressions are evidence of a Benedictine Abbey founded in 1140. A foot bridge links it to Priory Meadow.</p> <p><b>LGS 4 Priory Meadow (now part of Abbey Field)</b>  <u>Priory meadow</u> is owned and managed by Alcester Town Council, the Scheduled Monument site extends into the meadow, and includes the underground remains of the main</p>
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		<p>Abbey buildings. An Abbey once covered this land in the 12th and 13th Centuries.</p> <p>This large meadow has recently been acquired by the Town Council and is still being developed. It has mowed pathways and rustic seating and is used by walkers enjoying the river corridor. One of the projects in this Neighbourhood Plan is to create a bridge from this meadow across the river to Jubilee Fields in order to increase accessibility and utilisation of this river corridor.</p>
<p>HBE 6 – Healthy living (p. 20)</p>	<p>The Examiner’s recommendation for Policy HBE 6 involves moving the heading “Higher Level Policies” and paragraphs 6.1.29 and 6.1.30 to follow paragraph 6.1.7. However, the Examiner has not clarified what should be done with paragraphs 6.1.31 to 6.1.36, which includes additional higher level policies from the NPPF and the SDC Core Strategy and Development Requirements SPD. The Parish Council propose to delete these policies from the Plan.</p> <p>SDC agree with this modification as the higher level policies do not clearly relate to the content of Policy HBE6. Whilst these paragraphs could be added to the Higher Level Policies section of other policies in the NDP, SDC do not think it is appropriate to reassign these at this stage. As not every policy in the NDP has Higher Level Policies section and it is not a Basic</p>	<p>Delete HBE 6 Higher Level Policies as follows:</p> <p><del>6.1.31 NPPF Section 15 (Conserving and enhancing the natural environment), Paragraph 170 “The planning system should contribute to and enhance the natural and local environment by: protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils;”</del></p> <p><del>6.1.32 Paragraph 79 of the NPPF requires Local planning authorities to avoid new isolated homes in the countryside unless there are special circumstances.</del></p> <p><del>6.1.33 NPPF para 117 requires as much use as possible of land that has previously been developed.</del></p> <p><del>6.1.34 SDC Core Strategy Policy AS.10 (Countryside and Villages) sub-section b onwards highlights the limited conditions under</del></p>

	<p>Condition for NDP policies to have these, SDC agree that it would be appropriate to delete all Higher Level Policies HBE6.</p>	<p><del>which development may be acceptable in principle.</del></p> <p><del>6.1.35 NPPF para 60 requires Local Planning Authorities to plan for housing based on current and future demographic trends and market Signals</del></p> <p><del>6.1.36 Stratford on Avon District Design Development Requirements Supplementary Planning Document (Consultation Draft March 2018)</del></p>
<p>Section 1.3 – The Plan Making Process (p.9)</p>	<p>The Parish Council propose amended wording for paragraph 1.3.3 within Section 1 – Introduction to reflect that this version is the Referendum Version. This is considered a matter of fact that will not affect the Basic Conditions. SDC therefore agree with this amendment as it is a minor amendment required for the factual accuracy of the Plan.</p>	<p>Amend Paragraph 1.3.3 as follows:</p> <p><del>This version of the Plan, the Submission Version will be submitted to the Local Planning Authority for a further consultation to take place. The Plan together with all representations to the consultation will then be submitted for Independent Examination. If the Plan passes this scrutiny, possibly with further modifications, it will be put to the town’s residents in a referendum. If that outcome is positive the Plan will then be adopted by the District Council and its policies will inform planning decisions.</del></p>



**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):**

<b>Sustainable Development Role (NPPF)</b>	<b>Neighbourhood Development Plan's Contribution</b>
Economic	<p>The Neighbourhood Plan seeks to support the local economy through supporting new employment sites/opportunities, including small scale business start-ups, 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 creation and enhancement of facilities that will improve people's mental and physical health.</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 Alcester Neighbourhood Plan meets the Basic Conditions set out in paragraph 2.12 above; and
- The referendum area should be coterminous with the neighbourhood area.

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

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

[www.stratford.gov.uk/alcesternp](http://www.stratford.gov.uk/alcesternp)

And can be viewed in paper form at:

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