



DECISION STATEMENT

NEIGHBOURHOOD PLAN PROCEEDING TO REFERENDUM

1. Tredington Neighbourhood Development Plan

- 1.1 I confirm that the Tredington 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 Tredington Parish Council is the "Qualifying Body" for their area.
- 2.2 In June 2017, Tredington Parish Council requested that, in accordance with section 5(1) of the Neighbourhood Planning (General) Regulations 2012 ("The Regulations"), the Parish of Tredington 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 21st April 2017 and Friday 9th June. 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 Tredington Neighbourhood Area by way of approval of The Cabinet on 16th June 2017.
- 2.5 In accordance with Regulation 7 of The Regulations, the decision to designate the Tredington 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 January and 21st February 2022 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 22nd September and 4th November 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 November 2022 and the Examination took place in January 2023 with the final Examiner's report being issued on February 2023.
- 2.10 The Examiner concluded he was satisfied that the Tredington 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 16			
Under the Housing paragraph the word 'need' appears to be missing from the second sentence. The phrase 'if accepted' should be removed, if the NP proceeds successfully through any referendum.	Page 27	<i>Modification Agreed.</i> The proposed modification is required for clarity and accuracy.	Amended/ removed – line strike through. Added – in BOLD A Housing Needs Analysis has been completed to determine requirements across the Parish. The result is a small number of houses spread across the communities NEED with an emphasis towards bungalows. Built Up Area Boundaries (BUAB) have been proposed for Newbold-on-Stour and Tredington and, if accepted, should help to constrain development outside the village boundaries
Page 16			
I feel that clearer paragraph referencing, or numbering would assist any reader user of the NP immeasurably.	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 18			
The text of the policy suggests a blanket protection against the loss of all mature trees, hedgerows or woodland. Unless a tree has specific protection through statute, such as being within a Conservation Area or it being subject to a Tree Preservation Order, a comprehensive embargo to its loss is not compliant. While it is understood that this stance reflects some of the consultations received during the plan preparation period, it is recommended that the policy be redrafted Examiner's Report to 'encourage the replacement of any tree, hedgerow etc. lost to development' but to suggest that support will be withheld is overly restrictive. Hence, the following text is suggested. Development that results in	NE.2	<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 Development will not be supported unless the loss of existing mature trees, hedgerows and woodland is fully justified. Proposals will be expected to demonstrate that they: Development that results in the loss of existing mature trees, hedgerows and/or woodland will be strongly resisted. The loss of such vegetation needs to fully justified and proposals will be expected to demonstrate that they: Will restore/replace any damage to existing trees, hedgerows and woodland. § Protect or enhance the number of trees, woodland and hedgerows on or adjacent to development sites to enhance the natural habitats. Replace any trees/hedgerows/woodland that have been lost or damaged by the development. 2. Tree planting, in line with Government objectives is encouraged to mitigate flooding, increase air quality and enhance the landscape.

Examiner's Recommendation (incl. page number in the report)	Section/page no. in submission draft NDP	SDC Decision and reason	New text or amendment to original text, as applicable – as shown in Referendum version NDP
the loss of existing mature trees, hedgerows and/or woodland will be strongly resisted. The loss of such vegetation needs to be fully justified and proposals will be expected to demonstrate that they.....			
Page 19			
<p>POLICY NE4. PROTECT WATER COURSES is clearly set out. Bullet point 2 refers to an 8m easement to be left and when any development takes place adjacent to a watercourse. This distance is advisory and not statutory and hence the use of 'must' is considered ultra vires and should be replaced with ' is encouraged to be'</p> <p>The supporting text makes good reference to the waterways flowing through the NP area. However, Fig 19 would be enhanced with the inclusion of the extent of the NP area in red.</p>	Policy NE.4	<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> <ul style="list-style-type: none"> • Development proposals that include and/or are adjacent to existing aquatic habitats (such as rivers, ditches, ponds or streams) should be designed in such a way as to enhance the natural environment. Biodiversity must be encouraged and sustainable habitats created for local wildlife will take priority over visual considerations. • A minimum of 8m easement must be is encouraged to be provided on both sides of any watercourse. • If any work is to be carried out to watercourses, land drainage consent must be obtained from the Lead Local Flood Authority (LLFA). • Planning proposals which have an adverse impact on aquatic habitats will not be supported.
Pages 20			
<p>Bullet point 1 references the British Astronomical Society. Given the expected longevity of the NP, it would be prudent to add 'or relevant updated guidance' at the end of the bullet.</p>	NE.5	<p><i>Modification Agreed</i></p> <p>The proposed modifications are required for clarity and accuracy.</p>	<p>Amended/ removed – line strike through. Added – in BOLD</p> <p>Development will be expected to respect the Neighbourhood Area's dark skies and aim to minimise light pollution by avoiding obtrusive external property lighting and/or street lighting. Development will also need to take account of the guidelines set out by the British Astronomical Society or relevant updated guidance.</p> <ul style="list-style-type: none"> • All applications for new development must demonstrate how the dark skies environment will be protected. • In considering applications, parties will be encouraged to assess whether the proposed development could take place without external lighting.

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 20			
It would be more appropriate to reference support for vehicle charging facilities within the supporting text and remove it from the main policy.	NE.6	<p><i>Modification Agreed</i></p> <p>The proposed modifications are required for clarity and accuracy</p>	<p>Amended/ removed – line strike through. Added – in BOLD</p> <p>All new development will be expected to respect the tranquillity of the Neighbourhood Area. Any development which results in excessive noise or detriment to the tranquillity of the environment will be resisted.</p> <p>• Installation of electric vehicle charging facilities will encourage noise reduction.</p>
Page 20			
The phrasing of bullet 2 is confusing and should be modified as follows. Proposals which incorporate renewable energy technology in new domestic premises will be supported.	Policy NE.7	<p><i>Modification Agreed</i></p> <p>The proposed modifications are required for clarity and accuracy and to meet Basic Conditions.</p>	<p>Amended/ removed – line strike through. Added – in BOLD</p> <ul style="list-style-type: none"> • All new dwellings and/or commercial and educational developments should embrace all aspects of energy efficiency and integrate as many measures (Passive or Active) as practicable (Stratford-on-Avon District Council Development Requirements SPD). • Proposals which incorporate renewable energy technology in new domestic premises in a manner which exceeds Permitted Development thresholds will be supported (Stratford-on-Avon District Council Development Requirements SPD). Proposals which incorporate renewable energy technology in new domestic premises will be supported. • Proposals to improve the energy performance of existing buildings will be supported if they are not in conflict with other planning restrictions such as those placed on listed buildings or those that are applicable to conservation areas. • All new dwellings and commercial premises should have electric vehicle charging facilities provided in accordance with Part V of the Stratford-on-Avon District Council Development Requirements SPD63.
Page 20			
Bullet point 3 is vague and appears to repeat the goal of Policy NE7. Similarly bullet point 4 repeats the second bullet of Policy NE6. As such, neither are required and should be omitted from Policy NE8.	NE.8	<p><i>Modification Agreed</i></p> <p>The proposed modifications</p>	<p>Amended/ removed – line strike through. Added – in BOLD</p> <ul style="list-style-type: none"> • All new residential and/or commercial development, should minimise air pollution and ensure that air quality is maintained and/or enhanced.

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
		are required for clarity and accuracy and to meet Basic Conditions.	<ul style="list-style-type: none"> • Developers should include ways to mitigate the effects of the additional pollution by maximising the use of green energy, in both construction and occupation. • The provision of renewable energy in new developments will be supported where possible. • The provision of domestic or public electric charging facilities will be supported.
Pages 21-22			
<ul style="list-style-type: none"> • The use of 'must' in the first bullet point is unnecessary. The use of 'should' would be more appropriate. • Remove Site 1 as an LGS. I note the guidance within the PPG and advise that Site 1 does not proceed as LGS as it would serve little additional purpose. As such it should be omitted from Policy NE9, and the remaining sites be re-ordered accordingly. • Remove Site 3 LGS at Blakewell • Remove LGS sites 1 and 2 from the Newbold-on-Stour sites. • Remove site 3 from Tredington LGS. 	NE.9	<p><i>Modification Agreed</i></p> <p>The proposed modifications are required for clarity and accuracy and to meet Basic Conditions 1,2 and 3.</p>	<p>Amended/ removed – line strike through. Added – in BOLD</p> <p>All current and future residents of the Parish must should have green and open spaces of a suitable quality and quantity to appreciate and enjoy.</p> <ul style="list-style-type: none"> • Development that would harm the openness or special character of a Local Green Space or its significance and value to the local community will not be supported unless there are very special circumstances which outweigh the harm to the Local Green Space. • This Plan designates the following Areas of Local Green Spaces: <p>Armscote</p> <p>1. Land at Meeting House</p> <p>Blackwell</p> <p>1. Land adjacent to the Village Hall 2. Village Green 3. Land adjacent to Village Green</p> <p>Darlingscott</p> <p>1. St George's Churchyard</p> <p>Newbold-on-Stour</p> <p>1. Land East/Northeast of Rookery Lane 2. Land behind Village Hall 1. 3. Land at end of Heron Way 2. 4. Land around houses on Church View Estates 3. Village Green 4. Parish Council Allotments 5.7. Recreation Area and Spencer's Spinney</p>

Examiner's Recommendation (incl. page number in the report)	Section/page no. in submission draft NDP	SDC Decision and reason	New text or amendment to original text, as applicable – as shown in Referendum version NDP
			<p>6. 8- Miles Trust Allotments 7. 9- St David's Churchyard 8. 10- Land off Chapel Lane</p> <p>Tredington 1. Glebe Land 2. Green East of Stratford Road & Armscote Road junction 3. 4- Recreation Ground 4. 5- St Gregory's Churchyard</p>
Page 23			
<p>- Rephrase the opening Bullet point to read 'Support is given to small scale community led housing schemes adjacent to the built-up areas of the communities providing the following criteria are met;'</p> <p>- Any reference to Housing Needs Survey should be qualified by 'up to date'</p> <p>- An additional Bullet should refer to 'arrangements should exist to ensure that the housing development will remain affordable and available to meet the continuing needs of the community'</p>	Policy H.2	<p><i>Modification Agreed</i></p> <p>The proposed modifications are required for clarity and accuracy and to meet Basic Conditions 1,2 and 3.</p>	<p>Amended/ removed – line strike through. Added – in BOLD</p> <ul style="list-style-type: none"> • This Plan supports the provision of small scale affordable housing on sites adjacent to the defined built-up areas of the communities providing the following criteria are met: Support is given to small scale community led housing schemes adjacent to the built-up areas of the communities providing the following criteria are met; <ul style="list-style-type: none"> • that there is a proven local need identified through an up to date Housing Needs Survey; and • that no other suitable site exists within the built-up areas. • Where viability for 100% affordable housing provision cannot be achieved, an element of market housing may be included within a rural exception scheme to subsidize the delivery of affordable homes. • All developments will be expected to include sustainable drainage systems. <p>• Arrangements should exist to ensure that the housing development will remain affordable and available to meet the continuing needs of the community.</p>
Page 24			
<p>- Removal of bullet point 1</p> <p>- Add cross reference to 'highest design specifications'</p>	BE.2	<p><i>Modification Agreed</i></p> <p>The proposed modifications are required for clarity and accuracy.</p>	<p>Amended/ removed – line strike through. Added – in BOLD</p> <p>The following important design principles should be addressed by all development proposals across the Parish:</p> <ul style="list-style-type: none"> • New builds and/or extensions will not be supported if this results in encroachment within 8 metres of a watercourse, or closer to the watercourse if already within 8 metres. • New builds and/or extensions which could displace flood water elsewhere will not be supported unless they include appropriate mitigation measures. • Provision of space between buildings or groups of buildings to preserve the rural landscape;

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
			<ul style="list-style-type: none"> • Arrangement of buildings to follow established building lines and road hierarchy; • Reflect traditional building form and shape. • Any alteration or extension which removes or reduces off-street parking spaces will not be supported. • The highest design specifications will be encouraged. ADD REFERENCE
Page 24			
<ul style="list-style-type: none"> - typographical error in Bullet 1 which should read 'unacceptable impact' - Bullet 6 is confusing if consideration is being given to commercial or tourism purposes. Hence it should be omitted. 	BE.4	<p><i>Modification Agreed</i></p> <p>The proposed modifications are required for clarity and accuracy.</p>	<p>Amended/ removed – line strike through. Added – in BOLD</p> <p>The conversion of redundant commercial or agricultural buildings to housing, permanent business space or residential tourist accommodation will be supported provided the development:</p> <ul style="list-style-type: none"> • Does not have an unacceptable impact on the visual and landscape amenity of the area; • Does not have an unacceptable impact on neighbours' amenity; • Does not cause harm to nature conservation interests; • Benefits from a safe and convenient access to the site or a satisfactory access can be created; • Ancillary and/or outbuildings and boundary treatments are in keeping with the character and setting of the original building. • Residential is the only viable use for the building • The building is capable of being converted.
Page 25			
<ul style="list-style-type: none"> • The addition of 'where possible' is recommended. 	IN1	<p><i>Modification Agreed</i></p> <p>The proposed modifications are required for clarity and accuracy and to meet Basic Conditions 1,2 and 3.</p>	<p>Amended/ removed – line strike through. Added – in BOLD</p> <p>Development of new dwellings should where possible :</p> <ul style="list-style-type: none"> • Incorporate a comprehensive and reliable Broadband and mobile phone network; Incorporate cabling or suitable ducting to support high speed broadband; • Ensure robust connectivity from the dwelling to the roadside; • Include flexible space adaptable to a home office
Page 25			

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
<ul style="list-style-type: none"> It is advised that the phrase word 'current' in inserted at bullet 4 with respect to 'advice set out by the Department of Food and Rural Affaires'. The footnote references extant guidance which might be updated during the lifetime of the NP. I also advise that DEFRA and LLFA are set out in full. Figure 34 appears to be reiteration of figure 19 My observation remains the same i.e. that the extent of the NP should be included on both figures. 	IN3	<p><i>Modification Agreed</i></p> <p>The proposed modifications are required for clarity and accuracy.</p>	<p>Amended/ removed – line strike through. Added – in BOLD</p> <p>New developments must incorporate Sustainable Drainage Systems (SuDS) to ensure runoff volume does not exceed a one in 100 year event.</p> <ul style="list-style-type: none"> Proposals will only be supported if they: <ul style="list-style-type: none"> Satisfactorily address the risk of pluvial (surface water from rainfall) and fluvial (from rivers) flooding by reducing overall flood risk from waste-water drainage and surface run-off. Take steps to maximise rainfall being retained within the curtilage of the development by using SuDS endorsed by the Environment Agency and DEFRA so that the proposed development will not increase surface water run-off. Use wherever feasible above ground attenuation such as swales, ponds and other water-based ecological systems in preference to underground water storage. Ensure that any part of a development within 100 metres of a watercourse is accompanied by a site-specific flood risk assessment conforming to the current advice set out by DEFRA. This must demonstrate the flood risk to the site and surrounding area over the recommended periods. Include tree planting to maximise land water absorption. § Surface water run-off must be minimised by maximising the permeable area of gardens and other green spaces and minimising the areas of impermeable buildings and paving. Applicants are encouraged to demonstrate that there will be a consequent overall improvement to the wider land drainage system. Applicants must ensure that any work carried out on tributaries to the Stour, or other watercourses, will need LLFA consent. Any work that affects the flow of the River Stour will need Environmental Agency consent.
Page 26			
<ul style="list-style-type: none"> It would be clearer if the two sentences were two separate bullet points. 	LA.1	<p><i>Modification Agreed</i></p> <p>The proposed modifications are required for clarity and accuracy.</p>	<p>Amended/ removed – line strike through. Added – in BOLD</p> <ul style="list-style-type: none"> Proposals which enhance existing community facilities will be supported. The loss or partial loss of existing community facilities will not be supported unless it can be demonstrated that the facility is no longer valued or of use to the village; has no prospect of being brought back into use; or is to be replaced by a new facility within the community of at least an equivalent standard. If a facility falls into disuse, it will have to be marketed for community use for a minimum period of 6 months to establish that it cannot be sold as a going concern. New community facilities will be encouraged providing they are compatible with existing neighbourhood uses. <ul style="list-style-type: none"> Such facilities will be protected from inappropriate forms of development,

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
			<p>redevelopment or change of use which may cause loss of amenity.</p> <ul style="list-style-type: none"> Any proposals which result in the loss of, or harm to, an existing community facility will be expected to demonstrate how that loss is mitigated through betterment or replacement.
Page 26			
<p>I do not feel that as presented bullet 1 is helpful. It should be omitted - or - redrafted to advise that support would not exist for new housing development that could not be served by existing school place provision unless the lack of school places is addressed as part of any development proposals.</p>	LA.2	<p><i>Modification Agreed</i></p> <p>The proposed modifications are required for clarity and accuracy and to meet Basic Conditions 1,2 and 3.</p>	<p>Amended/ removed – line strike through. Added – in BOLD</p> <ul style="list-style-type: none"> Applicants must seek confirmation from the Education Authority to ensure that the school capacity is sufficient to meet the needs of new house occupants. Development proposals that positively enhance education facilities through expansion of current sites and/or creation of new ones will be supported. Those which adversely affect the provision and delivery of education and learning in the Parish will not be supported.

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 Tredington 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:

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

And can be viewed in paper form at:

Stratford-on-Avon District Council
Elizabeth House
Church Street
Stratford-upon-Avon
CV37 6HX