



## **DECISION STATEMENT**

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

#### **1. Fenny Compton Neighbourhood Development Plan**

- 1.1 I confirm that the Fenny Compton Neighbourhood Development Plan (FNDP), as revised according to the modifications set out below, complies with the legal requirements and Basic Conditions set out in the Localism Act 2011, and with the provision made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004. The Plan can therefore proceed to referendum. Given current circumstances, it is not currently possible to estimate when a referendum could be held.
- 1.2 I also declare that I have no personal or prejudicial interest in respect of this decision.

Signed

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

John Careford,  
Head of Development

#### **1. Background**

- 2.1 The District Council confirms that for the purposes of Regulation 5 (1) of The Regulations Fenny Compton Parish Council is the "Qualifying Body" for their area.
- 2.2 In December 2016, Fenny Compton Parish Council requested that, in accordance with section 5(1) of the Neighbourhood Planning (General) Regulations 2012 ("The Regulations"), the Parish of Fenny Compton be designated as a Neighbourhood Area, for which a Neighbourhood Development Plan will be prepared.
- 2.3 The District Council designated the Fenny Compton Neighbourhood Area under delegated powers of the Leader of the Council on 15 December 2016.

- 2.5 In accordance with Regulation 7 of The Regulations, the decision to designate the Fenny Compton Neighbourhood Area was advertised on the District Council website together with the name, area covered and map of the area.
- 2.6 The Parish Council consulted on a pre-submission version of their draft Neighbourhood Development Plan between 2 November 2020 and 18 December 2020 fulfilling all the obligations set out in Regulation 14 of The Regulations.
- 2.7 The Parish Council submitted their Neighbourhood Development Plan to Stratford-on-Avon District Council in December 2021 in accordance with Regulation 15 of The Regulations.
- 2.8 The District Council publicised the submitted Plan and its supporting documents for 6 weeks between 3 February 2022 and 18 March 2022, in accordance with Regulation 16 of The Regulations.
- 2.9 Andrew Matheson was appointed by the District Council to independently examine the Plan in March 2022, and the Examination took place between April 2022 and August 2022, with the final Examiner's report being issued on 6 August 2022.
- 2.10 The Examiner concluded he was satisfied that the Fenny Compton Neighbourhood Development Plan was capable of meeting the legal requirements set out in the Localism Act 2011, including meeting the Basic Conditions, subject to the modifications set out in his report, as set out in the table below.
- 2.11 Schedule 4B s.12 to the Town and Country Planning Act 1990, as inserted by the Localism Act 2011, requires that a Local Authority must consider each of the recommendations made in the Examiner's report and decide what action to take in response to each recommendation. If the Local Authority is satisfied that, subject to the modifications made, the draft Neighbourhood Development Plan meets the legal requirements and Basic Conditions as set out in legislation, a referendum must be held on the 'making' (adoption) of the Plan by the Local Authority. If the Local Authority is not satisfied that the plan meets the basic conditions and legal requirements then it must refuse the proposal. Should a referendum take place, a majority of residents who turn out to vote must vote in favour of the Neighbourhood Plan (50% plus one vote) before it can be 'made'.
- 2.12 The Basic Conditions are:
  1. Have regard to national policy and guidance issued by the Secretary of State.
  2. Contribute to the achievement of sustainable development.
  3. Be in general conformity with the strategic policies contained in the development plan for the area of the Authority (or any part of that area).
  4. Does not breach, but is otherwise compatible with EU obligations – this includes the SEA Directive of 2001/42/EC and Human Rights requirements.
- 2.13 In a small number of instances, some additional modifications to the Plan are also proposed by the District Council for reasons of clarity or accuracy. These are detailed within Table 1 (p.4) below, in conjunction with the policies to which they apply. These modifications are not considered to require a further Regulation 17A consultation under the conditions set out

by paragraph 13(1) of Schedule 4B to the Town and Country Planning Act 1990.

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

Examiner's Recommendation (incl. page number in the report)	Section in submission draft NDP	SDC Decision and reason	New text or amendment to original text, as applicable – as shown in Referendum version NDP
<b>Recommendation 1, Page 9</b>			
<p>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>Review the Table of Contents in the light of the recommendations in this Report</p>	Front Cover and throughout	<p><i>Modification Agreed.</i></p> <p>The proposed modification is required for clarity and accuracy.</p> <p><i>Additional SDC Modification Proposed</i></p> <p>Add 'Referendum Version' to front cover, for clarity.</p>	<p>Amend front cover as follows: <del>2011</del><b>2021-2031</b></p> <p>Remove reference to submission version from front cover; insert 'Referendum Version' to front cover.</p> <p>Correct Table of Contents.</p>
<b>Recommendation 2, Page 10</b>			
<p>Under the heading "Executive Summary": Delete paragraphs 4 &amp; 5 and replace these with '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>Replace the sixth paragraph with: 'Fenny Compton Built-Up Area Boundary (BUAB) will help to guide development to appropriate locations for sustainable growth'.</p>	Introduction	<p><i>Modification Agreed</i></p> <p>The proposed modification is required for clarity and accuracy.</p>	<p>Delete paragraphs 4 and 5 from Executive Summary: <del>"Fenny Compton is included in the District Council's requirement to identify reserve sites for housing provision. Four reserve sites are identified by the District Council.</del></p> <p><del>The exact number of houses allocated in the Neighbourhood Development Plan will depend on how many can be accommodated in a sustainable way."</del></p>

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<p>Under the heading "Key Principles" reduce the column headed "Policies" to the Policy titles alone.</p> <p>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>			<p>Replace with:  <b><u>"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."</u></b></p> <p>Replace paragraph 6:</p> <p><del>"Fenny Compton Built-Up Area Boundary (BUAB) defines a policy line which separates urban land, on which development may be acceptable, from the countryside, within which it is not.</del>  <b><u>Fenny Compton Built-Up Area Boundary (BUAB) will help to guide development to appropriate locations for sustainable growth'."</u></b></p> <p>Under the heading "Key Principles" reduce the column headed "Policies" to the Policy titles alone.</p> <p>Amend paragraph 4 under 'Development Outcomes' as follows:</p>

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			<p>"The main development site in the Parish is the Compton Buildings site on Station Road. With plans to build 100 homes already approved this site will increase the number of houses in the village by around 30% from the current level. Subsequent to the Core Strategy, Stratford-on-Avon District Council has proposed additional 'reserved sites' for development. <b><u>The District Council is presently identifying reserve housing sites through its Site Allocations Plan.</u></b>"</p>
<p><b>Recommendation 3, Pages 10-11</b></p>			
<p>Under the heading "Introduction":</p> <p>Within paragraphs 1.2.2: Delete the first sentence and remove "live" from the second.</p> <p>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>In paragraph 1.2.5: Replace "Since the Core Strategy was adopted"</p>	<p>Introduction</p>	<p><i>Modification Agreed</i></p> <p>The proposed modification is required for clarity and accuracy.</p>	<p>Amend paragraph 1.2.2: "After two formal stages of public consultation, the adoption process requires some validation by through an independent examiner. Examination of the NDP and a Parish referendum in the Neighbourhood Plan Area. Once endorsed by the community at referendum and 'made' live-by SDC, the Neighbourhood Plan will become part of the statutory development plan for the local area, sitting alongside SDC's Core Strategy. Once in place, planning applications for development in the Neighbourhood Area are determined in</p>

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<p>with 'Over the Core Strategy period since 2011'.</p> <p>In the last sentence replace "28" with '29'.</p> <p>Replace paragraph 1.2.8 with: 'The Plan will help to ensure that the increase in population is supported by essential infrastructure.'</p>			<p>accordance with the approved Neighbourhood Plan. <b><u>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"</u></b></p> <p>Amend paragraph 1.2.5 as follows:          "SDC's Core Strategy states that Fenny Compton is one of 12 villages in the District (known as Category 2 Local Service Villages) that should accommodate approximately 700 new houses over the planning period, of which no more than around 12% (84) should be provided in any one settlement. <del>Since the Core Strategy was adopted,</del> <b><u>Over the Core Strategy period since 2011 28–29</u></b> dwellings have been built and planning permission granted for a further 100 units on a brownfield site within the Parish of Fenny Compton."</p> <p>Replace paragraph 1.2.8:          "The Plan has been developed to ensure <del>that the essential infrastructure is</del></p>

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			provided to support the increase in population. <b><u>The Plan will help to ensure that the increase in population is supported by essential infrastructure</u></b>
<b>Recommendation 4, Page 12</b>			
<p>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>In paragraph 1.7.4 replace "adjacent to the BUAB" with 'adjacent to the built-up area'.</p> <p>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>Delete paragraph 1.7.11 and Figure 7, renumber subsequent Figures accordingly (including where they are referenced within the text</p>	Introduction	<p><i>Modification Agreed</i></p> <p>The proposed modification is required for clarity and accuracy.</p>	<p>Renumber section 1.7 as 1.6 and Figure 6 as Figure 5; provide a source reference for the Figure.</p> <p>In paragraph 1.7.4 replace "adjacent to the BUAB" with 'adjacent to the built-up area'.</p> <p>Amend paragraph 1.7.10 as follows: "Other important wildlife sites within the Parish are: <b><u>Other potential wildlife sites (according to the Preliminary Ecological Report for Fenny Compton Parish Council 2018), as identified in Figure 5, are:</u></b>"</p> <p>Delete paragraph 1.7.11: "The maps, 'Fenny Compton Parish Local Wildlife Sites' and 'Fenny Compton Parish Phase 1 habitats' outline these areas."</p>



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			Delete Figure 7, renumber subsequent Figures accordingly (including where they are referenced within the text)
<b>Recommendation 5, Pages 12-13</b>			
<p>Under the heading "Strategic Vision":</p> <p>Delete paragraph 2.2.</p> <p>Replace the second sentence of paragraph 2.3.1 with:</p> <p>'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>	Strategic Vision	<p><i>Modification Agreed</i></p> <p>The proposed modification is required for clarity and accuracy</p> <p><i>Additional Modification Proposed by SDC</i></p> <p>Since publication of the Examiner's Report, further planning applications and reserved matters have been approved relating to the site at Compton Buildings. Amendments to the Examiner's proposed wording are proposed in order to reflect these recent planning approvals.</p>	<p>Delete paragraph 2.2 (Key Principles).</p> <p>Amend paragraph 2.3.1 as follows:          "The main development site in the Parish is the Compton Buildings site on Station Road. <del>With plans to build 100 homes, this site will increase the number of houses in the village by around 30% from the current level.</del> <b><u>This site is a brownfield 'windfall' site granted planning permission in stages between 2014 and 2022 with a view to the delivery of a 100% affordable housing scheme comprising a total of 100 dwellings. 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"</u></b></p>

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<b>Recommendation 6, Pages 14</b>			
<p>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>Add a paragraph 3.0.3: 'The Village Design Statement can be found here: Fenny Compton Village Design Statement (stratford.gov.uk).</p> <p>Within Policy DE1: In paragraph 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>Reword criterion c) to read 'conserve or enhance designated heritage assets'.</p> <p>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>Key Principle: Design and Infrastructure</p>	<p><i>Modification Agreed</i></p> <p>For clarity and accuracy and to meet Basic Condition 1</p>	<p>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.</p> <p>Add a paragraph 3.0.3: <b><u>"The Village Design Statement can be found here: Fenny Compton Village Design Statement (stratford.gov.uk)."</u></b></p> <p>Amend third sentence of paragraph 3.1.1 as follows: This should be consulted during conception and evolution of any proposed development <del>whether new build or work carried out under permitted development</del> <b><u>(and its use is encouraged even for minor proposals within the scope of 'permitted development')</u></b></p> <p>Reword criterion c) as follows: c) <del>preserve or enhance the heritage assets such as listed buildings</del> <b><u>conserve or enhance designated heritage assets'</u></b></p>

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<p>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.</p> <p>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>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</p>			<p>Amend opening sentence of paragraph 3.1.3 as follows:  <del>"Developments need to sit well in the landscape and the village environs and reflect local building styles.</del> <b><u>Development proposals should analyse the landscape and village environment contexts, including the building styles, and show how these have influenced the proposals."</u></b></p> <p>Add an additional Policy element as follows:  <b><u>'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.</u></b></p> <p><b><u>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</u></b></p>

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			<p><b><u>Statement or other supporting statement.</u></b></p> <p>Add another additional Policy element as follows:  <b><u>'Secured by Design: New developments should help to maintain a low crime and safe environment through the use of Secured by Design.'</u></b></p> <p>Add a source reference to the Supporting Documents section.</p>
<p><b>Recommendation 7, Pages 15-16</b></p>			
<p>Within Policy DE2: Retitle the Policy as 'DE2: Housing Development'; relocate Figure 5 (renumbered as Figure 6) to be adjacent to Policy DE2.</p> <p>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>In the paragraph titled "Future Housing" capitalise "core strategy" and remove the remainder of the paragraph that follows those words.</p> <p>Delete the paragraph numbered 3.2.2 (which has</p>	<p>Key Principle: Design and Infrastructure</p>	<p><i>Modification Agreed</i></p> <p>For clarity and accuracy and to meet Basic Conditions 1 &amp; 3</p>	<p>Retitle Policy DE2 as "Policy DE2: <del>sustainable development</del> <b><u>Housing Development'</u></b></p> <p>Relocate Figure 5 (renumbered as Figure 6) to be adjacent to Policy DE2.</p> <p>Add a new first paragraph as follows:  <b><u>"A Built-Up Area Boundary (BUAB) is defined for Fenny Compton as shown on Figure 6"</u></b></p> <p>Amend paragraph titled "Future Housing" as follows:  "Proposals for new dwellings within</p>

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<p>now moved to Policy DE1)</p> <p>Under the heading "3.3 Explanation":</p> <p>From paragraph 3.3.1 delete "shown in 3.1.1".</p> <p>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>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>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</p>			<p>the BUAB will be supported in principle, subject to being in accordance with other policies within this plan. All areas outside the BUAB are classed as countryside. New dwellings within the countryside should be limited to those exceptions listed within Policy AS10 of Stratford District Council's Core Strategy, <del>for example, small scale schemes for housing employment or community facilities to meet a need identified by evidence from the local community on land within or adjacent to the village or conversion to residential use of a redundant or disused building in open countryside.</del>"</p> <p>Delete paragraph 3.2.2:  <del>"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.</del></p> <p><del>Favourable consideration will also be given to housing developments that can demonstrate evaluation against Building for Life 2012 (BfL 12) with all criteria achieving a 'Green' score.</del></p>

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<p>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>			<p><del>Developments which include a 'Red' or 'Amber' score against any criterion must be justified in the Design and Access Statement or other supporting statement."</del></p> <p>Amend paragraph 3.3.1 as follows: "88% of survey respondents wished to carry forward the Village Design Statement from the 2008 Parish Plan shown in 3.1.1."</p> <p>Amend paragraph 3.3.2 as follows: "The most popular types of housing identified through the <del>Housing Needs and Residents' surveys</del> are low-cost starter homes and smaller family dwellings, preferably dedicated to local people <b><u>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,</u></b></p>

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			<p><b><u>Neighbourhood Plan or other form of local evidence, on land within or adjacent to a village”</u></b></p> <p>Replace paragraph 3.3.3 with paragraphs 1.6.1 – 1.6.3:  <b><u>“The purpose of a built-up area boundary (BUAB) is to distinguish between land inside the settlement where new development is acceptable ‘in principle’, from land outside the settlement where, subject to certain exemptions, development is generally not acceptable. Settlement boundaries therefore help prevent encroachment into the countryside.</u></b></p> <p><b><u>The map at Figure 5 outlines the BUAB of the village of Fenny Compton.</u></b></p> <p><b><u>The BUAB has been defined to incorporate the existing settlement, a current development off The Lankett and the Compton Buildings site to the North East of the village”</u></b></p> <p>Insert a new paragraph 3.3.4:  <b><u>“Policy CS.16 in the adopted Core Strategy establishes the principle of</u></b></p>

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			<p><b><u>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."</u></b></p>
<p><b>Recommendation 8, Page 16</b></p>			
<p>Delete Policy DE3 and the related section "3.4 Explanation"</p>	<p>Key Principle: Design and Infrastructure</p>	<p><i>Modification Agreed</i>  To meet Basic Condition 1</p>	<p>Delete Policy DE3 and the related section "3.4 Explanation"</p>
<p><b>Recommendation 9, Page 17</b></p>			
<p>Delete Policy RO1 along with section 4.2 Explanation and Figure 8; renumber subsequent</p>	<p>Key Principle: Promoting Road</p>	<p><i>Modification Agreed</i></p>	<p>Delete Policy RO1 along with section 4.2 Explanation and Figure 8; renumber</p>



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<p>Figures accordingly.</p> <p>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>	Safety	For clarity and to meet Basic Condition 1	<p>subsequent Figures accordingly.</p> <p>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>
<b>Recommendation 10, Page 18</b>			
<p>Combine Policies PA1 &amp; PA2 to form a new Policy PA1 as follows:</p> <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. 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</p>	Key Principle: Supporting Parish Amenities	<p><i>Modification Agreed</i></p> <p>For clarity and accuracy and to meet Basic Conditions 1 &amp; 3</p> <p><i>Additional Modification Proposed by SDC</i></p> <p>Whilst the Examiner's modification includes both public houses under criterion 5), it is proposed to include the two</p>	<p>Combine Policies PA1 &amp; PA2 to form a new Policy PA1 as follows:</p> <p><b><u>'Policy PA1: Protection and Development of Village Community Assets</u></b></p> <p><b><u>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.</u></b></p> <p><b><u>Development proposals that enhance and/or improve existing</u></b></p>

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<p>and environmental viability of the community:</p> <ol style="list-style-type: none"> <li>1. Church of St. Peter and St. Clare</li> <li>2. Primary School</li> <li>3. Doctor's Surgery</li> <li>4. Village shop</li> <li>5. Public Houses</li> <li>6. Village Hall with Post Office</li> <li>7. Fire Station.'</li> </ol> <p>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>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>public houses in the village (The Wharf and The Merrie Lion) under separate criteria (5 and 8), for clarity.</p>	<p><b><u>community facilities or extend their range in ways agreed with the community are supported in principle.</u></b></p> <p><b><u>The following assets are considered to be of significance in maintaining the social, economic and environmental viability of the community:</u></b></p> <ol style="list-style-type: none"> <li><b><u>1. Church of St. Peter and St. Clare</u></b></li> <li><b><u>2. Primary School</u></b></li> <li><b><u>3. Doctor's Surgery</u></b></li> <li><b><u>4. Village shop</u></b></li> <li><b><u>5. The Wharf Public House</u></b></li> <li><b><u>6. Village Hall with Post Office</u></b></li> <li><b><u>7. Fire Station</u></b></li> <li><b><u>8. The Merrie Lion Public House'</u></b></li> </ol> <p>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>Amend paragraph 5.3.6 as follows:  "Income raised from new development (e.g. from levies) <b><u>Funds passed to the Parish Council from the Community Infrastructure Levy (CIL)</u></b> will be</p>

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			invested in our community buildings, recreation space and associated equipment to ensure they are adequate for an increased population."
<b>Recommendation 11, Page 19</b>			
<p>Combine Policies RE1 &amp; 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.</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"> <li>1. Children's play area</li> <li>2. Bowls Club</li> <li>3. Sports Pavilion and playing field</li> <li>4. Allotments</li> </ol>	<p>Key Principle:  Promoting Recreational Spaces</p>	<p><i>Modification Agreed</i></p> <p>For clarity and accuracy and to meet Basic Conditions 1 &amp; 3</p>	<p>Combine Policies RE1 &amp; RE2 together to form a new Policy RE1 as follows:  '<b><u>Policy RE1: Protection and Development of Village Recreational Assets</u></b></p> <p><b><u>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.</u></b></p> <p><b><u>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</u></b></p>

Examiner's Recommendation (incl. page number in the report)	Section in submission draft NDP	SDC Decision and reason	New text or amendment to original text, as applicable – as shown in Referendum version NDP
<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>Improve Figure 11, now renumbered as Figure 9, by identifying the boundaries of the recreation spaces in their actual locations.</p> <p>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>			<p><b><u>maintaining the social, economic and environmental viability of the community:</u></b></p> <ol style="list-style-type: none"> <li><b><u>1. Children's play area</u></b></li> <li><b><u>2. Bowls Club</u></b></li> <li><b><u>3. Sports Pavilion and playing field</u></b></li> <li><b><u>4. Allotments</u></b></li> </ol> <p><b><u>Proposals improving exercise and sports facilities will align with Stratford District Council's Sports Facility Strategy 2016-2035.</u></b></p> <p><b><u>Development proposals for new recreational facilities will be supported in principle where 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.'</u></b></p> <p>Improve Figure 11, now renumbered as Figure 9, by identifying the boundaries of the recreation spaces in their actual locations.</p> <p>Amend paragraph 6.3.5 as follows: "Income from new developments (e.g.</p>

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			levies) <b>Funds passed to the Parish Council from the Community Infrastructure Levy (CIL)</b> will be invested in our recreational spaces, facilities and associated equipment to support the health and wellbeing of residents and ensure these are adequate for an increased population."
<b>Recommendation 12, Page 21</b>			
<p>On page 39 (also on page 8) replace the heading "Flood Prevention" with 'Flood Management'. Within Policy FL1:</p> <p>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>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>Under the heading "7.2 Explanation":</p> <p>Delete paragraphs 7.2.2 &amp; 7.2.3 and renumber subsequent paragraphs accordingly.</p>	Key Principle: Flood Prevention	<i>Modification Agreed</i>  For clarity and Accuracy and to meet Basic Condition 1	<p>Replace the heading "Flood Prevention" with 'Flood Management'</p> <p>Amend paragraph 7.1.1 as follows: "Pluvial (surface water run-off) and Fluvial (from <del>streams</del> <b>rivers</b>) Flood Risk: Development proposals will only be supported if they do not exacerbate the risk of pluvial and fluvial flooding. Where appropriate, Sustainable Drainage Systems (SuDS) <del>should be built</del> <b>will be expected to be built</b> into all new developments to cover all flooding situations including a 1 in 100-year event and the impacts of climate change. Above ground attenuation (e.g. ponds to store flood water) should be used wherever feasible."</p>

Examiner's Recommendation (incl. page number in the report)	Section in submission draft NDP	SDC Decision and reason	New text or amendment to original text, as applicable – as shown in Referendum version NDP
			<p>Amend paragraph 7.1.2 as follows:            "All applications for new development shall demonstrate that all surface water discharges have been carried out in accordance with the principles laid out within the drainage hierarchy, <del>in such that a discharge to the public sewerage systems are avoided, where possible</del>  <b>such that a discharge to the public sewerage system is avoided, where possible.</b>"</p> <p>Delete paragraphs 7.2.2 and 7.2.3:  <del>"Following serious flooding in 1998 and 2006/7, substantial alleviation work has been undertaken.</del></p> <p><del>However, a recent consultant's survey indicates that the village continues to be at high risk of flooding. The flood map overlay below shows the current situation"</del></p> <p>Renumber subsequent paragraphs</p>
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	Key Principle: Flood Prevention	<i>Modification Agreed</i>  For clarity and accuracy to meet Basic Condition 1	Delete Figure 13 (and renumber subsequent Figures accordingly)  Replace 7.2.5 as follows:  <del>"Construct an alleviation system to</del>

Examiner's Recommendation (incl. page number in the report)	Section in submission draft NDP	SDC Decision and reason	New text or amendment to original text, as applicable – as shown in Referendum version NDP
<p>better protect them from multiple sources of flooding. The related mapping is linked here' [provide the relevant hyperlink].</p> <p>Consider adding the other alleviation measures noted within the "Aspirations Statement".</p>			<p>manage the flow from the stream on the west side of the village (Avon Dassett Road). Work is under way with Warwickshire County Council to develop and implement a scheme.</p> <p>Continue and reinforce the work undertaken by a group of volunteers to keep ditches and water courses clear. Continue to recruit new volunteers. Ensure that all riparian owners keep their respective ditches and water courses clear. <b><u>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"</u></b></p>
<p><b>Recommendation 13, Page 21</b></p>			
<p>Delete Policies EN1 to EN3 and their supporting texts; also delete reference to them on page 8.</p>	<p>Key Principle: Environmental Sustainability</p>	<p><i>Modification Agreed</i></p> <p>To meet Basic Condition 1</p>	<p>Delete Policies EN1 to EN3 and their supporting texts; also delete reference to them on page 8.</p>
<p><b>Recommendation 14, Page 23</b></p>			
<p>Replace Policies BU1 &amp; BU2 with a new Policy: 'Policy BU1: Business Premises:</p>	<p>Key Principle: Promoting</p>	<p><i>Modification Agreed</i></p>	<p>Replace Policies BU1 &amp; BU2 with a new Policy:</p>

Examiner's Recommendation (incl. page number in the report)	Section in submission draft NDP	SDC Decision and reason	New text or amendment to original text, as applicable – as shown in Referendum version NDP
<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>Merge the two "Explanation" sections.</p> <p>Within "Policy BU2: Home Working" replace "should be encouraged" with 'are encouraged'.</p>	Business and Employment	For clarity and to meet Basic Conditions 1 & 3	<p><b><u>'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.'</u></b></p> <p>Merge the two "Explanation" sections.</p> <p>Amend Policy BU2 as follows: "Development of new dwellings <del>should be</del> <b>are</b> encouraged to provide space to support home-working, with flexible space adaptable to a home office."</p>
<b>Recommendation 15, Page 23</b>			
<p>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.</p>	Key Principle: Promoting Connectivity	<i>Modification Agreed</i>  For clarity and to meet Basic Condition 1	<p>Merge Policies CN1 and CN2 as follows: <b><u>"Policy CN1: Connected Infrastructure</u></b>  <b><u>All new residential and commercial development must, subject to viability considerations, include compatible infrastructure for connectivity to high-speed broadband"</u></b></p>



Examiner's Recommendation (incl. page number in the report)	Section in submission draft NDP	SDC Decision and reason	New text or amendment to original text, as applicable – as shown in Referendum version NDP
<b>Recommendation 16, Pages 24-25</b>			
<p>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.'</p> <p>Under the heading "11.2 Explanation":</p> <p>In paragraph 11.2.1 replace "Landscapes" with 'Vistas'.</p> <p>In paragraph 11.2.4 replace "Landscapes" with 'Vistas'.</p> <p>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>Figure 20 becomes Figure 17, 21 becomes 18, 22 becomes 19 and 24 becomes 21.</p>	<p>Key Principle:  Natural Environment</p>	<p><i>Modification Agreed</i></p> <p>For clarity and accuracy and to meet Basic Condition 1</p>	<p>Reword Policy NA1 as follows:  '<b><u>Policy NA1: Valued Vistas</u></b>  <b><u>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.'</u></b></p> <p>In paragraph 11.2.1 replace "Landscapes" with 'Vistas'.</p> <p>In paragraph 11.2.4 replace "Landscapes" with 'Vistas'.</p> <p>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>Figure 20 becomes Figure 17, 21 becomes 18, 22 becomes 19 and 24</p>

Examiner's Recommendation (incl. page number in the report)	Section in submission draft NDP	SDC Decision and reason	New text or amendment to original text, as applicable – as shown in Referendum version NDP
			becomes 21.
<b>Recommendation 17, Page 26</b>			
<p>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.'</p> <p>Amend paragraph 11.4.1 to replace "paragraphs 99-101" with 'paragraphs 101-103'.</p> <p>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>	Key Principle: Natural Environment	<i>Modification Agreed</i>  For clarity and accuracy and to meet Basic Condition 1	Amend the wording of Policy NA2 as follows: ' <b><u>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.'</u></b> <p>Amend paragraph 11.4.1 to replace "paragraphs 99-101" with 'paragraphs 101-103'.</p> <p>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>
<b>Recommendation 18, Page 26</b>			

Examiner's Recommendation (incl. page number in the report)	Section in submission draft NDP	SDC Decision and reason	New text or amendment to original text, as applicable – as shown in Referendum version NDP
<p>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.'</p> <p>Amend paragraph 11.4.1 to replace "paragraphs 99-101" with 'paragraphs 101-103'.</p> <p>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>	<p>Key Principle: Natural Environment</p>	<p><i>Modification Agreed</i></p> <p>For clarity and accuracy and to meet Basic Condition 1</p>	<p>Amend the wording of Policy NA2 as follows: <b><u>'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.'</u></b></p> <p>Amend paragraph 11.4.1 to replace "paragraphs 99-101" with 'paragraphs 101-103'.</p> <p>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>
<p><b>Recommendation 19, Page 27</b></p>			
<p>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.'</p>	<p>Key Principle: Natural Environment</p>	<p><i>Modification Agreed</i></p> <p>For clarity and accuracy and to meet Basic Condition 1</p>	<p>Reword Policy NA3 as follows: <b><u>"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</u></b></p>

Examiner's Recommendation (incl. page number in the report)	Section in submission draft NDP	SDC Decision and reason	New text or amendment to original text, as applicable – as shown in Referendum version NDP
			<b><u>suitable size and of native species appropriate to the locality."</u></b>
<b>Recommendation 20, Page 28</b>			
<p>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.'</p> <p>Provide a source reference for the Warwickshire, Coventry and Solihull Local Biodiversity Action Plan</p>	<p>Key Principle:  Natural Environment</p>	<p><i>Modification Agreed</i></p> <p>For clarity and accuracy and to meet Basic Conditions 1 &amp; 3</p>	<p>Reword Policy NA4 as follows:  '<b><u>Development proposals will be expected to minimise impacts on and secure a net gain in biodiversity by:</u></b>  <b><u>i) safeguarding and, where possible, enhancing existing habitats as set out in SDC Core Policy CS.6, and</u></b>  <b><u>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.'</u></b></p> <p>Provide a source reference for the Warwickshire, Coventry and Solihull Local Biodiversity Action Plan.</p>

Examiner's Recommendation (incl. page number in the report)	Section in submission draft NDP	SDC Decision and reason	New text or amendment to original text, as applicable – as shown in Referendum version NDP
<b>Recommendation 20, Page 28</b>			
<p>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.'</p> <p>Delete paragraph 12.1.2.</p> <p>Under the heading "12.2 Explanation", in paragraph 12.2.3, replaces "sites" with 'features'.</p>	<p>Key Principle:  Caring for Heritage Assets</p>	<p><i>Modification Agreed</i></p> <p>For clarity and accuracy and to meet Basic Condition 1</p>	<p>Reword Policy HE1 as follows:  '<b><u>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.'</u></b></p> <p>Delete paragraph 12.1.2:  <del>"The impact of any development in, or adjacent to the Conservation Area [see Figure 25] will be judged against the degree of harm weighed against any public benefits."</del></p> <p>Under the heading "12.2 Explanation", in paragraph 12.2.3, replaces "sites" with 'features'</p>
<b>Recommendation 21, Page 28</b>	N/A		

<b>Examiner's Recommendation (incl. page number in the report)</b>	<b>Section in submission draft NDP</b>	<b>SDC Decision and reason</b>	<b>New text or amendment to original text, as applicable – as shown in Referendum version NDP</b>
Provide a Policies Map being a combined illustration of the impact of Neighbourhood Plans Policies ie Policies DE2, PA1, RE1, NA1, & NA2.		<p><i>Modification Partially Agreed</i></p> <p>It is agreed that a Policies Map should be provided for clarity, however it is disagreed that the Valued Vistas (Policy NA1) should be shown on this map as it would make the map very difficult to read at the scale required. Therefore, it is proposed for the Policies Map to show Policies DE2, PA1, RE1 and NA2.</p>	Provide a Policies Map being a combined illustration of the impact of Neighbourhood Plans Policies DE2, PA1, RE1 & NA2.
<b>Recommendation 22, Page 29</b>			
<p>Within Appendix 13.1 add a hyperlink to the source references wherever possible.</p> <p>Delete Appendix 13.2 and renumber subsequent Appendices accordingly.</p> <p>Within Appendix 13.3 (now renumbered 13.2)</p>	Appendices	<p><i>Modification Agreed</i></p> <p>For clarity and accuracy</p>	<p>Within Appendix 13.1 add a hyperlink to the source references wherever possible.</p> <p>Delete Appendix 13.2 and renumber subsequent Appendices accordingly.</p> <p>Within Appendix 13.3 (now renumbered</p>

<b>Examiner's Recommendation (incl. page number in the report)</b>	<b>Section in submission draft NDP</b>	<b>SDC Decision and reason</b>	<b>New text or amendment to original text, as applicable – as shown in Referendum version NDP</b>
correct the typographical error at the beginning of the section headed "Sports Pavilion".			13.2) correct the typographical error at the beginning of the section headed "Sports Pavilion".

**Assessment of the Neighbourhood Plan as a whole, against the three dimensions of sustainable development, as set out in the National Planning Policy Framework (NPPF):**

<b>Sustainable Development Role (NPPF)</b>	<b>Neighbourhood Development Plan's Contribution</b>
Economic	<p>The Neighbourhood Plan seeks to support the local economy through supporting expansions to existing businesses and the incorporation of home working space in new dwellings.</p> <p>If implemented these policies will have a positive impact on the local economy, safeguarding jobs and local services.</p>
Social	<p>The Neighbourhood Plan sets a framework that will help to support the achievement of sustainable social development.</p> <p>The Plan promotes the protection and development of local community facilities.</p> <p>The Plan looks to protect and develop local recreational assets.</p> <p>Policies seek to promote the local distinctiveness of the area, and conserve and enhance heritage assets.</p>
Environmental	<p>The Neighbourhood Plan includes a number of policies that support environmental sustainability for the community.</p> <p>The Plan has policies that look to protect heritage assets, natural features, biodiversity, valued vistas as well as designate areas of Local Green Space.</p> <p>The NDP includes policies to protect the natural environment for future generations which have a positive impact on the environmental sustainability of the plan.</p>

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

- Subject to the modifications above, the Fenny Compton Neighbourhood Plan meets the Basic Conditions set out in paragraph 2.12 above; and



- The referendum area should be coterminous with the neighbourhood area.

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

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

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

And can be viewed in paper form at:

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