

# **Whiteshill and Ruscombe Neighbourhood Plan 2015-2031**

**A report to Stroud District Council on the Whiteshill  
and Ruscombe Neighbourhood Plan**

**Andrew Ashcroft  
Independent Examiner  
BA (Hons) MA, DMS, MRTPI**

**Director – Andrew Ashcroft Planning Limited**

## **Executive Summary**

- 1 I was appointed by Stroud District Council in March 2016 to carry out the independent examination of the Whiteshill and Ruscombe Neighbourhood Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood plan area on 16 March 2016.
- 3 The Plan proposes a wide range of policies and seeks to bring forward positive and sustainable development in the plan area. There is a very clear focus on promoting sustainable development to meet wider strategic objectives whilst safeguarding the distinctive landscape and topography of the area. It is very distinctive to the AONB landscape in which it is located.
- 4 The Plan has been significantly underpinned by community support and engagement. It seeks to achieve sustainable development in the plan area and which reflects the range of social, environmental and economic issues that it has identified.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Whiteshill and Ruscombe Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood plan area.

**Andrew Ashcroft**  
**Independent Examiner**  
**18 April 2016**

## **1 Introduction**

- 1.1 This report sets out the findings of the independent examination of the Whiteshill and Ruscombe Neighbourhood Plan 2015-2031 (WRNP).
- 1.2 The Plan has been submitted to Stroud District Council (SDC) by the Whiteshill and Ruscombe Parish Council in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework in 2012 and which continues to be the principal element of national planning policy.
- 1.4 This report assesses whether the WRNP is legally compliant and meets the Basic Conditions that apply to neighbourhood plans. It also considers the content of the plan and, where necessary, recommends changes to its policies and supporting text.
- 1.5 This report also provides a recommendation as to whether the WRNP should proceed to referendum. If this is the case and that referendum results in a positive outcome the WRNP would then be used to determine planning applications within the plan area and will sit as part of the wider development plan.

## **2 The Role of the Independent Examiner**

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by SDC, with the consent of the Parish Council, to conduct the examination of the Plan and to prepare this report. I am independent of both the SDC and the Parish Council. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles I have over 30 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute.

### *Examination Outcomes*

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the WRNP is submitted to a referendum; or
  - (b) that the WRNP should proceed to referendum as modified (based on my recommendations); or
  - (c) that the WRNP does not proceed to referendum on the basis that it does not meet the necessary legal requirements.

### *The Basic Conditions*

- 2.5 As part of this process I must consider whether the submitted WRNP meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State; and
  - contribute to the achievement of sustainable development; and
  - be in general conformity with the strategic policies of the development plan in the area; and
  - be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

I have examined the submitted WRNP against each of these basic conditions, and my conclusions are set out in Sections 6 and 7 of this report. I have made specific comments on the fourth bullet point above in paragraphs 2.6 to 2.9 of this report.

- 2.6 In order to comply with the Basic Condition relating to European obligations SDC undertook a Strategic Environmental Assessment exercise. This process was followed to determine whether or not the WRNP would require a Strategic

Environmental Assessment (SEA) and/or a Habitats Regulations Assessment (HRA). It was carried out on a pre-submission version of the WRNP in August 2015. Following an analysis of likely significant effects SDC considered that the WRNP was unlikely to have any significant effects on the environment. It therefore determined that SEA of the WRNP was not required. Appropriate consultation was undertaken and all three statutory bodies agreed with the determination made by SDC.

- 2.7 SDC also used the analysis of likely significant effects to consider whether the WRNP would be likely to give rise to significant environmental effects on European designated sites. Following this analysis, it was concluded that the WRNP was unlikely to have significant effects on European Designated Sites. As such the WRNP was screened out from any requirement for further assessment under the Habitat Regulations.
- 2.8 Having reviewed the information provided to me as part of the examination I am satisfied that a thorough, comprehensive and proportionate process has been undertaken in accordance with the various regulations. The information provided is succinct and proportionate to the WRNP. The whole process provides confidence both in general and in terms of the liaison and responses as part of the consultation process in particular. None of the statutory consultees have raised any concerns with regard to either neighbourhood plan or to European obligations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted WRNP is compatible with this aspect of European obligations.
- 2.9 In a similar fashion I am satisfied that the submitted WRNP has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On this basis I conclude that the submitted WRNP does not breach, nor is in any way incompatible with the ECHR.

*Other examination matters*

- 2.10 In examining the WRNP I am also required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
  - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
  - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.

2.11 Having addressed the matters identified in paragraph 2.10 of this report I am satisfied that all of the points have been met subject to the contents of this report.

### **3 Procedural Matters**

3.1 In undertaking this examination I have considered the following documents:

- the submitted WRNP.
- the WRNP Basic Conditions Statement.
- the WRNP Consultation Statement (and its appendices)
- the WRNP Assessment of Contribution to Sustainable Development
- the WRNP Green Horizons
- the representations made to the WRNP.
- the adopted Stroud Local Plan 2015
- the National Planning Policy Framework (March 2012).
- Planning Practice Guidance (March 2014 and subsequent updates).
- recent Ministerial Statements (March, May and June 2015).

3.2 I carried out an unaccompanied visit to the Plan area on 16 March 2016. I looked at the overall character and appearance of the Plan area and at those areas affected by policies in the Plan in particular. My site inspection is covered in more detail in paragraphs 5.9 to 5.14 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I was satisfied that the WRNP could be examined without the need for a public hearing. I advised SDC of this decision early in the examination process.

## 4 Consultation

### *Consultation Process*

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 the Parish Council has prepared a Consultation Statement. This statement is thorough, comprehensive and professionally-prepared. It follows the format and style of the other Plan documents. It is supported by an extensive range of appendices which provide a very significant level of detail. It also provides specific details on the consultation process that took place on the draft version of the Plan between September and October 2015. These details set out how the emerging plan took account of the various comments and representations.
- 4.3 The Statement also sets out details of the wider consultation process that has been carried out as part the evolution of the Plan. Details are provided about:
- the initial phase of setting up the neighbourhood plan process and the formation of a steering group
  - the development of a website and a communications strategy and the extensive use of the WaRbler quarterly magazine to update local residents
  - the extensive range of surveys, questionnaires and consultations that have been employed to generate the evidence base
  - the specific roles of the general questionnaire (circulated to every residential and commercial premises in the plan area) and the Housing Needs Survey
  - the support and assistance provided by the Gloucestershire Rural Community Council
- 4.4 It is clear to me that consultation has fundamentally underpinned the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation. Consultation and feedback has been at the heart of the Plan throughout the various stages of its production.
- 4.5 Appendices A14 and A15 of the Consultation Statement have been particularly informative to my examination of the Plan. They set out how the Plan evolved between the pre-submission and submission phases. The positive approach that was taken in responding to the earlier comments is reflected in the limited number of representations received to the submitted plan (see 4.7 below) and their generally positive nature.

- 4.6 From all the evidence provided to me as part of the examination, I can see that the WRNP has promoted an inclusive and comprehensive approach to seeking the opinions of all concerned throughout the process. On this basis I am fully satisfied that the consultation process has complied with the requirements of the Regulations.

*Representations Received*

- 4.7 Consultation on the submitted plan was undertaken by the District Council for a six-week period and which ended on 2 March 2016. This exercise generated comments from the following persons or organisations:

- Wessex Water
- Zayo Group
- Sport England
- Cotswold Conservation Board
- Stroud Town Council
- Gloucestershire County Council
- Network Rail
- Natural England
- Environment Agency
- Stroud District Council
- Historic England

## **5 The Plan Area and the Development Plan Context**

### *The Plan Area*

- 5.1 The Plan area covers the whole of the parish of Whiteshill and Ruscombe. It was formally designated as a neighbourhood area on 12 September 2013.
- 5.2 The Plan area is located to the immediate north of the built up area of Stroud. It sits within the Cotswold Area of Outstanding Natural Beauty. The landscape is the defining characteristic of the Plan area and its rolling agricultural appearance provides much visual interest. In landscape terms the plan area is dominated by the Ruscombe Valley.
- 5.3 The Plan area provides a very significant level of interest and diversity for the plan maker. At its heart are the compact and attractive villages of Whiteshill and Ruscombe. In their different ways each has its own intricate series of roads and footpaths. Both sit comfortably within the wider landscape.

### *Development Plan Context*

- 5.4 The development plan context is comprehensive and has provided a clear framework for the preparation of the neighbourhood plan.
- 5.5 The Stroud District Local Plan was adopted in November 2015. The Plan provides an up to date context against which the WRNP can be assessed as part of the basic conditions. All the policies in the plan are strategic policies for the purpose of neighbourhood planning.
- 5.6 The neighbourhood area is affected directly and indirectly by a series of Core Policies in the Local Plan. Core Policy CP3 sets out a settlement hierarchy for the District. The Plan area falls within the third of five tiers of settlements described as 'Accessible Settlements with Limited Facilities'. The Plan comments that these settlements possess a limited level of facilities and services that, together with improved local employment, provide the best opportunities outside the Local Service Centres for greater self-containment. They will provide for lesser levels of development in order to safeguard their role and to provide through any Neighbourhood Plans some opportunities for growth and to deliver affordable housing. Core Policy CP4 provides particularly useful guidance to the WRNP. It seeks to bring forward high quality and distinctive development. Proposals are expected to be integrated into the neighbourhood concerned, to protect and enhance a sense of place and to create safe streets, homes and workplaces.
- 5.7 The Plan area falls within the Stroud Valleys strategic growth area. This is one of eight mini place making plans within specific parish cluster areas in the District. The

vision for this particular cluster is set out in Policy SA1. No specific sites in the WRNP area are allocated to achieve the planned growth in the Stroud Valleys area.

5.8 The Local Plan also includes an extensive range of other related policies. The following policies have a particular impact on the WRNP:

- CP8 New Housing Development
- CP9 Affordable Housing
- CP11 New Employment Development
- HC1 Meeting small scale need within defined settlements
- ES7 Landscape Character

#### *Site Visit*

5.9 I carried out an unaccompanied visit to the Plan area on 16 March 2016. I initially walked along Main Road in Whiteshill. I saw the series of other streets and lanes running off Main Street and having regard to the topography of the local area. I saw first-hand the harmonious mix of various buildings from different eras and the typical stone boundary walls.

5.10 I continued my visit by walking to the south to look at Areas A and D as set out in para 6.2.7 of the WRNP. I saw The Plain (A) and can fully understand its importance in the Plan both as a gateway into the AONB and separating the plan area from Stroud to the south. I was able to see the spectacular longer distance views both to the east and to the south-east. Thereafter I walked along the public footpath opposite the Plain to look into the Ruscombe Valley (D) to the east. The views into the Valley were equally spectacular, and I was very fortunate in my choice of days for the visit. There were several other people enjoying the landscape, the views and the exercise.

5.11 I then walked back along Main Street to spend some time in Ruscombe. In doing so I was able to see the Village shop, the recreation ground and the associated car park.

5.12 I then spent some time looking at the village of Ruscombe. I saw that it had a very different character from that of Whiteshill and consisted of individual or terraced houses set within the contours of the valley. It was clear that many of the houses had been arranged to give aspects and views to the valley. In some cases, very sensitive alterations and extensions had been carried out to take full advantage of these aspects.

5.13 I walked along Ruscombe Road up to Ruscombe Farm. In doing so I was rewarded with an easterly view across the valley and towards the footpath that I had walked earlier during the day.

5.14 I then walked up Zion Hill and Lightwood Lane. This part of the visit further consolidated the importance of the wider landscape to the evolution of the Plan.

## **6 The Neighbourhood Plan as a whole**

6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented, informative and concise document.

6.2 The Plan needs to meet all the basic conditions to proceed to referendum. This section provides an overview of the extent to which the Plan meets three of the four basic conditions. Paragraphs 2.6 to 2.9 of this report have already addressed the issue of conformity with European Union legislation.

### *National Planning Policies and Guidance*

6.3 The key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in March 2012.

6.4 The NPPF sets out a range of core land-use planning principles to underpin both plan-making and decision-taking. The following are of particular relevance to the Whiteshill and Ruscombe Neighbourhood Plan:

- a plan led system– in this case the relationship between the neighbourhood plan and the adopted Local Plan.
- recognising the intrinsic character and beauty of the countryside (here AONB) and supporting thriving local communities.
- proactively driving and supporting economic development to deliver homes, businesses and industrial units and infrastructure.
- actively managing patterns of growth to make the fullest possible use of public transport, walking and cycling
- taking account of and supporting local strategies to improve health, social and cultural well-being.

6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development, which is identified as a golden thread running through the planning system. Paragraph 16 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.

6.6 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and the ministerial statements of March, May and June 2015.

- 6.7 Having considered all the evidence and representations available as part of the examination, and having read the Basic Conditions Statement I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a positive vision for the future of the plan area and promotes sustainable growth. At its heart are a suite of policies that set out to implement the strategic approach included in the adopted local plan whilst respecting the very distinctive landscape and topography of the Plan area.
- 6.8 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraphs 17 and 154). This was reinforced with the publication of Planning Practice Guidance in March 2014. Its paragraph 41 (41-041-20140306) indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.9 As submitted the Plan does not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

*Contributing to sustainable development*

- 6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear to me that the submitted Plan has set out to achieve sustainable development in the plan area. In the economic dimension the Plan includes policies for new business development of an appropriate scale and size. In the social role it includes a policy to protect local facilities and to encourage new facilities to come forward. In the environmental dimension the Plan positively seeks to protect the natural, built and historic environment of the parish. In particular, it includes detailed policies on landscape character and the natural environment.

*General conformity with the strategic policies in the development plan*

- 6.11 I have already commented in detail on the development plan context in the Stroud district area in paragraphs 5.4 to 5.8 of this report.
- 6.12 I consider that the submitted WRNP delivers a local dimension to this strategic context and supplements the detail already included in the adopted Local Plan. The Plan has been prepared within the context of an emerging and now adopted Plan and SDC make some detailed comments on certain policies. It is clear that the authors of the WRNP have set out to produce a Plan that develops the strategic dimension into local action. This is best practice.

## **7 The Neighbourhood Plan policies**

- 7.1 This section of the report comments on the range of policies in the Plan. In particular, it makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is thorough and distinctive to the Plan area. Other than to ensure compliance with national guidance I do not propose that major elements of the Plan are removed or that new sections are included. The wider community and the parish council have spent considerable time and energy in identifying the issues and objectives that they wish to be included in their Plan. This gets to the heart of the localism agenda.
- 7.4 In one case I have recommended that an element of a policy that is not land use based is repositioned into a separate part of the Plan from the main land use policies. This approach directly reflects Planning Practice Guidance (41-004-20140306) which indicates that neighbourhood plans must address the development and use of land. The same paragraph identifies that the neighbourhood planning process can inspire local people to consider ways to improve their neighbourhood other than through the development and use of land. Wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non-land uses matters should be clearly identifiable.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan. In some cases, there are overlaps between the different policies.
- 7.6 For clarity this section of the report comments on all policies whether or not I have recommended modifications to ensure that the Plan meets the basic conditions.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

### *Sections 1 to 5 of the Plan*

- 7.8 These introductory elements of the Plan set the scene for the range of policies. They do so in a concise and proportionate way. The Plan is well-presented and arranged and is supported by well-chosen photographs. The photographs add value and depth to the text in these sections of the Plan. They are both clear and informative. The photographs on page 8 and 39 provide an excellent visual summary of the Plan area.

- 7.9 The Introduction to the Plan provides a very clear context to the role and purpose of neighbourhood planning and the designation of the neighbourhood planning area. It also sets out a good summary of the history of the Plan's preparation and how it will be monitored and reviewed. Section 4 sets out the history of the Plan area and how it provides a context to current development and future planning. Section 5 then sets out the Vision and Objectives for the Plan. They are both appropriate and distinctive to the Plan area. These introductory sections provide assurance that the WRNP has been prepared and submitted in a professional way. The policies have been developed in an iterative fashion and are the outcome of proper research and the assessment of available information.

*Policies in General*

- 7.10 The Plan policies are helpfully set out in six major blocks and which relate directly to the four identified objectives. The presentation of the Plan makes a clear contrast between the policies themselves and the supporting text. This will ensure that decision-makers have clarity on the policies in the WRNP. In appropriate circumstances the policies are criteria-based

*Policy BE1: Built Environment: Open Spaces*

- 7.11 This policy captures several related issues from the built environment objective of the wider Plan. The first element addresses development on brownfield sites or infill development. The second relates to the conversion and/or redevelopment of existing buildings. The third identifies two parcels of land for particular protection within the wider landscape.
- 7.12 Whilst this policy is wide-ranging it usefully summarises several key principles that underpin the Plan. The second element is not clear insofar as it supports conversion proposals 'subject to conditions set out in the Plan' without identifying those conditions. The examination process has confirmed that the intention is that this should refer to other policies in the Plan. This approach is understood. Nevertheless, it is a basic principle of development plan production that the policies should be read as a whole. To this extent the inclusion of this form of wording is unnecessary. In the event that it was inserted in this policy it would follow that it would then need to appear in every other policy. I recommend a modification to delete this part of criterion 2 on this basis
- 7.13 The supporting text in 6.2.7 refers to land parcels A and D. The associated diagram also shows parcels of land B/C/E/F which are not referenced in the Plan. This is potentially confusing to the reader and I recommend that the other sites on the diagram are removed

**Modify part 2 of the policy to delete '.... subject to conditions set out in this Plan'**

*Remove identification of parcels of land B/C/E/F from the Diagram on p.20*

*Policy BE2: Built Environment: Building Standards and Design*

- 7.14 This policy sets out to identify appropriate standards for new development in the Plan area. It is wide-ranging and yet appropriate to the Plan area.
- 7.15 The second aspect of the policy contains both policy and supporting text. I recommend a modification to make this aspect of the policy more applicable for development management purposes.
- 7.16 The fifth aspect of the policy requires the retention of spoil on site where physically possible. There will be circumstances where this approach may be inappropriate (for instance where contaminated soils exist or bare rocks and gravels may limit its use for landscaping). I address this in the recommended modification

**Modify part 2 to read:**

**Developments of more than one property should be individually designed and in a fashion that respects the character of the surrounding area and the scale and nature of other properties in the immediate locality.**

**Modify part 5 through substitution of ‘where physically possible’ with ‘where appropriate’**

*Policy BE3: Built Environment: Heritage and Social*

- 7.17 As its title suggests this policy addresses heritage and social (affordable housing) components of the built environment. It is well-crafted and appropriate to the Plan area.
- 7.18 The affordable housing element properly reflects the policy approach taken in the recently-adopted Local Plan. The heritage element has been refined since the pre-submission version based on advice from Historic England. In its representation on the submitted Plan that organisation comments that ‘the Plan...has now become an impressive document which applies detailed thought and understanding to the area’s historic environment...’. I agree with these comments.
- 7.19 The policy meets the basic conditions.

*Policy LF1 Local Facilities Policy*

- 7.20 This policy includes various component elements that in combination would retain and extend the use and attractiveness of local facilities. The approach is entirely appropriate in the Plan area. The supporting text lists the obvious examples of buildings and facilities addressed through this policy. I recommend a series of

modifications to provide clarity to certain elements of this policy so that it can be successfully applied through the development management process. However, its approach remains unchanged.

**Modify policy components to read:**

**Part 2 Development will be expected to safeguard local facilities, amenities or services. In addition, new development should not have an unacceptable adverse impact on the use of local facilities or restrict access to them.**

**Part 3: Development that would maintain or enhance existing local facilities will be supported.**

**Part 4: Replace ‘encouraged. (Demographic Evidence)’ with ‘supported’**

*Policy LE1 Local Economy*

- 7.21 The policy provides a context within which economic development can come forward. It adopts a supportive approach and appropriately clarifies that the size and scale of the development needs to be appropriate.
- 7.22 Its general thrust meets the basic conditions. I recommend linked modifications to provide clarity on the effects to be assessed and to make the policy more appropriate to the development management decisions by replacing ‘encouraged’ with ‘supported’.

**Delete ‘and’ in the second line of the policy**

**Replace ‘villages’ with ‘plan area’**

**Replace ‘encouraged’ with ‘supported’.**

*Policy TC1 Transport and Communications*

- 7.23 The policy sets out to ensure that new developments are appropriately and safely incorporated into the local road network. This is particularly important given the historic nature of that network and the interesting topography of the Plan area.
- 7.24 The first aspect of the policy is more a statement of intent or outcome rather than a policy. I recommend a modification to address this matter – it is an important initial component to the wider policy.
- 7.25 The second part of the policy sets out a series of criteria with which new development will need to comply. The issues are entirely appropriate. However, they are written in different styles and as drafted will be difficult to apply to planning applications. The County Council has also raised the relationship between the policy and the March 2015 ministerial statement. In some sections there is a mix of policy and supporting text. I address these matter below in recommended modifications.

- 7.26 The third aspect seeks to improve pedestrian safety in general and on Main Road in particular. I understand the approach taken. However, policies in neighbourhood plans need to be land use based. This aspect is a highways matter. As such I recommend that this aspect of the policy is deleted. Nonetheless its importance is such that it should be relocated to the associated list of projects as set out in section 6.5.5 of the Plan

**Modify policy components to read:**

**Part 1 New developments will be required to mitigate any significant adverse impacts on the transport network.**

**Part 2 New developments will be expected:**

- a) not to have a significant adverse impact on existing road infrastructure; and
- b) to contribute towards the provision of turning points and passing places as necessary where their scale and location would significantly increase traffic movements; and
- c) to provide access to public transport facilities and services where it is practical and appropriate to do so; and
- d) to provide adequate provision for off-road parking where displaced parking demand is likely to result in highway safety problems; and
- e) to provide ready access to local facilities by foot and bicycle where it would be appropriate and safe to do so.

**Delete Part 3 and relocate its contents into Section 6.5.5**

*Policy LC1: Landscape Policy*

- 7.27 This policy plays an important role in the Plan. It addresses the environmental and landscape issues that I described earlier in this report. In particular, it has regard to national policy with regard to the delivery of planning services in areas of outstanding natural beauty (here the Cotswolds AONB). It tackles a comprehensive range of issues in a positive and practical way.

- 7.28 I recommend a series of modifications to ensure that the policy has the appropriate clarity to meet the basic conditions. In the first instance I recommend that the wording used should be consistent and designed to provide a very clear message to land owners and developers. On this basis I have substituted words such as 'should' and 'seek' in order to take it clear what will be expected in order to secure planning permission. The Cotswolds Conservation Board makes some helpful comments on the policy and which I have addressed in the linked modifications. SDC also make comments about the application of the third component of the policy

**Modify policy components to read:**

**Part 1 Insert 'expected to be' between 'be' and 'in keeping' in the first line of the policy**

**Part 2 Insert '; and' after a) and b)**

**Part 2 Insert 'and enhances' between 'conserves' and 'the'.**

**Part 3 Replace 'needs to retain' with 'should respect'**

**Part 4 Replace 'should seek' with 'will be expected'**

*Policy NE1 Natural Environment*

7.29 This policy addresses the natural environment. It does so in a way that is distinctive to the Plan area.

7.30 It addresses a series of six issues. However as drafted it is unclear to the developer and the decision maker whether or not all the criteria need to be met to secure planning permission. To meet the national and local policy basic conditions test this would need to be the case and I have addressed this in my recommended modification below. I also address the opening element of the policy to make it explicit. This modification will also ensure conformity with the approach taken in other policies in the Plan.

**Replace 'Development should' with 'New developments will be expected to'**

**Replace the full stops at the end of criteria 1 to 5 and replace each time with '; and'**

## **8 Summary and Conclusions**

### *Summary*

- 8.1 The WRNP sets out a wide range of policies to guide and direct development proposals in the period up to 2031. It is thorough and distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following my independent examination I have concluded that the Whiteshill and Ruscombe Neighbourhood Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.
- 8.3 This report has recommended a range of modifications to the policies in the Plan. Nevertheless, it remains fundamentally unchanged in its role and purpose.

### *Conclusion*

- 8.4 On the basis of the findings in this report I recommend to Stroud District Council that subject to the incorporation of the modifications set out in this report that the Whiteshill and Ruscombe Neighbourhood Plan should proceed to referendum.

### *Referendum Area*

- 8.5 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view the neighbourhood area is entirely appropriate and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by Stroud District Council on 12 September 2013.
- 8.6 It is very clear to me that a huge amount of hard work and dedication has been injected into the preparation of this Plan. I would like to record my thanks to all who have assisted me in a variety of ways in the examination of the Plan

**Andrew Ashcroft**  
**Independent Examiner**

**18 April 2016**