

**FENNY COMPTON NEIGHBOURHOOD DEVELOPMENT PLAN
2011 - 2031**

**The Report of the Independent Examiner to Stratford-on-Avon District
Council on the Fenny Compton Neighbourhood Development Plan**

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Summary

I was appointed by Stratford-on-Avon District Council, in agreement with the Fenny Compton Parish Council, in March 2022 to undertake the Independent Examination of the Fenny Compton Neighbourhood Development Plan.

The Examination has been undertaken by written representations. I visited the Neighbourhood Area on 15th June 2022 after resolving my initial enquiries of the Qualifying Body.

The Neighbourhood Development Plan proposes a local range of policies and seeks to bring forward positive and sustainable development in the Fenny Compton Neighbourhood Area. There is an evident focus on safeguarding the very distinctive, local character of the area whilst accommodating future change and growth.

The Plan has been underpinned by extensive community support and engagement. The social, environmental and economic aspects of the issues identified have been brought together into a coherent plan which adds appropriate local detail to sit alongside the Stratford-on-Avon District Core Strategy.

Subject to a series of recommended modifications set out in this Report I have concluded that the Fenny Compton Neighbourhood Development Plan meets all the necessary legal requirements and should proceed to referendum.

I recommend that the referendum should be held within the Neighbourhood Area.

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Introduction

This report sets out the findings of the Independent Examination of the Fenny Compton Neighbourhood Development Plan (NDP) 2011 - 2031. The Plan was submitted to Stratford-on-Avon District Council by Fenny Compton Parish Council in their capacity as the 'qualifying body' responsible for preparing the Neighbourhood Plan.

Neighbourhood Plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently incorporated within the National Planning Policy Framework (NPPF) in 2012 and this continues to be the principal element of national planning policy. A new NPPF was published in July 2021 and it is against the content of this NPPF that the Plan is examined. The changes between the 2019 and 2021 revisions of the NPPF have not been significant in the examination of Policies in this Plan.

This report assesses whether the Fenny Compton Neighbourhood Development Plan is legally compliant and meets the 'basic conditions' that such plans are required to meet. It also considers the content of the Plan and, where necessary, recommends modifications to its policies and supporting text. This report also provides a recommendation as to whether the Fenny Compton Neighbourhood Development Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome, the Fenny Compton Neighbourhood Development Plan would then be used in the process of determining planning applications within the Plan boundary as an integral part of the wider Development Plan.

The Role of the Independent Examiner

The Examiner's role is to ensure that any submitted Neighbourhood Plan meets the legislative and procedural requirements. I was appointed by Stratford-on-Avon District Council, in agreement with Fenny Compton Parish Council, to conduct the Examination of the Fenny Compton Neighbourhood Development Plan and to report my findings. I am independent of both Stratford-on-Avon District Council and Fenny Compton Parish Council. I do not have any interest in any land that may be affected by the Plan.

I possess the appropriate qualifications and experience to undertake this role. I have over 40 years' experience in various local authorities and third sector bodies as well as with the professional body for planners in the United Kingdom. I am a Chartered Town Planner and a panel member for the Neighbourhood Planning Independent Examiner Referral Service (NPIERS). I am a Member of the Royal Town Planning Institute.

In my role as Independent Examiner I am required to recommend one of the following outcomes of the Examination:

- the Fenny Compton Neighbourhood Development Plan is submitted to a referendum; or
- the Fenny Compton Neighbourhood Development Plan should proceed to referendum as modified (based on my recommendations); or

- the Fenny Compton Neighbourhood Development Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.

As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. If recommending that the Neighbourhood Plan should go forward to referendum, I must then consider whether or not the referendum area should extend beyond the Neighbourhood Area to which the Plan relates.

In examining the Plan, I am also required, under paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, to check whether:

- the policies relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act 2004;
- the Neighbourhood Plan meets the requirements of Section 38B of the 2004 Act (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one Neighbourhood Area);
- the Neighbourhood Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.

These are helpfully covered in the submitted Basic Conditions Statement and, subject to the contents of this Report, I can confirm that I am satisfied that each of the above points has been properly addressed and met.

In undertaking this Examination I have considered the following documents:

- Fenny Compton Neighbourhood Development Plan 2011 - 2031 as submitted
- Fenny Compton Neighbourhood Development Plan Basic Conditions Statement (October 2021)
- Fenny Compton Neighbourhood Development Plan Consultation Statement (October 2021)
- Strategic Environmental Assessment and Habitats Regulations Assessment of the Fenny Compton Neighbourhood Plan (March 2020)
- Content at: www.stratford.gov.uk/planning-building/fenny-compton-neighbourhood-plan.cfm
- Content at: www.fennycompton-pc.gov.uk/neighbourhood-plan.cfm?source=left
- Representations made to the Regulation 16 public consultation on the Fenny Compton Neighbourhood Development Plan
- The Stratford-on-Avon District Core Strategy adopted in 2016
- The Stratford-on-Avon District Site Allocations Plan (SAP) Preferred Options Consultation Version (June 2022)
- National Planning Policy Framework (NPPF) (2021)
- Neighbourhood Planning Regulations (2012)
- Planning Practice Guidance (PPG) (March 2014 and subsequent updates)

I carried out an unaccompanied visit to the Neighbourhood Area on 15th June 2022. I looked at all the various sites and locations identified in the Plan document in their rural setting.

The legislation establishes that, as a general rule, Neighbourhood Plan examinations should be held without a public hearing, by written representations only. Having considered all the information before me, including the representations made to the submitted plan which I felt made their points with clarity, I was satisfied that the Fenny Compton Neighbourhood Development Plan could be examined without the need for a public hearing and I advised Stratford-on-Avon District Council accordingly. The Qualifying Body and the Local Planning Authority have helpfully responded to my enquiries so that I may have a thorough understanding of the facts and thinking behind the Plan, and the correspondence is being shown on Stratford-on-Avon District Council's Neighbourhood Planning website for the Fenny Compton Neighbourhood Development Plan.

Fenny Compton Neighbourhood Area

A map showing the boundary of the Fenny Compton Neighbourhood Area has been provided within the Neighbourhood Plan. Further to an application made by Fenny Compton Parish Council, Stratford-on-Avon District Council approved the designation of the Neighbourhood Area on 15th December 2016. This satisfied the requirement in line with the purposes of preparing a Neighbourhood Plan under section 61G(1) of the Town and Country Planning Act 1990 (as amended).

Consultation

In accordance with the Neighbourhood Planning (General) Regulations 2012, the Qualifying Body has prepared a Consultation Statement to accompany the Plan.

The Planning Practice Guidance says:

“A qualifying body should be inclusive and open in the preparation of its Neighbourhood Plan [or Order] and ensure that the wider community:

- is kept fully informed of what is being proposed
- is able to make their views known throughout the process
- has opportunities to be actively involved in shaping the emerging Neighbourhood Plan [or Order]
- is made aware of how their views have informed the draft Neighbourhood Plan [or Order].” (Reference ID: 41-047-20140306)

The submitted Consultation Statement notes that an open meeting was held at the Village Hall in November 2016. Residents were notified of the meeting through the Parish Council meeting minutes, an article in the Compton Chronicle village newsletter and by a flyer delivered to every property in the Parish. The meeting was attended by approximately 30 residents and there was agreement that a Neighbourhood Plan should be progressed. The first Steering Group meeting took place in January 2017.

The first consultation exercise was to undertake an initial ‘issues gathering’ survey which was hand delivered to every domestic and business property in the Parish in March and April 2017. Ninety-seven responses were received, which equates to approximately 25% response rate and these were analysed and used to shape the later main survey.

The period from summer 2017 to summer 2019 saw the completion of a number of separate surveys, the responses to which formed the evidence base for the first draft Plan. It also covered a significant programme of communication through open meetings, newsletter articles, posters and banners. I note that the main residents’ survey was undertaken in June 2018. Respondents could choose whether to complete and return the hard copy form delivered to their property or to complete the survey online. A team of volunteer ‘street champions’ were utilised across the Parish and, as a result, 254 responses were received from 350 properties, a very impressive response rate of 73%.

The official Regulation 14 six-week consultation period on the Pre-Submission Fenny Compton Neighbourhood Development Plan took place between 2nd November 2020 and 12th December 2020. A leaflet containing all of the Plan’s key principles and policies, with space alongside to comment on each one, was delivered to every household. This approach was chosen because of the ongoing uncertainties around public gatherings due to Covid-19 restrictions, which prevented any public exhibitions taking place. Residents were encouraged to either complete the paper form and return it to one of several addresses, or to respond by email. The leaflet also explained how residents could access the full draft version of the Plan on the NDP website. In addition to this, articles were posted in the Compton Chronicle newsletter, and on the Parish Council’s social media channels. Posters were placed around the village and adverts were placed in the Banbury Guardian and Stratford Herald newspapers and on their websites. An email was sent to all relevant consultation bodies including Stratford-on-Avon District Council.

Overall there were 46 individual respondents, 37 were residents and 9 were Government agencies, local authorities and the voluntary sector. All responses were carefully considered by the Steering Group and 112 comments resulted in a change to the draft Plan. An Appendix to the Consultation Statement details all the comments and the action taken.

Accordingly, overall, I am satisfied that the consultation process accords with the requirements of the Regulations and the Practice Guidance and that, in having regard to national policy and guidance, the Basic Conditions have been met. In reaching my own conclusions about the specifics of the content of the Plan I will later note points of agreement or disagreement with Regulation 16 representations, just as the Qualifying Body has already done for earlier consultations. That does not imply or suggest that the consultation has been inadequate, merely that a test against the Basic Conditions is being applied.

Representations Received

Consultation on the submitted Plan, in accordance with Neighbourhood Planning Regulation 16, was undertaken by Stratford-on-Avon District Council from 3rd February until Friday 18th March 2022. I have been passed the representations – just 8 in total – which were generated by the consultation and which are included alongside the submitted Plan

on Stratford-on-Avon District Council's Neighbourhood Planning website. I have not mentioned every representation individually within this Report but this is not because they have not been thoroughly read and considered in relation to my Examiner role, rather their detail may not add to the pressing of my related recommendations which must ensure that the Basic Conditions are met.

The Neighbourhood Development Plan

Fenny Compton Parish Council is to be congratulated on its extensive efforts to produce a Neighbourhood Plan for their area that will guide development activity over the period to 2031. I can see that a sustained effort has been put into developing a Plan around a vision that: "Fenny Compton is an ancient rural settlement situated in idyllic countryside. New developments within the Parish should be sympathetic to its history and surroundings while introducing features of modern living and minimising environmental impact". The Plan document is well presented with a combination of text, maps and Policies that are, subject to the specific points that I make below, well laid out and helpful for the reader. Some effort is apparent to keep the Plan to a manageable length by not overextending the potential subject matter and the coverage of that.

It is an expectation of Neighbourhood Plans that they should address the issues that are identified through community consultation, set within the context of higher-level planning policies. There is no prescribed content and no requirement that the robustness of proposals should be tested to the extent prescribed for Local Plans. Where there has been a failure by the Qualifying Body to address an issue in the round, leading to an inadequate statement of policy, it is part of my role wherever possible to see that the community's intent is sustained in an appropriately modified wording for the policy. It is evident that the community has made positive use of "direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area" (Planning Practice Guidance Reference ID: 41-001-20140306).

Individually I can see that the Policies address legitimate matters for a Neighbourhood Plan as identified with the community. I will later look at the Policies in turn so as to ensure that the Basic Conditions are met, which include an obligation to be in general conformity with Core Strategy strategic policies. Having considered all the evidence and representations submitted as part of the Examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It works from a positive vision for the future of the Neighbourhood Area and promotes policies that are, subject to amendment to variable degrees, proportionate and sustainable. The Plan sets out the community's priorities whilst seeking to identify and safeguard Fenny Compton's distinctive features and character. The plan-making had to find ways to reconcile the external challenges that are perceived as likely to affect the area with the positive vision agreed with the community. All such difficult tasks were approached with transparency, with input as required and support from the Stratford-on-Avon District Council.

However, in the writing up of the work into the Plan document, it is sometimes the case that the phraseology is imprecise, not helpful, or it falls short in justifying aspects of the selected policy. This is not uncommon in a community-prepared planning document and

something that can readily be addressed in most instances. Accordingly, I have been obliged to recommend modifications so as to ensure both clarity and meeting of the 'Basic Conditions'. In particular, Plan policies as submitted may not meet the obligation to "contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals" (NPPF para 16). I bring this particular reference to the fore because it will be evident as I examine the policies individually and consider whether they meet or can meet the 'Basic Conditions'.

Basic Conditions

The Independent Examiner is required to consider whether a Neighbourhood Plan meets the "Basic Conditions", as set out in law following the Localism Act 2011; in December 2018 a fifth Basic Condition was added relating to the Conservation of Habitats and Species Regulations 2017. In order to meet the Basic Conditions, the Plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the Plan for the area;
- be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations;
- not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017(d).

The submitted Basic Conditions Statement has very helpfully set out to address the issues in relation to these requirements in the same order as above and has tabulated the relationship between the policy content of the Plan and its higher tier equivalents. I note that the Core Strategy is the Stratford-on-Avon District Core Strategy adopted in 2016. From the accompanying Strategic Environmental Assessment and Habitats Regulations Assessment, I am satisfied that the making of the Plan will not breach the Basic Condition relating to the Habitats and Species Regulations 2017.

I have examined and will below consider the Neighbourhood Plan against all of the Basic Conditions above, utilising the supporting material provided in the Basic Conditions Statement and other available evidence as appropriate.

The Plan in Detail

I will address the aspects of the Neighbourhood Plan content that are relevant to the Examination in the same sequence as the Plan. Recommendations are identified with a bold heading and italics, and I have brought them together as a list at the end of the Report. For completeness, I have incorporated alterations suggested by Stratford-on-Avon District Council and agreed by the Qualifying Body prior to the Examination work commencing.

Front cover

A Neighbourhood Plan must specify the period during which it is to have effect. I note that there is a prominent reference to the Plan period 2011 – 2031 on the front cover. However,

the Plan was not submitted until 2021; since the Plan cannot be backdated and the Policies are not dependent on data anchored in 2011, the Plan period ought to commence in 2021. The references to “Submission Draft” can now be removed. The Qualifying Body agreed with these observations.

Contents Page

The content listing will need to be reviewed in the light of my Recommendations below.

Recommendation 1:

1.1 Amend the Plan period on the front cover and anywhere else in the Plan document from ‘2011 – 2031’ to ‘2021 – 2031’ and remove “Regulation 16 submission version” from the front cover.

1.2 Review the Table of Contents in the light of the recommendations in this Report.

Executive Summary

A representation comments that the sentence “The exact number of houses allocated in the Neighbourhood Development Plan will depend on how many can be accommodated in a sustainable way” is inappropriate because the Plan doesn’t allocate any sites. Whilst I appreciate that it is difficult to summarise a Plan concisely, the phrase is later repeated under “Introduction”. The local authority questions the previous paragraph because “the situation could change in subsequent versions of the Site Allocations Plan”. I suggest that paragraphs 4 & 5 are replaced by ‘The District Council is identifying reserve housing sites through its Site Allocations Plan, which may include sites at Fenny Compton.’”

It is also misleading to suggest that the distinction made by the BUAB is as stark as “a policy line which separates urban land, on which development may be acceptable, from the countryside, within which it is not”. I note, for instance, that the draft Site Allocations Plan Policy SAP.7 includes in principle for “self-build and custom housebuilding schemes adjacent to the BUABs of Stratford-upon-Avon, Main Rural Centres and Local Service Villages subject to compliance with the provisions of Policy SAP.6 [Meeting Self-Build and Custom Housebuilding Needs] in this Plan.” The Qualifying Body accepted that the wording needs to be changed.

Key Principles

It is helpful for the Plan to explain how key principles underpin the range of policies in the Plan. However, again, summaries should not mislead and I fear that the abbreviated versions of the Policies used in the tabulation here are sometimes inaccurate and there is an evident danger that some readers will not delve deeper into the Plan document to read the actual wording. The local authority has highlighted the misleading impression given about the renewable energy policy and, whilst I think it would be appropriate for the Policy titles to be put against the Key Principles, the Policies themselves should be presented only once and in full (and the Contents Page provides the related page numbers).

Development Outcomes

During the period of this Examination a revised 2022 Stratford on Avon Site Allocations Plan Preferred Options has been published. In this iteration the Plan does not allocate any sites within Fenny Compton. But the local authority notes this could be subject to change. Some wording revision is therefore required.

Recommendation 2:

2.1 Under the heading “Executive Summary”:

2.1.1 Delete paragraphs 4 & 5 and replaced these by ‘The District Council is identifying reserve housing sites through its Site Allocations Plan which may include sites at Fenny Compton, although this is now less likely in view of the scale of committed development which has been acknowledged.’

2.1.2 Replace the sixth paragraph with: ‘Fenny Compton Built-Up Area Boundary (BUAB) will help to guide development to appropriate locations for sustainable growth’.

2.2 Under the heading “Key Principles” reduce the column headed “Policies” to the Policy titles alone.

2.3 Under the heading “Development Outcomes” in paragraph 4 correct the punctuation and replace the last sentence with: ‘The District Council is presently identifying reserve housing sites through its Site Allocations Plan.’

Introduction

The local authority has queried the opening sentence of paragraph 1.2.2; in view of the Plan stage now reached this sentence can actually now be deleted and “live” removed from the second sentence. The end of paragraph 1.2.2 is not entirely accurate; it should read ‘Once in place, planning applications for development in the Neighbourhood Area are determined in accordance with the Development Plan, which includes the Neighbourhood Plan alongside the Core Strategy, unless material considerations indicate otherwise.’

I note that the last paragraph of paragraph 1.2.5 details the position “Since the Core Strategy was adopted”. The Core Strategy details a housing requirement over the period 2011 – 2031 but was not actually adopted until 2016. The Qualifying Body clarified: “This data relates to the period since 2011, and so we acknowledge that for accuracy the sentence needs rewording. In addition, to bring the data completely up to date it should state ‘29’ not ‘28’.”

Paragraph 1.2.8 says that the Plan will “ensure that the essential infrastructure is provided to support the increase in population”. Whilst the Plan may identify and help to facilitate the delivery of infrastructure, as no funding is attached directly to the Plan, it cannot “provide”.

Recommendation 3:

Under the heading “Introduction”:

3.1 Within paragraphs 1.2.2:

3.1.1 Delete the first sentence and remove “live” from the second.

3.1.2 Reword the last sentence as: ‘Once in place, planning applications for development in the Neighbourhood Area are determined in accordance with the Development Plan, which includes the Neighbourhood Plan alongside the Core Strategy, unless material considerations indicate otherwise.’

3.2 In paragraph 1.2.5:

3.2.1 Replace “Since the Core Strategy was adopted” with ‘Over the Core Strategy period since 2011’.

3.2.2 In the last sentence replace “28” with ‘29’.

3.3 Replace paragraph 1.2.8 with: ‘The Plan will help to ensure that the increase in population is supported by essential infrastructure.’

1.6 Fenny Compton built-up area boundary

The Built Up Area Boundary (BUAB) for Fenny Compton is not part of any adopted Plan. As is noted in the Plan, “the built-up area boundary (BUAB) of the village in Fenny Compton Parish [has been] published by SDC” but the document within which it sits is still in draft form. As the Neighbourhood Plan wishes the BUAB to be recognised it needs to include a Policy defining the BUAB and the supporting text needs to explain the methodology for arriving at the boundary. In the draft Site Allocations Plan Preferred Options 2022 it is noted (Section 4) that “Policy CS.16 in the adopted Core Strategy has established the principle of using Built-Up Area Boundaries (BUABs) as a mechanism for managing the location of development” and “it is appropriate to define BUABs for Local Service Villages to coincide with the physical confines of these settlements as the two are clearly meant to be interchangeable in accordance with Part D in Policy CS.16.” Therefore, a defined boundary is in general conformity with the strategic policy.

The Qualifying Body acknowledged that the section on the BUAB at paragraph 1.6.4 needs to say that “Any reserve housing sites identified by SDC will be outside the BUAB.” However, I consider that it is more appropriate that the whole of section 1.6 is picked up later under “Policy DE2: Sustainable Development” and I will make my recommendations there.

Figures 6 & 7

I can see these maps derive from the Preliminary Ecological Report for Fenny Compton Parish Council 2018, but their source is not declared. As Plan illustrations they are only required to show the important designations as listed in paragraphs 1.7.9 & 1.7.10. The dominant elements of the second map are the coloured land parcels but, even if they had a complete key, their relevance is unexplained.

A representation further comments: “We consider that the two maps listed above and the corresponding paragraph at 1.7.10 should be deleted from the Neighbourhood Plan as they

are insufficiently evidence based and could prevent otherwise sustainable development from coming forwards. We support the plan's intention to protect the natural environment, but this can be suitably achieved by Policy NA4 without the need for these maps."

The Qualifying Body commented: "In simple terms the plan is seeking to identify and highlight important ecological areas across the parish so they carry a higher profile than is currently the case and so there is a wider awareness. Following on from this there is an expectation from residents that because these areas have been highlighted as important there would be some avoidance from disturbance or development." Therefore, Figure 6, with appropriate clarity, is retained for information.

Recommendation 4:

4.1 Section 1.6 having moved, renumber section 1.7 as 1.6 and Figure 6 as Figure 5; provide a source reference for the Figure.

4.2 In paragraph 1.7.4 replace "adjacent to the BUAB" with 'adjacent to the built-up area'.

*4.3 Replace the opening of paragraph 1.7.10 with:
'Other potential wildlife sites (according to the Preliminary Ecological Report for Fenny Compton Parish Council 2018), as identified in Figure 5, are:'.*

4.4 Delete paragraph 1.7.11 and Figure 7, renumber subsequent Figures accordingly (including where they are referenced within the text).

Strategic Vision

2.2 Key Principles

This section seems to be a repeat of the content of the table on pages 7-9 and I queried with the Qualifying Body whether a double statement within a few pages of each other is appropriate. The Qualifying Body responded: "The duplication is a by-product of providing an exec summary" and "We would be happy to take out 2.2 to resolve the duplication".

2.3 Development Outcomes

This section similarly seems to be a repeat of earlier content, abbreviated. If it is retained then I believe that the local authority has a valid point that the potential for SAP site allocations ought to be acknowledged, as agreed elsewhere. The local authority also suggested expanded explanatory content that the Qualifying Body agreed.

Recommendation 5:

Under the heading "Strategic Vision":

5.1 Delete paragraph 2.2.

*5.2 Replace the second sentence of paragraph 2.3.1 with:
'This site is a brownfield 'windfall' site granted outline planning permission in two stages between 2014 and 2019 with a view to the delivery of a 100% affordable housing scheme comprising a total of 100 dwellings. Subject to the necessary approvals, development is*

forecast to complete by 2024-25. The District Council is identifying reserve housing sites through its Site Allocations Plan, which may include sites at Fenny Compton.'

Design and Infrastructure

Policy DE1: Sensitive Building Design

A general comment on Policy numbering:

Because Policies will be quoted in Officer reports etc, the practice of carrying through the paragraph numbering into the Policies is confusing. As each of the Policies has been given a distinct identification (eg DE1) it will be sufficient for sub-paragraphs/criteria to be simply numbered 1,2,3 etc or i,ii,iii etc, provided a consistent scheme is adopted across all Policies.

The revised 2021 NPPF increased the significance attached to good design and acknowledges (paragraph 127) "Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers". However, as noted earlier, policies need to be "clearly written and unambiguous, so it is evident how a decision maker should react to development proposals". The following content appears to lack clarity:

i) The first heading is "Village Design Statement" but that is not referenced as such in the supporting documents so it is unclear how it is intended that people access it; the Qualifying Body has now provided a web address. The expectation that "This [the VDS] should be consulted" may be appropriate where a scheme is to be subject to a planning consent but, by their nature, permitted development schemes will not be scrutinised and therefore use of the Statement can only be encouraged. The Qualifying Body has accepted that criterion c) should read 'conserve or enhance designated heritage assets' to be consistent with NPPF terminology.

ii) Location of Development: "sit well" may mean very different things to different people. The Qualifying Body commented: "we had anticipated that this would be open to interpretation through the planning process, with representations from residents and the parish council to any applications, and all under the guidance of the planning officers". However, that is not helpful to those preparing applications.

iii) As noted by the local authority, paragraph 3.2.2 within Policy DE2 would more helpfully sit within Policy DE1 since they both relate to design matters. In making the transfer the use of "must" in the final sentence should be corrected to "should" since the 'Design for Life' approach is not required but encouraged.

iv) Paragraph 3.0.2 references 'Secured by Design' which is then the subject of a separate Policy. Both to illustrate that it is an integrated part of the design process and, in the absence of specific evidence to give it an appropriate context, the core of Policy DE3 should be incorporated within Policy DE1.

Recommendation 6:

6.1 Across all policies, remove the paragraph numbering derived from the supporting text and adopt a simple but consistent scheme for numbering the Policy elements under each Policy number (eg DE1).

6.2 Add a paragraph 3.0.3: 'The Village Design Statement can be found here: [Fenny Compton Village Design Statement \(stratford.gov.uk\)](http://stratford.gov.uk).

6.3 Within Policy DE1:

6.3.1 In paragraph 3.1.1:

6.3.1.1 Replace "whether new build or work carried out under permitted development" with '(and its use is encouraged even for minor proposals within the scope of 'permitted development')'.

6.3.1.2 Reword criterion c) to read 'conserve or enhance designated heritage assets'.

6.3.2 In paragraph 3.1.3 replace the opening sentence with: 'Development proposals should analyse the landscape and village environment contexts, including the building styles, and show how these have influenced the proposals.'

6.3.3 Add an additional Policy element as follows:

'Design for Life: For new development on greenfield sites, or the significant redevelopment of existing sites, design should provide for a high quality public realm with both hard and soft landscaping and measures to encourage biodiversity. Favourable consideration will also be given to housing developments that can demonstrate evaluation against Building for Life 2012 (BfL12) with all criteria achieving a 'Green' score. Developments which include a 'Red' or 'Amber' score against any criterion should be justified in the Design and Access Statement or other supporting statement.'

6.3.4 Add another additional Policy element as follows:

'Secured by Design: New developments should help to maintain a low crime and safe environment through the use of Secured by Design.' Add a source reference to the Supporting Documents section.

As amended Policy DE1 meets the Basic Conditions.

Policy DE2: Sustainable Development

Policy DE2 would seem to be the appropriate place to define the BUAB, with the methodology explained in the supporting text and, as the local authority identifies, to reference the related Figure 5 (now renumbered as Figure 6).

A representation comments: "You could add to your objective a specific point in this section about new developments needing to consider their flood risk and sustainable drainage systems when building on Greenfield and brownfield sites." It is noticeable that a number of facets of sustainable development have been separated out leaving this section as a

rather distorted version of sustainability. Accordingly, I suggest that the Policy is retitled as 'Housing Development'.

i) Future Housing: I note that the Qualifying Body responded to the local authority's comment about the use of "for example": "It's an illustrative list to help the reader understand without needing to seek out the full AS10 policy wording". But Policies must be precisely worded otherwise awkward questions will arise as to why elements are omitted or wording varied.

A representation has commented: "we do not consider that Policy DE2 meets the basic conditions as: it does not conform with the NPPF's requirement at paragraph 62 for policies to plan for people wishing to commission or build their own homes; it would not achieve socially sustainable development as it fails to meet the needs of these people; and it would not conform with the emerging development plan." As noted earlier, Neighbourhood Plans are only obliged to consider matters of local importance to the community, and are not obliged to be in conformity with future strategic plans. As also noted earlier, the draft Site Allocations Plan Policy SAP.7 includes in principle for self-build and custom housebuilding schemes adjacent to the BUABs of Stratford-upon-Avon, Main Rural Centres and Local Service Villages.

3.3 Explanation

I note that the Qualifying Body has agreed to include, in paragraph 3.3.2, a reference to the date of the current Housing Survey and the need to keep this under review. And in paragraph 3.3.3 it would also be appropriate to add a paragraph acknowledging that Core Strategy Policy AS10 includes provision for "Small-scale schemes for housing, employment or community facilities to meet a need identified by a local community in a Parish Plan, Neighbourhood Plan or other form of local evidence, on land within or adjacent to a village."

Recommendation 7:

7.1 Within Policy DE2:

7.1.1 Retitle the Policy as 'DE2: Housing Development'; relocate Figure 5 (renumbered as Figure 6) to be adjacent to Policy DE2.

7.1.2 Add a new first paragraph (and renumber the subsequent paragraph) as follows: 'A Built Up Area Boundary (BUAB) is defined for Fenny Compton as shown on Figure 6.'

7.1.3 In the paragraph titled "Future Housing" capitalise "core strategy" and remove the remainder of the paragraph that follows those words.

7.1.4 Delete the paragraph numbered 3.2.2 (which has now moved to Policy DE1).

7.2 Under the heading "3.3 Explanation":

7.2.1 From paragraph 3.3.1 delete "shown in 3.1.1".

7.2.2 Amend paragraph 3.3.2 to read as follows:

'The most popular types of housing identified through the 2017 Housing Needs and 2018 Residents' Surveys are low-cost starter homes and smaller family dwellings, preferably dedicated to local people. The Housing Needs Survey will need updating during the lifetime of this Plan. Core Strategy Policy AS10 includes provision for "Small-scale schemes for housing, employment or community facilities to meet a need identified by a local community in a Parish Plan, Neighbourhood Plan or other form of local evidence, on land within or adjacent to a village."

7.2.3 Replace paragraph 3.3.3 with paragraphs 1.6.1 to 1.6.3 as earlier indicated for relocation; amend the referenced Figure from Figure 5 to Figure 6.

7.2.4 Insert a new paragraph 3.3.4:

'Policy CS.16 in the adopted Core Strategy establishes the principle of using Built-Up Area Boundaries (BUABs) as a mechanism for managing the location of development and that it is appropriate to define BUABs for Local Service Villages to coincide with the physical confines of these settlements as the two are meant to be interchangeable in accordance with Part D in Policy CS.16. The BUAB defined for Fenny Compton is derived from the methodology and boundary used in the 2022 draft Stratford on Avon Site Allocations Plan Preferred Options.'

Policy DE3: Designing-out Crime

As is acknowledged, national and local policies address the issue of designing out crime. As the local authority notes, paragraph 3.4.3 provides information, not policy content. Accordingly, I have recommended inclusion of reference to this design issue within Policy DE1, as noted above.

Recommendation 8:

Delete Policy DE3 and the related section "3.4 Explanation".

Promoting Road Safety

Policy RO1: Appropriate traffic management measures

The "Explanation" section here notes that "A primary concern for residents is the day-to-day impact of traffic; 87% of survey respondents indicated that traffic volume / speed was very important, while only 2% rated it as not important". But, given that Neighbourhood Plan policies must "relate to the development and use of land" (Section 38A of the Planning and Compulsory Purchase Act 2004), traffic management is a difficult topic for Neighbourhood Plans outside of the context of particular sites. In relation to the wording of Policy RO1, it is difficult to envisage why it is considered that existing local policies are insufficient to "minimise any impact they will have on the local highway network".

In response to the local authority questioning of the parking standard stipulated in Policy RO1 the Qualifying Body stated: "The evidence for this comes from the local surveys undertaken in drafting this plan. On-street parking problems are caused throughout the old part of the village because of insufficient off-street parking." But adding additional

requirements to new housing will not and cannot resolve existing parking problems on narrow streets. Identifying a site for off-road parking might have been appropriate. Policy RO1 can only require parking provision appropriate to the new development itself, without having to address such issues as development viability. The Qualifying Body further commented: “there is a wealth of evidence of insufficient off-road parking on housing developments built within the last 20 years which demonstrates that existing parking space policies are insufficient. In these areas, on-road parking problems and pavement parking problems are caused where properties have one car per bedroom, hence the policy wording.” But no evidence is provided to substantiate these assertions and my visit to the village did not suggest any significant issue. The NPPF at paragraph 107 says: “If setting local parking standards for residential and non-residential development, policies should take into account: a) the accessibility of the development; b) the type, mix and use of development; c) the availability of and opportunities for public transport; d) local car ownership levels”; no such range of evidence is provided.

In relation to paragraph 4.1.2 it is not explained why new developments might not be fully accessible by emergency service vehicles and personnel. As to 4.1.3, as the local authority comments: “it is unclear whether traffic calming methods could be dealt with through new development – this is more related to work carried out by County Highways outside the planning process”.

Accordingly, I cannot conclude that the Basic Conditions are met with regard to proportionate evidence, clarity of wording and serving a clear purpose. However, in relation to the local authority comment on 4.1.3, the Qualifying Body has commented “Our view is that these matters need to be considered together.... We believe that even though the planning process does not cover these matters, they should be considered alongside each other, hence the policy wording.” This element might therefore become part of the ‘Community Aspirations’ where there is already a closely related point. Planning Policy Guidance says: “Wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, [but] actions dealing with non land use matters should be clearly identifiable. For example, set out in a companion document or annex.” (Planning Policy Guidance Paragraph: 004 Reference ID: 41-004-20170728).

Recommendation 9:

9.1 Delete Policy RO1 along with section 4.2 Explanation and Figure 8; renumber subsequent Figures accordingly.

9.2 Add to the content of the ‘Community Aspirations’ section along these lines:

‘The Parish Council will press developers and the Highway Authority to ensure appropriate measures to mitigate any harm to the safety of pedestrian or cycle routes into the village centre and to schools.’

Supporting Parish Amenities

Policy PA1: Protection of Village Community Assets

Core Strategy Policy CS.25 says: “It is expected that existing community facilities, such as shops, pubs, medical and leisure, will be retained unless it can be demonstrated that one or

more of the following [4] criteria is satisfied In all instances the potential to mitigate within the local area the loss of a community facility will be considered alongside any proposal for development on the site of the existing facility.” Policy PA1 identifies the facilities to be recognised as “community facilities” for the purposes of applying Policy CS.25. Therefore, Policy PA1 should not confuse the circumstances in which exceptions or mitigation might apply. Since the “Explanation” section is already combined for Policies PA1 & PA2 greater clarity would be achieved by bringing the Policies together.

Paragraph 5.1.1 can and therefore should be presented positively. The Playing Field appears to have been included here in error since that is more appropriately listed for Policy RE1.

I noted that Figure 9 shows two facilities numbered as "1"; the single mention in the text is to the prominent Church of St. Peter and St. Clare, but the more hidden Methodist Chapel is not mentioned. The Qualifying Body explained that the Methodist Chapel closed permanently in 2021, and as such the map needs updating to remove reference to this. The Qualifying Body has committed to improving the related map – now renumbered as Figure 7 - so that the facilities and their extent can readily be identified.

Policy PA2: Development of New Community Facilities

The NPPF says that Plan Policies should be “prepared positively, in a way that is aspirational but deliverable” (NPPF paragraph 16). Whilst it is helpful that the Neighbourhood Plan identifies particular areas of community facilities that could be improved, the all-encompassing list included in the Policy wording is unlikely to be regarded as “deliverable”. Since no assessment has been made of existing or future sites that may accommodate improvements by way of extensions or additions, the Policy can only provide support ‘in principle’. Design considerations are adequately addressed in other Policies.

In the “Explanation” section the reference to “e.g. levies” is incorrect/unclear and needs correcting.

Recommendation 10:

10.1 Combine Policies PA1 & PA2 to form a new Policy PA1 as follows:

‘Policy PA1: Protection and Development of Village Community Assets

To be supported, development proposals should retain the existing community facilities listed below and shown on Figure 7, unless the exceptions set out in Core Policy CS.25 apply.

Development proposals that enhance and/or improve existing community facilities or extend their range in ways agreed with the community are supported in principle.

The following assets are considered to be of significance in maintaining the social, economic and environmental viability of the community:

- 1. Church of St. Peter and St. Clare*
- 2. Primary School*
- 3. Doctor’s Surgery*
- 4. Village shop*
- 5. Public Houses*

6. Village Hall with Post Office

7. Fire Station.’

10.2 Improve Figure 9, now renumbered as Figure 7, by identifying the buildings/sites in their actual locations; remove reference to the Methodist Chapel. Renumber Figure 10 as Figure 8.

10.3 Under the heading “5.3 Explanation”, in paragraph 5.3.6 replace “Income raised from new development (e.g. from levies)” with ‘Funds passed to the Parish Council from the Community Infrastructure Levy (CIL)’.

As amended the new Policy PA1 meets the Basic Conditions.

Promoting Recreational Spaces

Policy RE1: Protecting Village Recreational Assets

Policy RE2: Development of New Recreational Facilities

Core Strategy Policy CS.25 says: “Development proposals that would result in the loss of public or private open space, including allotments, without suitable replacement being made, will be resisted unless: 1. it can be demonstrated that there is an absence of need or it is surplus to requirements; and 2. it does not make a valuable contribution to the amenity and character of the area.” Policy RE1 is therefore in general conformity with the strategic policy whilst adding local detail of the recreation assets.

Like Policy PA1, the opening paragraph should be presented positively. The reference to the “school paying (*sic*) field” can be omitted subject to later consideration of the Local Green Space designation. As with the PA Policies, an improved map is needed – developers cannot be expected to protect features the extent of which is undeclared. As with the PA Policies, greater clarity would be achieved by bringing Policies RE1 & RE2 together. Since no assessment has been made of existing or future sites that may accommodate improvements by way of extensions or additions, the Policy can only provide support ‘in principle’. Design considerations are adequately addressed in other Policies.

Recommendation 11:

11.1 Combine Policies RE1 & RE2 together to form a new Policy RE1 as follows:

‘Policy RE1: Protection and Development of Village Recreational Assets

To be supported, development proposals should retain the existing recreation facilities listed below and shown on Figure 9 unless it can be demonstrated that the space or facility is no longer valued or of use to the village and has no prospect of being brought back into use, or is to be replaced by a new facility in a suitable location of at least an equivalent standard.

Development proposals that enhance and improve existing recreational spaces and facilities will be supported in principle. The following recreation assets are considered to be of significance in maintaining the social, economic and environmental viability of the community:

1. Children’s play area

2. Bowls Club
3. Sports Pavilion and playing field
4. Allotments

Proposals improving exercise and sports facilities will align with Stratford District Council's Sports Facility Strategy 2016-2035.

Development proposals for new recreational facilities will be supported in principle where when they do not cause unacceptable harm to the landscape or residential amenity of neighbouring properties. In particular, new and improved recreational facilities for young people and older residents will be supported.'

11.2 Improve Figure 11, now renumbered as Figure 9, by identifying the boundaries of the recreation spaces in their actual locations.

11.3 Under the heading "6.3 Explanation", in paragraph 6.3.5 replace "Income raised from new development (e.g. from levies)" with 'Funds passed to the Parish Council from the Community Infrastructure Levy (CIL)'.

As amended the new Policy RE1 meets the Basic Conditions.

Flood Prevention

Policy FL1: Ensuring Development Manages the Flood Risk

A representation from WCC Flood Risk Management suggests that this section should be titled 'Flood Management' not "Flood Prevention"; the Qualifying Body agreed that would better accord with the Policy title.

Whilst the wording of this Policy seems well considered, at the end of the last sentence the wording gets a little jumbled. Warwickshire County Council Flood Risk Management have made a few comments; they would prefer the word 'rivers' to "streams" and in place of "SuDS should be built into all new developments" they would prefer this to be strengthened to 'SuDS will be expected to be built into all new developments'.

The supporting "Explanation" notes "a recent consultant's survey" but no source reference is provided for this; the related map appears to be the public map of flood risks. WCCC flood management comments: "You mention in this section [7.2.5] that an alleviation scheme is being constructed to manage flows from the stream on the west side of the village. This should be re-worded as the current scheme is to provide property flood resilience (PFR) at a property level for those identified at flood risk to better protect them from multiple sources of flooding. WCC is currently working with residents on the delivery of the PFR scheme." The Qualifying Body acknowledged the need for this change.

WCC flood management has also commented: "You have included a map detailing the risk of flooding from surface water. It would be good to include a similar map demonstrating the risk of flooding from rivers as well as other sources." However, given that these maps are regularly being updated and any prospective developer would need to access current

versions, there would be greater value in providing a hyperlink(s) to the relevant on-line mapping and data. The Qualifying Body agreed with this approach.

Recommendation 12:

12.1 On page 39 (also on page 8) replace the heading “Flood Prevention” with ‘Flood Management’.

12.2 Within Policy FL1:

12.2.1 In paragraph 7.1.1 replace “streams” with ‘rivers’ and “should be built into all new developments” with ‘will be expected to be built into all new developments’.

12.2.2 In paragraph 7.1.2 replace “in such that a discharge to the public sewerage systems are avoided, where possible” with ‘such that a discharge to the public sewerage system is avoided, where possible’.

12.3 Under the heading “7.2 Explanation”:

12.3.1 Delete paragraphs 7.2.2 & 7.2.3 and renumber subsequent paragraphs accordingly.

12.3.2 Delete Figure 13 (and renumber subsequent Figures accordingly) and replace paragraph 7.2.5 with:

‘Warwickshire County Council (WCC) is currently working with residents on the delivery of a property flood resilience (PFR) scheme at a property level for those identified at flood risk to better protect them from multiple sources of flooding. The related mapping is linked here’ [provide the relevant hyperlink].

12.3.3 Consider adding the other alleviation measures noted within the “Aspirations Statement”.

As amended Policy FL1 meets the Basic Conditions.

Environmental Sustainability [the heading itself says “Enviromental”]

Policies EN1 – EN3

As the local authority has suggested for Policy EN2, these Policies are of no obvious value in light of the changes to the Building Regulations which came into force in June 2022. It is Government Policy that the energy and water efficiency of buildings is a matter for the Building Regulations and not the planning system. If encouraging retrofitting is the object then, as is suggested under “Explanation”, most installations would be ‘permitted development’, and again therefore the Policies would not be effective. The Qualifying Body agreed that, “given the imminent updates to the Building Regulations, we would be happy for these policies to be removed”.

Recommendation 13:

Delete Policies EN1 to EN3 and their supporting texts; also delete reference to them on page 8.

Promoting Business and Employment

Policy BU1: Minor Commercial Developments

The Qualifying Body has explained to me that:

- “The difference between BU1 and BU2 is that BU1 is focused on the place or the property. BU2 is about people and employment”; in basic terms this suggests that BU1 is the more relevant for a land-use plan.
- Policy BU1 “is intentionally broader than CS Policy AS.10, more like Use Classes B1 (Business) and B2 (General Industrial) which are broadly in line with existing properties at these locations”; however, Class B1 is now part of a much wider Class E and I am not presented with any evidence that there is commercial demand for such uses (as distinct from community support), nor justification for moving outside of the strategic policy, which is more about retention of existing business premises than any significant commercial expansion.

I note that this Policy is intended to apply at specific locations – but these are not mapped – and also at “Any existing brownfield site that becomes available”. This potentially could encompass a wide range of sites, inside and outside of the BUAB, isolated sites, sites in residential settings, sites next to tourist attractions, many of which may have better, alternative uses. Whilst I appreciate that other policies will help to keep uses appropriate to their location, this part of the Policy fails to provide that aspect of positive guidance that paragraph 16 of the NPPF expects. The source of the definition of “minor commercial” is not explained; the Qualifying Body has commented that “The phrase ‘appropriate scale’ is more important than the 100m² size reference, which was chosen to reflect the existing commercial premises at the locations listed”.

A representation comments: “Given that the potential wildlife sites [on the referenced map on page 20] have in some cases not been surveyed and in all cases have not been surveyed for at least 10 years, we consider that it is inappropriate to require minor commercial developments to not have any adverse impact on these sites without knowing if the sites are of any value to wildlife. We therefore recommend that the policy is amended to require applications to be supported by suitable ecological surveys.” This issue would be less likely to arise with exclusively infill sites.

Policy BU2: Promoting New Employment Opportunities

I note that this Policy makes no distinction between sites within or adjacent to the BUAB and other sites in the countryside. Whilst I note that paragraph 85 of the NPPF says: “Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport)” Policy BU2 is lacking in any *local* details or considerations.

All things considered I cannot conclude that Policies BU1 & BU2 are soundly constructed, or have the necessary supporting evidence that justifies a significant broadening out from Core Strategy Policy AS.10. Since there is no map/detail defining the existing employment areas, the best that the Policy can achieve is support in principle for the expansion of existing businesses within the terms set out in Policy AS.10.

Policy BU2: Home Working

I believe that this Policy should have been numbered BU3 and that “should be encouraged” should read ‘are encouraged’. Otherwise the Policy is acceptably phrased

Recommendation 14:

14.1 Replace Policies BU1 & BU2 with a new Policy:

‘Policy BU1: Business Premises:

An appropriately scaled extension to a business in its established location, particularly if it would be unreasonable to expect the business to relocate in order to expand, will be supported in principle, subject to assessment against the principles of sustainable development as shown in Core Strategy Policy AS.10.’

14.2 Merge the two “Explanation” sections.

14.3 Within “Policy BU2: Home Working” replace “should be encouraged” with ‘are encouraged’.

As amended new Policy BU1 & Policy BU2 meet the Basic Conditions.

Promoting Connectivity

Policy CN1: High-speed Homes

Policy CN2: Connected Infrastructure

Core Strategy Policy CS.26 requires, in some detail, that “New development will contribute to and be compatible with local fibre or other high speed broadband infrastructure”. I am advised by the Qualifying Body that, in separating out CN2 from CN1, “this distinction is made because they are overseen by different agencies”, but the Policy is advising the prospective applicant and decision maker. Nothing specific to the Neighbourhood Area is evidenced and therefore it is reasonable to leave the technical requirements to higher level policies. Policy CN1, which contrary to the title is not limited to homes, can simply carry the message that rural connectivity is important.

Recommendation 15:

Merge Policies CN1 and CN2 as follows:

‘Policy CN1: Connected Infrastructure

All new residential and commercial development must, subject to viability considerations, include compatible infrastructure for connectivity to high speed broadband.’

As amended the new Policy CN1 meets the Basic Conditions.

Natural Environment

Policy NA1: Protection of Valued Landscapes

As a representation notes, “the NPPF at paragraph 174 draws a clear distinction between valued landscapes (which should be protected and enhanced) and other countryside (the intrinsic character and beauty of which should be recognised)”. The representation goes on to say: “The FCNP is not supported by any evidence to demonstrate why the parish should be considered a ‘valued landscape’ aside from a survey of local residents. Such a survey can be useful in identifying value but is not by itself sufficient without technical assessment.”

Apart perhaps from in the Policy title, it is apparent that there is no intention to use “valued” in the NPPF manner. However, I believe it is fair to say that it is far from “evident how a decision maker should react to development proposals” in the context of Policy NA1 – partly because it is apparent that the drafting is incomplete. In response to a query from the local authority the Qualifying Body responded: “[Figures 20 & 23 are] representing different but connected things. The stars in Fig 20 represent the viewpoints from within the village. The coloured lines in Fig 23 represent the scope of the valued landscapes.” From the Plan text it would appear that the “viewpoints” do not represent any intrinsically special locations but “it was from these standpoints Valued Landscape views were determined”. There appear to be 3 aspects of the landscape (from Figure 23, now renumbered as Figure 20) that are particularly valued (and of which the photographs are merely, generically illustrative):

- Views of the village from the south-east,
- Views from the centre of the village towards the south-east
- Views from the west of the village towards the west and south-west.

The Qualifying Body confirmed that the following is a fair summary of the intention of the Policy. Within these vistas it is considered that development proposals must demonstrate how they have regard to, are appropriate to, and are designed to integrate with the topography and the distinct character of the landscape. As appropriate, particular attention will be required for impacts on the settings of heritage assets, village approaches and settlement edges.

From my visit to the Neighbourhood Area, I queried the overlap between the first two of the views which effectively cover the same near-ground, the second not really being a view at all since it is largely blocked by buildings. The Qualifying Body responded: “the main blue vista is actually quite a bit narrower than is reflected on the map. The section of High Street from where the blue vista is visible is the section from the Merrie Lion to the Methodist Chapel – in other words the section next to the bowling green. We would be happy to amend the blue lines on the map to reflect this narrower aspect.” This is therefore reflected in my recommendation.

Recommendation 16:

16.1 Reword Policy NA1 as follows:

‘Policy NA1: Valued Vistas

Development proposals falling within the scope of the vistas shown on Figure 20, must demonstrate how they have regard to, are appropriate to, and are designed to integrate with the topography and the distinct character of the vista landscape. As appropriate,

particular attention will be required for impacts on the settings of heritage assets, village approaches and settlement edges.'

16.2 Under the heading "11.2 Explanation":

16.2.1 In paragraph 11.2.1 replace "Landscapes" with 'Vistas'.

16.2.2 In paragraph 11.2.4 replace "Landscapes" with 'Vistas'.

16.3 Amend Figure 23, now renumbered as Figure 20, to reduce the base of the blue vista to the section of the High Street between the Merrie Lion to the Methodist Chapel.

16.4 Figure 20 becomes Figure 17, 21 becomes 18, 22 becomes 19 and 24 becomes 21.

As amended Policy NA1 meets the Basic Conditions.

Policy NA2: Local Green Spaces

Whilst I was convinced from the Plan detail that the space proposed for designation is (as per NPPF paragraphs 101 – 103) demonstrably special to a local community and holds a local significance because of its recreational value (including as a playing field), I was not immediately convinced that it has a "particular" local significance. However, from my visit to the village I was able to see that the space is important at the heart of the village and, contrary to first appearances, has public recreation value via the footpath out of school hours. I was reassured by the Qualifying Body that the boundary of the space was the subject of "discussion between the school authorities and the NDP steering group [which] resulted in adjustments to the boundaries of the proposed LGS prior to the final proposal being included in the NDP". Addressing a matter raised within a representation, it is clear from the Planning Guidance (Paragraph: 019 Reference ID: 37-019-20140306) that the land does not need to be owned or controlled by the Parish Council for designation to occur.

The NPPF (now paragraphs 101 – 103) says that "Policies for managing development within a Local Green Space (LGS) should be consistent with those for Green Belts". Green Belt policies do not extend to protecting land for "its significance and value to the local community" or say that "special circumstances" arise when the harms to the LGS are outweighed. Paragraph 147 of the NPPF simply says that inappropriate development in the Green Belt "should not be approved except in very special circumstances".

The local authority has queried the Policy element relating to flood protection works: "How can a flood resilience scheme not affect the primary function of a school playing field? Is this paragraph required/necessary?" The NPPF expects that the designation should "be capable of enduring beyond the end of the plan period" (paragraph 101). The Qualifying Body explained that the works are not yet detailed, would relate to a very localised issue and the natural flood management would relate to only c10% of the space. These would therefore not affect the overall significance of the green space.

Accordingly, I am satisfied that the NPPF criteria are met. However, the area for designation does need to be amended to exclude the electricity sub-station on the northern boundary.

Recommendation 17:

17.1 Amend the wording of Policy NA2 as follows:

'The school playing field is designated as a Local Green Space (LGS); the boundary is shown on the map at Figure 22. Development will not be supported other than in very special circumstances.'

17.2 Amend paragraph 11.4.1 to replace "paragraphs 99-101" with 'paragraphs 101-103'.

17.3 Amend Figure 25, now renumbered as Figure 22, to concentrate on the village, thus improving the clarity of the boundary of the Local Green Space, and amend the boundary to exclude the electricity sub-station on the northern boundary.'

As amended Policy NA2 meets the Basic Conditions.

Policy NA3: Verges, Trees and hedges

This Policy manages to be vague and very specific in equal measure. There seems to be nothing about the Neighbourhood Area that need give rise to the dominance of BS (British Standard) details; the local authority can be relied up to ensure that the appended planning conditions are appropriate to the proposals. The essential thrust of the paragraph 11.5.1 appears to be 'Appropriately to their location and scale, development proposals are encouraged to protect all healthy trees and hedges. Where this is not feasible, new trees and hedges should be planted to replace those lost and retain the character of the site. New planting should be of a suitable size and of native species appropriate to the locality.' The Qualifying Body agreed with this approach.

Recommendation 18:

Reword Policy NA3 as follows:

'Appropriately to their location and scale, development proposals are encouraged to protect all healthy trees and hedges. Where this is not feasible, new trees and hedges should be planted to replace those lost and retain the character of the site. New planting should be of a suitable size and of native species appropriate to the locality.'

As amended Policy NA3 meets the Basic Conditions.

Policy NA4: Conserving the Natural Environment

The Qualifying Body agreed that the last part of paragraph 11.7.3 re: tree and hedge planting is a duplication of Policy NA3 and should be removed.

A representation comments: "It is unclear whether the Neighbourhood Plan Environmental Survey referred to is the Preliminary Ecological Report prepared as part of the evidence base for the FCNP. If so our comments stand (i.e. this document presents evidence from out of date surveys that cannot be relied upon), but if there is some other report that is not readily available on the FCNP or District Council website, then this clearly needs to be published and consulted on." If the Plan is to identify and recognise specific "ecological

networks” then it needs to include a map or similar defining these; neither Figures 6 nor 7 provide the relevant information.

I note that the Core Strategy references “The Warwickshire, Coventry and Solihull Local Biodiversity Action Plan” but the Neighbourhood Plan does not show that as a source reference. In the absence of relevant and proportionate supporting evidence it would seem that Policy NA4 can say no more than Core Policy CS.6. However, the Neighbourhood Plan does have the opportunity to update this because the NPPF now requires net gains for biodiversity.

I noted to the Qualifying Body that a Policy element about hedgerows could have been possible if the terms used on the mapped detail and in the Policy had been aligned. However, Policy NA3 already covers hedges.

Recommendation 19:

19.1 Reword Policy NA4 as follows:

‘Development proposals will be expected to minimise impacts on and secure a net gain in biodiversity by:

- i) safeguarding and, where possible, enhancing existing habitats as set out in SDC Core Policy CS.6, and*
- ii) making provision, where appropriate, for measures that will secure the creation and management of additional habitats, to strengthen networks of habitats, to foster landscape scale conservation, to address the priorities of the Local Biodiversity Action Plan and to support an increase in the local populations of species of principal importance.’*

19.2 Provide a source reference for the Warwickshire, Coventry and Solihull Local Biodiversity Action Plan.

As amended Policy NA4 meets the Basic Conditions.

Caring for Heritage Assets

Policy HE1: Conserving or Enhancing the Historic Environment

I note that this Policy cherry-picks elements of the NPPF policy at paragraphs 194 and 197. The problem with this approach is that elements are omitted that may mislead the reader. The sentence “Development within and adjacent to all heritage assets will be strictly controlled” has been added but is at odds with the thrust of the NPPF Policy.

In the absence of any local detail in the Policy it can realistically say no more than general principles.

In the “explanation” section, paragraph 12.1.2 does not accurately represent the way in which Conservation Areas are regarded, and that can be left to the Policy itself without the need for a second version. I noted to the Qualifying Body that Paragraph 12.2.3 notes “Other important sites in the Parish” but they don’t appear to be “sites” and their status is not explained. The Qualifying Body responded that these might best be described as ‘features’.

Recommendation 20:

20.1 Reword Policy HE1 as follows:

'Development proposals that affect a heritage asset (whether or not designated) and/or its setting, an archaeological asset or the Fenny Compton Conservation Area (outlined in Figure 22) must assess and address their impacts and any mitigation in accordance with NPPF requirements. Proposals should demonstrate how they will conserve or enhance the historic environment.'

20.2 Delete paragraph 12.1.2.

20.3 Under the heading "12.2 Explanation", in paragraph 12.2.3, replaces "sites" with 'features'.

As amended Policy HE1 meets the Basic Conditions.

Policies Map

I noted that the local authority had commented: "It would be preferable if all policy-related content could be displayed in a single plan (possibly supported by an inset map for Fenny Compton village) to an appropriate scale or scales". The Qualifying Body responded "we do not understand how you can include all policy related content on one map. It would be an extremely busy map....In our view, clarity is better provided by using different maps for different content." I pointed out that it was not a matter of choosing one or the other, both would be acceptable, but a combined Policies Map would illustrate the combined impact of the Neighbourhood Plan policies with a land use dimension. The Qualifying Body concurred that this could be useful.

Recommendation 21

Provide a Policies Map being a combined illustration of the impact of Neighbourhood Plans Policies ie Policies DE2, PA1, RE1, NA1, & NA2.

Appendices

Apart perhaps from the "Fenny Compton Neighbourhood Plan photographic archive" all the source references would benefit from a hyperlink to their location rather than a request system of the Parish Council.

Public Sector Equality Duty

This would seem to have been more appropriately part of the Basic Conditions Statement than the Plan document.

Aspirations statement

Planning Policy Guidance says: "Wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, [but] actions dealing with non land use matters should be clearly identifiable. For example, set out in a companion document or annex." (Planning Policy Guidance Paragraph: 004 Reference ID:

41-004-20170728). I accept that the use of this annex does make the difference from Plan policies “clearly identifiable”. There is a typographical error at the beginning of the section headed “Sports Pavilion”.

Recommendation 22:

22.1 Within Appendix 13.1 add a hyperlink to the source references wherever possible.

22.2 Delete Appendix 13.2 and renumber subsequent Appendices accordingly.

22.3 Within Appendix 13.3 (now renumbered 13.2) correct the typographical error at the beginning of the section headed “Sports Pavilion”.

European Union (EU) and European Convention on Human Rights (ECHR) Obligations

A further Basic Condition, which the Fenny Compton Neighbourhood Development Plan must meet, is compatibility with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

There is no legal requirement for a Neighbourhood Plan to have a sustainability appraisal. The Strategic Environmental Assessment and Habitats Regulations Assessment Screening carried out by Lepus Consulting for Stratford-on-Avon District Council for the Fenny Compton Neighbourhood Plan (March 2020) considered whether or not the content of the Plan required a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plan and Programmes Regulations 2004. In accordance with Regulation 9 of the SEA Regulations 2004, the Council concluded: “The Screening Document explored the potential effects of the proposed FCNDP and concluded that on the basis of the SEA Screening Assessment, the FCNDP would not result in significant environmental effects in relation to criteria set out in the SEA Regulations or the Habitats and Species Regulations. This screening document was subsequently submitted to the statutory environmental bodies of Historic England, Environment Agency and Natural England for comment, in accordance with the SEA Regulations. The three consultees concurred with the conclusions of the Screening Document that the preparation of a SEA was not required. Having read the Submitted Draft NDP, SEA Screening Document and responses from the three statutory consultees, [the Council concurs] with the view that a SEA is not required for the FCNDP.” Particularly in the absence of any adverse comments from the statutory body or the Local Planning Authority (either at the Screening or the Regulation 16 Consultation) I can confirm that the Screening undertaken was appropriate and proportionate, and that the Plan has sustainability at its heart.

In regard to the European Convention on Human Rights, the Basic Conditions Statement that accompanies the Neighbourhood Development Plan states: “The FCNDP has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998.” No evidence has arisen or been put forward to demonstrate that this is not the case.

Taking all of the above into account, I am satisfied that the Fenny Compton Neighbourhood Development Plan is compatible with EU obligations and that it does not breach, nor is in any way incompatible with, the ECHR.

Conclusions

This Independent Examiner's Report recommends a range of modifications to the Policies, as well as some of the supporting content, in the Plan. Modifications have been recommended to effect corrections, to ensure clarity and in order to ensure that the Basic Conditions are met. Whilst I have proposed a significant number of modifications, the Plan itself remains fundamentally unchanged in the role and direction set for it by the Qualifying Body.

I therefore conclude that, subject to the modifications recommended, the Fenny Compton Neighbourhood Development Plan:

- has regard to national policies and advice contained in guidance issued by the Secretary of State;
- contributes to the achievement of sustainable development;
- is in general conformity with the strategic policies of the Plan for the area;
- is compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations;
- does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017(d).

On that basis I *recommend* to Stratford-on-Avon District Council that, subject to the incorporation of modifications set out as recommendations in this report, it is appropriate for the Fenny Compton Neighbourhood Development Plan to proceed to referendum.

Referendum Area

As noted earlier, part of my Examiner role is to consider whether the referendum area should be extended beyond the Plan area. I consider the Neighbourhood Area to be appropriate and no evidence has been submitted to suggest that this is not the case. I therefore ***recommend*** that the Plan should proceed to referendum based on the Neighbourhood Area as approved by Stratford-on-Avon District Council on 15th December 2016.

Recommendations: (this is a listing of the recommendations exactly as they are included in the Report)

Rec	Text	Reason
1	<p>1.1 Amend the Plan period on the front cover and anywhere else in the Plan document from ‘2011 – 2031’ to ‘2021 – 2031’ and remove “Regulation 16 submission version” from the front cover.</p> <p>1.2 Review the Table of Contents in the light of the recommendations in this Report.</p>	For clarity and accuracy
2	<p>2.1 Under the heading “Executive Summary”:</p> <p>2.1.1 Delete paragraphs 4 & 5 and replaced these by ‘The District Council is identifying reserve housing sites through its Site Allocations Plan which may include sites at Fenny Compton, although this is now less likely in view of the scale of committed development which has been acknowledged.’</p> <p>2.1.2 Replace the sixth paragraph with: ‘Fenny Compton Built–Up Area Boundary (BUAB) will help to guide development to appropriate locations for sustainable growth’.</p> <p>2.2 Under the heading “Key Principles” reduce the column headed “Policies” to the Policy titles alone.</p> <p>2.3 Under the heading “Development Outcomes” in paragraph 4 correct the punctuation and replace the last sentence with: ‘The District Council is presently identifying reserve housing sites through its Site Allocations Plan.’</p>	For clarity and accuracy
3	<p>Under the heading “Introduction”:</p> <p>3.1 Within paragraphs 1.2.2:</p> <p>3.1.1 Delete the first sentence and remove “live” from the second.</p> <p>3.1.2 Reword the last sentence as: ‘Once in place, planning applications for development in the Neighbourhood Area are determined in accordance with the Development Plan, which includes the Neighbourhood Plan alongside the Core Strategy, unless material considerations indicate otherwise.’</p> <p>3.2 In paragraph 1.2.5:</p>	For clarity and accuracy

	<p>3.2.1 Replace “Since the Core Strategy was adopted” with ‘Over the Core Strategy period since 2011’.</p> <p>3.2.2 In the last sentence replace “28” with ‘29’.</p> <p>3.3 Replace paragraph 1.2.8 with: ‘The Plan will help to ensure that the increase in population is supported by essential infrastructure.’</p>	
4	<p>4.1 Section 1.6 having moved, renumber section 1.7 as 1.6 and Figure 6 as Figure 5; provide a source reference for the Figure.</p> <p>4.2 In paragraph 1.7.4 replace “adjacent to the BUAB” with ‘adjacent to the built-up area’.</p> <p>4.3 Replace the opening of paragraph 1.7.10 with: ‘Other potential wildlife sites (according to the Preliminary Ecological Report for Fenny Compton Parish Council 2018), as identified in Figure 5, are:’.</p> <p>4.4 Delete paragraph 1.7.11 and Figure 7, renumber subsequent Figures accordingly (including where they are referenced within the text).</p>	For clarity and accuracy
5	<p>Under the heading “Strategic Vision”:</p> <p>5.1 Delete paragraph 2.2.</p> <p>5.2 Replace the second sentence of paragraph 2.3.1 with: ‘This site is a brownfield ‘windfall’ site granted outline planning permission in two stages between 2014 and 2019 with a view to the delivery of a 100% affordable housing scheme comprising a total of 100 dwellings. Subject to the necessary approvals, development is forecast to complete by 2024-25. The District Council is identifying reserve housing sites through its Site Allocations Plan, which may include sites at Fenny Compton.’</p>	For clarity and accuracy
6	<p>6.1 Across all policies, remove the paragraph numbering derived from the supporting text and adopt a simple but consistent scheme for numbering the Policy elements under each Policy number (eg DE1).</p> <p>6.2 Add a paragraph 3.0.3: ‘The Village Design Statement can be found here: Fenny Compton Village Design Statement (stratford.gov.uk).</p> <p>6.3 Within Policy DE1: 6.3.1 In paragraph 3.1.1:</p>	For clarity and accuracy and to meet Basic Condition 1

	<p>6.3.1.1 Replace “whether new build or work carried out under permitted development” with ‘(and its use is encouraged even for minor proposals within the scope of ‘permitted development’)’.</p> <p>6.3.1.2 Reword criterion c) to read ‘conserve or enhance designated heritage assets’.</p> <p>6.3.2 In paragraph 3.1.3 replace the opening sentence with: ‘Development proposals should analyse the landscape and village environment contexts, including the building styles, and show how these have influenced the proposals.’</p> <p>6.3.3 Add an additional Policy element as follows:</p> <p>‘Design for Life: For new development on greenfield sites, or the significant redevelopment of existing sites, design should provide for a high quality public realm with both hard and soft landscaping and measures to encourage biodiversity. Favourable consideration will also be given to housing developments that can demonstrate evaluation against Building for Life 2012 (BfL12) with all criteria achieving a ‘Green’ score. Developments which include a ‘Red’ or ‘Amber’ score against any criterion should be justified in the Design and Access Statement or other supporting statement.’</p> <p>6.3.4 Add another additional Policy element as follows:</p> <p>‘Secured by Design: New developments should help to maintain a low crime and safe environment through the use of Secured by Design.’ Add a source reference to the Supporting Documents section.</p>	
7	<p>7.1 Within Policy DE2:</p> <p>7.1.1 Retitle the Policy as ‘DE2: Housing Development’; relocate Figure 5 (renumbered as Figure 6) to be adjacent to Policy DE2.</p> <p>7.1.2 Add a new first paragraph (and renumber the subsequent paragraph) as follows: ‘A Built Up Area Boundary (BUAB) is defined for Fenny Compton as shown on Figure 6.’</p> <p>7.1.3 In the paragraph titled “Future Housing” capitalise “core strategy” and remove the remainder of the paragraph that follows those words.</p> <p>7.1.4 Delete the paragraph numbered 3.2.2 (which has now moved to Policy DE1).</p>	For clarity and accuracy and to meet Basic Conditions 1 & 3

	<p>7.2 Under the heading “3.3 Explanation”:</p> <p>7.2.1 From paragraph 3.3.1 delete “shown in 3.1.1”.</p> <p>7.2.2 Amend paragraph 3.3.2 to read as follows: ‘The most popular types of housing identified through the 2017 Housing Needs and 2018 Residents’ Surveys are low-cost starter homes and smaller family dwellings, preferably dedicated to local people. The Housing Needs Survey will need updating during the lifetime of this Plan. Core Strategy Policy AS10 includes provision for “Small-scale schemes for housing, employment or community facilities to meet a need identified by a local community in a Parish Plan, Neighbourhood Plan or other form of local evidence, on land within or adjacent to a village.”’</p> <p>7.2.3 Replace paragraph 3.3.3 with paragraphs 1.6.1 to 1.6.3 as earlier indicated for relocation; amend the referenced Figure from Figure 5 to Figure 6.</p> <p>7.2.4 Insert a new paragraph 3.3.4: ‘Policy CS.16 in the adopted Core Strategy establishes the principle of using Built-Up Area Boundaries (BUABs) as a mechanism for managing the location of development and that it is appropriate to define BUABs for Local Service Villages to coincide with the physical confines of these settlements as the two are meant to be interchangeable in accordance with Part D in Policy CS.16. The BUAB defined for Fenny Compton is derived from the methodology and boundary used in the 2022 draft Stratford on Avon Site Allocations Plan Preferred Options.’</p>	
8	Delete Policy DE3 and the related section “3.4 Explanation”.	To meet Basic Condition 1
9	<p>9.1 Delete Policy RO1 along with section 4.2 Explanation and Figure 8; renumber subsequent Figures accordingly.</p> <p>9.2 Add to the content of the ‘Community Aspirations’ section along these lines: ‘The Parish Council will press developers and the Highway Authority to ensure appropriate measures to mitigate any harm to the safety of pedestrian or cycle routes into the village centre and to schools.’</p>	For clarity and to meet Basic Condition 1
10	10.1 Combine Policies PA1 & PA2 to form a new Policy PA1 as follows:	For clarity and

	<p>'Policy PA1: Protection and Development of Village Community Assets</p> <p>To be supported, development proposals should retain the existing community facilities listed below and shown on Figure 7, unless the exceptions set out in Core Policy CS.25 apply.</p> <p>Development proposals that enhance and/or improve existing community facilities or extend their range in ways agreed with the community are supported in principle.</p> <p>The following assets are considered to be of significance in maintaining the social, economic and environmental viability of the community:</p> <ol style="list-style-type: none"> 1. Church of St. Peter and St. Clare 2. Primary School 3. Doctor's Surgery 4. Village shop 5. Public Houses 6. Village Hall with Post Office 7. Fire Station.' <p>10.2 Improve Figure 9, now renumbered as Figure 7, by identifying the buildings/sites in their actual locations; remove reference to the Methodist Chapel. Renumber Figure 10 as Figure 8.</p> <p>10.3 Under the heading "5.3 Explanation", in paragraph 5.3.6 replace "Income raised from new development (e.g. from levies)" with 'Funds passed to the Parish Council from the Community Infrastructure Levy (CIL)'.</p>	<p>accuracy and to meet Basic Conditions 1 & 3</p>
11	<p>11.1 Combine Policies RE1 & RE2 together to form a new Policy RE1 as follows:</p> <p>'Policy RE1: Protection and Development of Village Recreational Assets</p> <p>To be supported, development proposals should retain the existing recreation facilities listed below and shown on Figure 9 unless it can be demonstrated that the space or facility is no longer valued or of use to the village and has no prospect of being brought back into use, or is to be replaced by a new facility in a suitable location of at least an equivalent standard.</p>	<p>For clarity and accuracy and to meet Basic Conditions 1 & 3</p>

	<p>Development proposals that enhance and improve existing recreational spaces and facilities will be supported in principle. The following recreation assets are considered to be of significance in maintaining the social, economic and environmental viability of the community:</p> <ol style="list-style-type: none"> 1. Children’s play area 2. Bowls Club 3. Sports Pavilion and playing field 4. Allotments <p>Proposals improving exercise and sports facilities will align with Stratford District Council’s Sports Facility Strategy 2016-2035.</p> <p>Development proposals for new recreational facilities will be supported in principle where when they do not cause unacceptable harm to the landscape or residential amenity of neighbouring properties. In particular, new and improved recreational facilities for young people and older residents will be supported.’</p> <p>11.2 Improve Figure 11, now renumbered as Figure 9, by identifying the boundaries of the recreation spaces in their actual locations.</p> <p>11.3 Under the heading “6.3 Explanation”, in paragraph 6.3.5 replace “Income raised from new development (e.g. from levies)” with ‘Funds passed to the Parish Council from the Community Infrastructure Levy (CIL)’.</p>	
12	<p>12.1 On page 39 (also on page 8) replace the heading “Flood Prevention” with ‘Flood Management’.</p> <p>12.2 Within Policy FL1:</p> <p style="padding-left: 40px;">12.2.1 In paragraph 7.1.1 replace “streams” with ‘rivers’ and “should be built into all new developments” with ‘will be expected to be built into all new developments’.</p> <p style="padding-left: 40px;">12.2.2 In paragraph 7.1.2 replace “in such that a discharge to the public sewerage systems are avoided, where possible” with ‘such that a discharge to the public sewerage system is avoided, where possible’.</p> <p>12.3 Under the heading “7.2 Explanation”:</p> <p style="padding-left: 40px;">12.3.1 Delete paragraphs 7.2.2 & 7.2.3 and renumber subsequent paragraphs accordingly.</p>	For clarity and accuracy to meet Basic Condition 1

	<p>12.3.2 Delete Figure 13 (and renumber subsequent Figures accordingly) and replace paragraph 7.2.5 with:</p> <p>‘Warwickshire County Council (WCC) is currently working with residents on the delivery of a property flood resilience (PFR) scheme at a property level for those identified at flood risk to better protect them from multiple sources of flooding. The related mapping is linked here’ [provide the relevant hyperlink].</p> <p>12.3.3 Consider adding the other alleviation measures noted within the “Aspirations Statement”.</p>	
13	Delete Policies EN1 to EN3 and their supporting texts; also delete reference to them on page 8.	To meet Basic Condition 1
14	<p>14.1 Replace Policies BU1 & BU2 with a new Policy:</p> <p>‘Policy BU1: Business Premises:</p> <p>An appropriately scaled extension to a business in its established location, particularly if it would be unreasonable to expect the business to relocate in order to expand, will be supported in principle, subject to assessment against the principles of sustainable development as shown in Core Strategy Policy AS.10.’</p> <p>14.2 Merge the two “Explanation” sections.</p> <p>14.3 Within “Policy BU2: Home Working” replace “should be encouraged” with ‘are encouraged’.</p>	For clarity and to meet Basic Conditions 1 & 3
15	<p>Merge Policies CN1 and CN2 as follows:</p> <p>‘Policy CN1: Connected Infrastructure</p> <p>All new residential and commercial development must, subject to viability considerations, include compatible infrastructure for connectivity to high speed broadband.’</p>	For clarity and to meet Basic Condition 1
16	<p>16.1 Reword Policy NA1 as follows:</p> <p>‘Policy NA1: Valued Vistas</p> <p>Development proposals falling within the scope of the vistas shown on Figure 20, must demonstrate how they have regard to, are appropriate to, and are designed to integrate with the topography and the distinct character of the vista landscape. As appropriate, particular attention will be required for impacts on the settings of heritage assets, village approaches and settlement edges.’</p>	For clarity and accuracy and to meet Basic Condition 1

	<p>16.2 Under the heading “11.2 Explanation”:</p> <p>16.2.1 In paragraph 11.2.1 replace “Landscapes” with ‘Vistas’.</p> <p>16.2.2 In paragraph 11.2.4 replace “Landscapes” with ‘Vistas’.</p> <p>16.3 Amend Figure 23, now renumbered as Figure 20, to reduce the base of the blue vista to the section of the High Street between the Merrie Lion to the Methodist Chapel.</p> <p>16.4 Figure 20 becomes Figure 17, 21 becomes 18, 22 becomes 19 and 24 becomes 21.</p>	
17	<p>17.1 Amend the wording of Policy NA2 as follows:</p> <p>‘The school playing field is designated as a Local Green Space (LGS); the boundary is shown on the map at Figure 22. Development will not be supported other than in very special circumstances.’</p> <p>17.2 Amend paragraph 11.4.1 to replace “paragraphs 99-101” with ‘paragraphs 101-103’.</p> <p>17.3 Amend Figure 25, now renumbered as Figure 22, to concentrate on the village, thus improving the clarity of the boundary of the Local Green Space, and amend the boundary to exclude the electricity sub-station on the northern boundary.’</p>	For clarity and accuracy and to meet Basic Condition 1
18	<p>Reword Policy NA3 as follows:</p> <p>‘Appropriately to their location and scale, development proposals are encouraged to protect all healthy trees and hedges. Where this is not feasible, new trees and hedges should be planted to replace those lost and retain the character of the site. New planting should be of a suitable size and of native species appropriate to the locality.’</p>	For clarity and accuracy and to meet Basic Condition 1
19	<p>19.1 Reword Policy NA4 as follows:</p> <p>‘Development proposals will be expected to minimise impacts on and secure a net gain in biodiversity by:</p> <p>i) safeguarding and, where possible, enhancing existing habitats as set out in SDC Core Policy CS.6, and</p> <p>ii) making provision, where appropriate, for measures that will secure the creation and management of additional habitats, to strengthen networks of habitats, to foster landscape scale conservation, to address the priorities of the Local Biodiversity Action</p>	For clarity and accuracy and to meet Basic Conditions 1 & 3

	<p>Plan and to support an increase in the local populations of species of principal importance.’</p> <p>19.2 Provide a source reference for the Warwickshire, Coventry and Solihull Local Biodiversity Action Plan.</p>	
20	<p>20.1 Reword Policy HE1 as follows:</p> <p>‘Development proposals that affect a heritage asset (whether or not designated) and/or its setting, an archaeological asset or the Fenny Compton Conservation Area (outlined in Figure 22) must assess and address their impacts and any mitigation in accordance with NPPF requirements. Proposals should demonstrate how they will conserve or enhance the historic environment.’</p> <p>20.2 Delete paragraph 12.1.2.</p> <p>20.3 Under the heading “12.2 Explanation”, in paragraph 12.2.3, replaces “sites” with ‘features’.</p>	For clarity and accuracy and to meet Basic Condition 1
21	<p>Provide a Policies Map being a combined illustration of the impact of Neighbourhood Plans Policies ie Policies DE2, PA1, RE1, NA1, & NA2.</p>	For clarity
22	<p>22.1 Within Appendix 13.1 add a hyperlink to the source references wherever possible.</p> <p>22.2 Delete Appendix 13.2 and renumber subsequent Appendices accordingly.</p> <p>22.3 Within Appendix 13.3 (now renumbered 13.2) correct the typographical error at the beginning of the section headed “Sports Pavilion”.</p>	For clarity and accuracy