



DECISION STATEMENT

NEIGHBOURHOOD PLAN PROCEEDING TO REFERENDUM

1. Southam Neighbourhood Development Plan

- 1.1 I confirm that the Southam Neighbourhood Development Plan (QNDP), 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.
- 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'.

John Careford,
Head of Development

1. Background

- 2.1 The District Council confirms that for the purposes of Regulation 5 (1) of The Regulations Southam Parish Council is the "Qualifying Body" for their area.
- 2.2 In December 2014, Southam Parish Council requested that, in accordance with section 5(1) of the Neighbourhood Planning (General) Regulations 2012 ("The Regulations"), the Parish of Southam be designated as a Neighbourhood Area, for which a Neighbourhood Development Plan will be prepared.
- 2.3 In accordance with Regulation 6 of the Regulations, Stratford-on-Avon District Council placed on their website this application, including a Parish boundary map, for a 6 week period between 27th October and Friday 4th December. In addition, it publicised the application by issuing a press release. Similarly, the relevant application, together with details of where

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

- 2.4 The District Council designated the Southam Neighbourhood Area by way of approval of The Cabinet on 15th December 2014.
- 2.5 In accordance with Regulation 7 of The Regulations, the decision to designate the Southam 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 10th May and 22nd June 2021 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 August 2022 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 27th October and 9th December 2022 in accordance with Regulation 16 of The Regulations.
- 2.9 Louise Brooke-Smith was appointed by the District Council to independently examine the Plan in December 2022 and the Examination took place in January 2023 with the final Examiner's report being issued on March 2023.
- 2.10 The Examiner concluded she was satisfied that the Southam Neighbourhood Development Plan was capable of meeting the legal requirements set out in the Localism Act 2011, including meeting the Basic Conditions, subject to the modifications set out in her report, as set out in the table below.
- 2.11 Schedule 4B s.12 to the Town and Country Planning Act 1990, as inserted by the Localism Act 2011, requires that a Local Authority must consider each of the recommendations made in the Examiner's report and decide what action to take in response to each recommendation. If the Local Authority is satisfied that, subject to the modifications made, the draft Neighbourhood Development Plan meets the legal requirements and Basic Conditions as set out in legislation, a referendum must be held on the 'making' (adoption) of the Plan by the Local Authority. If the Local Authority is not satisfied that the plan meets the basic conditions and legal requirements then it must refuse the proposal. Should a referendum take place, a majority of residents who turn out to vote must vote in favour of the Neighbourhood Plan (50% plus one vote) before it can be 'made'.
- 2.12 The Basic Conditions are:
 1. Have regard to national policy and guidance issued by the Secretary of State.
 2. Contribute to the achievement of sustainable development.
 3. Be in general conformity with the strategic policies contained in the development plan for the area of the Authority (or any part of that area).
 4. Does not breach, but is otherwise compatible with EU obligations – this includes the SEA Directive of 2001/42/EC and Human Rights requirements.

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

Examiner's Recommendation (incl. page number in the report)	Section/page no. in submission draft NDP	SDC Decision and reason	New text or amendment to original text, as applicable – as shown in Referendum version NDP
Page 15			
I should add that the reference to the duty to Public Sector Equality at para 37 of the Plan is welcomed but the reference to 'protect characteristics' should be amended to read 'protected characteristics'.	Basic conditions statement.	<i>Modification Agreed.</i> The proposed modification is required for clarity and accuracy.	Amended/ removed – line strike through. Added – in BOLD protected characteristics
Page 15			
I find the presentation of maps at the front of the document awkward and suggest these should be positioned at appropriate places through the main document, where they are relevant to the policies proposed. The number of the maps seems irregular as no Fig reference or title has been given to the map on page 15. I consider this to be an important map as it indicates the Southam Conservation Area, the built-up area boundary (BUAB), development proposed in the Core Strategy and other important designations of land.	Throughout	<i>Modification Agreed</i> The proposed modifications are required for clarity and accuracy.	Amended/ removed – line strike through. Added – in BOLD Changes to referencing and numbering of documents throughout.
Pages 17			
LGS6 Southam College Playing Fields – is an extensive area that already benefits as allocated recreational land. Its additional classification as LGS seems unnecessary. I note the site is only used during school hours, has limited public access and has little ecological value other than peripheral trees and hedges common across the area. I suggest it is omitted from Policy 01. LGS12 Southam Cricket Club – is an extensive area that	Policy 1	<i>Modification Agreed</i> The proposed modifications are required for clarity and accuracy and to meet Basic Conditions 1,2 and 3.	Amended/ removed – line strike through. Added – in BOLD LGS6 Southam College Playing Fields – is an extensive area that already benefits as allocated recreational land. LGS12 Southam Cricket Club – is an extensive area that already benefits as allocated recreational land. LGS13 Southam United Rugby FC Renumber remaining LGS.

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<p>already benefits as allocated recreational land. Its additional classification as LGS seems unnecessary. I note the site is well used but it is a large tract of land with little ecological value expressed through the evidence base. I suggest it is omitted from Policy 01.</p> <p>LGS13 Southam United Rugby FC – is a further extensive area that already benefits as allocated recreational land. Its additional classification as LGS again seems unnecessary. While I accept the land appears to be well used by the community, it offers little ecological attributes its allocation as LGS would add little additional benefit. Its classification as LGS is questionable and I suggest it is omitted from Policy 01.</p> <p>Hence I advise that Sites LGS6, LGS12 and LGS13 should be omitted from Policy 01. All other sites should proceed as LGS allocation but be renumbered appropriately.</p>			<ul style="list-style-type: none"> • LGS 1: Stowe Valley including the Holy Well <ul style="list-style-type: none"> • LGS 2: Abbey Lane Green • LGS 3: Park Lane Recreation Ground • LGS 4: Tithe Lodge • LGS 5: Grange Gardens and Peace Garden • LGS 6: Merestone Park • LGS 7: Tollgate Road Play Area • LGS 8: River Stowe off A425 • LGS 9: Riverside Walk • LGS 10: Welsh Road East Allotments
Page 20			
<p>Objective 4; Meet the housing need</p> <p>Amend para 94 to read ‘The Core Strategy identified Southam as one of eight Main Rural Centres (MRCs) in the Stratford on Avon District to accommodate 3,800 homes between them. As of 2018 Southam had planning commitments or completion for 1108 dwellings’.</p>	Para 94	<p><i>Modification Agreed.</i></p> <p>The proposed modifications are required to meet Basic Condition 1.</p>	<p>Amended/ removed – line strike through. Added – in BOLD</p> <p>The Core Strategy has identified Southam, as a Main Rural Centre (MRC), has a target of 1,100 new dwellings for the plan period. As of December 2018, Southam has met that target with planning commitments or completions of 1,108 dwellings. It is acknowledged that the Planning Authority will be required to identify reserve sites in order to meet possible additional housing demand. The Core Strategy identified Southam as one of eight Main Rural Centres (MRCs) in the Stratford on Avon District to accommodate 3,800 homes between them. As of 2018 Southam had planning commitments or completion for 1108 dwellings.</p>
Pages 20			
<p>I note the reference within the policy to central amenities and that this concerns an area extending to 1km from the Post Office. This ‘definition’ should be moved to the</p>	Policy 5	<p><i>Modification Agreed</i></p> <p>The proposed modifications</p>	<p>Amended/ removed – line strike through. Added – in BOLD</p> <p>Siting of ground floor, single level dwellings Development proposals, including any community-led schemes aligned with CS.15 Part G and AS10, that help meet the need for ground floor, single level dwellings and that are</p>

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<p>accompanying text as a guide and not an onerous restraint within the policy.</p> <p>Reference to CS15 should be rewritten correctly as CS.15 to avoid any confusion. The QB have advised that the reference to Policy 04 at the end of the policy should read Policy 03. In my view it could read both Policy 04 and Policy 03. This matter is at the discretion of the QB.</p> <p>I consider that the addition of the reference to 'in principle' should be added after '.....will be supported....'. Finally, the title at 4.4.2 appears to reflect a previous version of the NP and the QB are understood to be content to amend this to read 'justification: Siting of Ground Floor Single Level Dwellings' I concur that this would be appropriate given the nature of the policy and subsequent text.</p>		<p>are required for clarity and accuracy and to meet Basic condition 1.</p>	<p>near to central amenities (defined as being within 1km of the current Post Office) will be supported provided that such proposals also meet the needs of Policy 03 and 04.</p>
Page 21			
<p>The phrase 'provided the site is sustainable' is vague and hence could be confusing for any user of the Plan. Given the context of this policy, I suggest it is replaced with '.....provided the site lies within or adjacent to the BUAB'.</p>	Policy 6	<p><i>Modification Agreed</i></p> <p>The proposed modifications are required for clarity and accuracy and Basic conditions.</p>	<p>Amended/ removed – line strike through. Added – in BOLD</p> <p>Proposals that involve schemes for self-build housing and custom-build housing will be supported provided the site is sustainable provided the site lies within or adjacent to the BUAB through new or existing infrastructure subject to the provision of appropriate infrastructure. In allocating self-build sites, preference will be given to applicants registered with Stratford on Avon District Council.</p>
Page 22			
<p>At (a), the Plan presumes to control the contents of any new building by making reference to fossil fuel. While the intention of this policy is understood, as written I consider it breaches the remit of any NP, which as discussed earlier in my report, should only concern land use policies. The</p>	Policy 08	<p><i>Modification Agreed</i></p> <p>The proposed modifications</p>	<p>Amended/ removed – line strike through. Added – in BOLD</p> <p>All development should be designed to be environmentally sustainable. This includes: a) Plans for renewable technology will be supported provided that proposals, including solar panels and heat pumps, are situated so as to minimise any harm to the conservation area</p>

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policy could achieve the same aspirations if (a) is omitted and a sentence is added to (c) to read ' New builds should be designed so as to allow any occupier to maximise use of sustainable forms of energy.'		are required for clarity and accuracy and to meet Basic Conditions.	and the appearance of buildings and the street scene. b) Any new buildings should contribute to the achievement of sustainable development in reducing the environmental impact through resource efficient design, the use of suitable, 'eco-friendly' forms of construction and where appropriate, locally sourced building materials. c) New or renovated buildings should also be energy efficient to accord with the objective of the National Planning Policy Framework (2019) to ensure new building is sustainable and to reduce or mitigate the effects of climate change. New Builds should be designed so as to allow any occupier to maximise use of sustainable forms of energy.
Page 23			
Hence, I suggest the policy is modified as follows; 'Consideration should be given to the provision of electric vehicle charging points for all new dwellings. In order to provide maximum flexibility and capacity, 3- phase supplies are encouraged for all domestic meters installed in new development.'	Policy 10	<i>Modification Agreed</i> The proposed modifications are required for clarity and accuracy and to meet Basic Conditions.	Amended/ removed – line strike through. Added – in BOLD All new dwellings must be provided with suitable provision for electric car charging points. In order to provide maximum flexibility and capacity, 3- phase supplies are required to be available at domestic meters in all new dwellings so that additional connection work to increase domestic capacity will be unnecessary in the future. Consideration should be given to the provision of electric vehicle charging points for all new dwellings. In order to provide maximum flexibility and capacity, 3- phase supplies are encouraged for all domestic meters installed in new development.
Pages 23			
I see little need for the phrase 'We require that....' And this can be omitted with the first sentence starting with 'Development should provide.....'	Policy 12	<i>Modification Agreed</i> The proposed modifications are required for clarity and accuracy and to meet Basic Conditions	Amended/ removed – line strike through. Added – in BOLD We require that developments should provide safe pathways and cycleways within them and should link with such similar routes external to the development as may exist. Development should incorporate the use of even, well-lit and well-surfaced paths and cycleways and should be wide enough for 2-way movements. As appropriate, development must demonstrate how safe walking and cycling opportunities have been prioritised and connection made to existing routes. Proposals which either adversely affect existing walking and cycling routes or does not encourage appropriate new walking and cycling opportunities will not be supported.
Page 24			
It is recommended that the first sentence of Policy 16 should stand alone and for clarity be redrafted as 'Any development that results in an increase in the vitality and	Policy 16	<i>Modification Agreed</i>	Amended/ removed – line strike through. Added – in BOLD Any development that can be demonstrated to be additive to daily footfall in the town's

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<p>viability of Southam's commercial centre, will be supported.' The reference to 'footfall', implies that monitoring of the number of visitors to the centre will be undertaken. While the sentiment is applauded, the practicality of this is potentially onerous and I consider that a reference to vitality and viability would achieve the same goal. The remaining element of the policy should be omitted.</p> <p>The accompanying text should be amended accordingly and an accurate refence to Policy 16 (not 17) made</p>		<p>The proposed modifications are required for clarity and accuracy and to meet Basic Conditions 1,2 and 3.</p>	<p>commercial centre will be supported so long as it does not change the use of a commercial site to be residential.</p> <p>Any development that results in an increase in vitality and viability of Southam's commercial centre will be supported.</p>

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

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

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

- Subject to the modifications above, the Southam 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:

[Southam Neighbourhood Plan | Stratford-on-Avon District Council](#)

And can be viewed in paper form at:

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