

INDEPENDENT EXAMINER'S REPORT ON THE BISLEY-WITH-LYPIATT NEIGHBOURHOOD DEVELOPMENT PLAN

SECTION 1 Contents

CONTENTS

Section 1

Contents.....	2
---------------	---

Section 2

Summary.....	3-5
--------------	-----

Section 3

Introduction.....	8-11
-------------------	------

Section 4

The Report.....	12-50
1. Appointment of the Independent Examiner.....	10
2. Qualifying Body.....	10
3. Neighbourhood Plan Area.....	10
4. Plan Period.....	11
5. Stroud District Regulation 15 assessment of the plan.....	11
6. Site Visit.....	11
7. Consultation Process.....	11
8. Regulation 16 Consultation and Comment on Responses.....	12
9. Compliance with the Basic Conditions.....	13
10. Planning Policy.....	17
11. Other Relevant Policy Considerations.....	17-24
12. Neighbourhood Development Plan Policies.....	25-50

Section 5

Conclusions and Recommendations.....	51-52
--------------------------------------	-------

SECTION 2

Summary

2.1 Policy and Legislative Context for the Examination

2.1.2 At the time of my examination the Development Plan for Stroud included:

The Stroud District Local Plan (2015)

Adopted on 19 November 2015. This is the principal adopted local plan for the District and covers the period to 2031. It contains the development strategy, core policies, delivery policies, site allocations and Policies Map.

The Gloucestershire Minerals and Waste Plans.

The Local Plan Review was submitted for examination in 2021, and the examination has continued for several years without resolution. Stroud District Council has now moved to a new Local Plan 2026, with the new plan-making process commencing in June 2026. The Council's current timetable anticipates submission of the new Local Plan in 2028–29 and adoption in late 2029/early 2030.

2.1.3 At the time of my examination of the Neighbourhood Plan, the relevant National Planning Policy Framework (NPPF) was the National Planning Policy Framework December 2024 (as amended in February 2025). This Framework made changes to national planning policy in a number of areas, most significantly in relation to housing. It introduced the revised Standard Method for calculating local housing need and placed increased emphasis on ensuring an adequate supply of housing.

2.1.4 On 17 August 2026 the Government published a revised National Planning Policy Framework (NPPF), following its consultation on proposed reforms to the Framework which commenced in December 2025. The revised NPPF replaces the December 2024 Framework and is now the current national planning policy framework. It makes a number of changes to national planning policy, including in relation to housing delivery, plan-making, development management and the role of neighbourhood plans. The revised Framework also introduces a clearer separation between policies relating to plan-making and national policies for decision-making on development proposals.

2.1.5 The revised NPPF contains transitional arrangements which are relevant to the examination of neighbourhood plans. The revised Framework provides that its policies apply to the preparation of neighbourhood plans from 17 August 2026, unless the neighbourhood plan proposal had been submitted to the local planning authority under Regulation 15 of the Neighbourhood Planning (General) Regulations

2012 (as amended) on or before 17 August 2026. Where a neighbourhood plan had reached Regulation 15 submission by that date, the December 2024 NPPF continues to apply to its preparation and examination.

2.1.6 I have therefore considered the transitional arrangements and the implications of the revised NPPF for the examination of the NDP. Where the NDP was submitted under Regulation 15 on or before 17 August 2026, I consider that the December 2024 NPPF remains the appropriate national planning policy framework against which the Plan should be examined. The publication of the revised NPPF does not, in itself, require such a Plan to be withdrawn and re-submitted. Nevertheless, the revised Framework is a material consideration in understanding the current national planning policy context and may be relevant to the future interpretation and application of the Plan following its making.

2.1.7 A significant feature of the revised NPPF is the introduction of a more comprehensive suite of national decision-making policies, sometimes referred to as National Development Management Policies (NDMPs). These policies are intended to provide a standardised national approach to matters which apply across England and to reduce unnecessary duplication or local variation in development management policies. The revised NPPF provides that plan-makers should avoid including local policies which duplicate, substantively restate or are inconsistent with national decision-making policies. The national decision-making policies took effect on 17 August 2026.

2.1.8 At the time of my examination, however, the Government has not exercised the statutory powers under the Levelling-up and Regeneration Act 2023 to formally designate separate statutory National Development Management Policies. The Government's December 2025 consultation expressly considered whether to introduce statutory NDMPs but concluded that it would not do so at that stage. Instead, the Government has adopted national decision-making policies within the revised NPPF, while retaining the possibility of introducing statutory NDMPs in the future.

2.1.9 The distinction is relevant to the examination of the NDP. The revised NPPF establishes that national decision-making policies should not be unnecessarily repeated or modified through local development plan policies. Consequently, where the NDP contains policies addressing matters now comprehensively addressed by national decision-making policies, consideration needs to be given to whether the

local policy remains necessary, provides a locally specific policy response, or unnecessarily duplicates national policy. This is particularly relevant to development management policies which address matters of general application rather than circumstances specific to the neighbourhood area.

2.1.10 The revised NPPF also confirms the continuing role of neighbourhood plans in shaping development at the local level. Neighbourhood plans may contain policies addressing local issues, including site-specific matters, infrastructure and community facilities, design requirements, local environmental improvements and the conservation of local heritage assets. However, they should not promote less development than is provided for in the wider Development Plan.

2.1.11 In considering the effect of the revised NPPF on the NDP, I have therefore had regard to both its transitional provisions and the distinction between national decision-making policies and locally specific development management policies. I have considered whether the policies of the NDP remain necessary and appropriate having regard to the current national policy framework and whether any policies would duplicate or conflict with national policy.

2.1.12 On 25 March 2026 sections 98 and 99 of the Levelling-up and Regeneration Act 2023 came into force by virtue of The Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026. These provisions amend the statutory framework governing neighbourhood development plans, including their contents and the Basic Conditions against which they are tested.

2.1.13 In summary, the additional legal requirements introduced by sections 98 and 99 include requirements relating to the content and preparation of neighbourhood plans and orders, including requirements concerning climate change and local nature recovery strategies, where appropriate having regard to the subject matter of the plan.

2.1.14 The Basic Condition previously requiring a neighbourhood plan to be in general conformity with the strategic policies contained in the Development Plan has also been amended. The amended statutory framework introduces a requirement concerning the effect of making the neighbourhood plan on housing development proposed through the wider Development Plan. The examination therefore needs to consider the NDP in the context of both the revised statutory Basic Conditions and the transitional provisions applying to national planning policy.

2.1.15 These statutory amendments are distinct from the transitional arrangements applying to the revised NPPF and from the introduction of national decision-making policies. I have therefore considered separately the statutory requirements applicable to the NDP, the national planning policy framework applicable pursuant to the transitional arrangements, and the implications of the national decision-making policies introduced through the revised NPPF.

2.1.16 Having regard to the above, my examination of the NDP has been undertaken against the relevant statutory requirements and the national planning policy framework applicable pursuant to the transitional arrangements. I have also had regard to the revised August 2026 NPPF, including its national decision-making policies, where these are material to the consideration of the Plan and its prospects of remaining effective following its making.

2.1.17 As the Independent Examiner appointed by Stroud District Council to examine the Bisley-with-Lypiatt Neighbourhood Development Plan, I can summarise my findings as follows:

1. I find the Bisley-with-Lypiatt Neighbourhood Development Plan and the policies within it, subject to the recommended modifications does meet the Basic Conditions and the requirements of Sections 98 and 99 of the Levelling-up and Regeneration Act 2023 (LURA).
2. The Plan does not allocate any housing sites. I am satisfied that this is consistent with Policy PM5 of the NPPF 2026, which requires neighbourhood plans to allocate sites for housing only where it is appropriate to do so. The Parish lies entirely within the Cotswolds National Landscape, and the Plan's evidence demonstrates the particular landscape and environmental constraints affecting the Parish. Having regard to these constraints I am satisfied that it has not been appropriate to allocate housing sites through the Plan.
3. I am satisfied that the Referendum Area should be the same as the Plan Area, should the Bisley-with-Lypiatt Neighbourhood Development Plan go to Referendum.
4. I have read the Consultation Statement and the representations made in connection with this subject I consider that the consultation process was robust and that the Bisley-with-Lypiatt Neighbourhood Plan and its policies reflects the outcome of the consultation process including recording representations and tracking the changes made as a result of those representations.

5. I also find that the additional period of consultation requested to address the changes to the Basic Conditions and legal requirements introduced by S98 and S99 of the levelling Up and Regeneration Act (LURA) which came into force on the 25 March 2026 was conducted appropriately.
6. I find that the Bisley-with-Lypiatt Neighbourhood Development Plan can, subject to the recommended modifications proceed to Referendum.

SECTION 3

3.Introduction

3.1. Neighbourhood Plan Examination.

My name is Deborah McCann, and I am the Independent Examiner appointed to examine the Neighbourhood Development Plan.

I am independent of the qualifying body, I do not have any interest in the land in the plan area, and I have appropriate qualifications and experience, including experience in public, private and community sectors.

My role is to consider whether the submitted Bisley-with-Lypiatt Neighbourhood Development Plan meets the Basic Conditions and has taken into account human rights; and to recommend whether the Bisley-with-Lypiatt Neighbourhood Development Plan should proceed to Referendum. My role is as set out in more detail below under the section covering the Examiner's Role. My recommendation is given in summary in Section 2 and Section 5 of this document.

The Plan has to be independently examined following processes set out in the Town and County Planning Act 1990 (as amended by the Localism Act 2011) and the subsequent Neighbourhood Planning (General) Regulations 2012.

The expectation is that the examination of the issues by the examiner is to take the form of the consideration of the written representations. However, there are two circumstances when an examiner may consider it necessary to hold a hearing. These are where the examiner considers that it is necessary to ensure adequate examination of an issue or to ensure a person has a fair chance to put a case. Having read the plan and considered the representations I did not require clarification. This additional information is publicly available on the Stroud District Council website and covered in my report within the relevant policy.

3.2. The Role of Examiner including the examination process and legislative background.

The examiner is required to check whether the neighbourhood plan:

- Has been prepared and submitted for examination by a qualifying body.
- Has been prepared for an area that has been properly designated for such plan preparation.
- Meets the requirements to
 - i)* specify the period to which it has effect;
 - ii)* not include provision about excluded development; and
 - iii)* not relate to more than one neighbourhood area and that
- Its policies relate to the development and use of land for a designated neighbourhood area.

The examiner must assess whether a neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

As an independent Examiner, having examined the Plan, I am required to make one of the following recommendations:

1. The Plan can proceed to a Referendum .

2. The Plan with recommended modifications can proceed to a Referendum.

Where a policy does not meet the Basic Conditions or other legal requirement I may, on occasion, need to delete wording, including potentially an entire plan policy and/or section of text, although I will first consider modifying the policy rather than deleting it. Where a policy concerns a non-land use matter, advice in the Planning Practice Guidance states “Wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non-land use matters should be clearly identifiable. For example, set out in a companion document or annex.” As such, when considering the deletion of any non-land use matters from the plan, I will consider if I can make a modification to place the relevant proposed actions in a non-statutory annex to the plan, dealing with ‘Wider Community Aspirations’. I will not generally refer back to parties on these detailed revisions. I will make modification either in order to meet the Basic Conditions, to correct errors or provide clarification. However, the focus of my

examination, as set out in legislation is relatively narrow, I must focus on compliance with the Basic Conditions. The main purpose of a neighbourhood plan is to provide a framework for the determination of planning applications. Policies in a plan which have elements which either seek to control things or which fall outside the scope of the planning system or introduce requirements which are indiscriminate in terms of the size of development or are overly onerous would not meet the Basic Conditions. In these circumstances it will be necessary to make modifications to the plan. In making any modifications I have a duty to ensure that the Basic Conditions are met however I am also very careful to ensure, where possible that the intention and spirit of the plan is retained so that the plan, when modified still reflects the community's intent in producing their neighbourhood plan.

3.The Plan does not meet the legal requirements and cannot proceed to Referendum.

I am also required to recommend whether the Referendum Area should be different from the Plan Area, should the Neighbourhood Development Plan go to Referendum.

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

- the policies in the Plan relate to the development and use of land for a designated Neighbourhood Area are in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act 2004:

- The Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 to specify the period for which it has effect - the Plan has been prepared for an area designated under the Localism Act 2011 and has been developed and submitted for examination by a qualifying body.

I am also required to determine whether the Plan complies with the Basic Conditions, which are that the proposed Neighbourhood Plan:

1. Has regard to national policies and advice contained in guidance issued by the Secretary of State;

2. Contributes to the achievement of sustainable development;
3. The making of the Neighbourhood Development Plan would not result in the development plan for the area of the authority proposing that less housing is provided by means of development taking place in that area than if the neighbourhood development plan were not to be made;
4. The making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations, and human rights legislation.
5. Any requirements imposed in relation to the Neighbourhood Development Plan by or under Part 6 of the Levelling Up and Regeneration Act 2023 (environmental outcomes reports) have been complied with.
6. Does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017. (Prescribed Conditions)

A further Basic Condition related to the new environmental assessment framework is commenced albeit, until such time as a completed framework for the implementation of Environmental Assessment Reports is in place, compliance with this Basic Condition cannot be assessed.

The Plan must also not breach and otherwise be compatible with EU obligations and Human Rights requirements.

Stroud District Council will consider my report and decide whether it is satisfied with my recommendations. The Council will publicise its decision on whether or not the plan will be submitted to a referendum, with or without modifications. If the Neighbourhood Plan is submitted to a referendum, then 28 working days' notice will be given of the referendum procedure and Neighbourhood Plan details. If the referendum results in more than half those voting (i.e., greater than 50%), voting in favour of the plan, then the Council must "make" the Neighbourhood Plan a part of its Development Plan as soon as possible. If approved by a referendum and then "made" by the local planning authority, the Neighbourhood Plan then forms part of the Development Plan.

SECTION 4

4.The Report

4.1. Appointment of the Independent examiner

Stroud District Council has appointed me as the Independent Examiner for the Bisley-with-Lypiatt Neighbourhood Development Plan with the agreement of the Parish Council.

4.2. Qualifying body

I am satisfied that Bisley-with-Lypiatt Parish Council is a qualifying body and entitled to submit a Neighbourhood Development Plan (NDP).

4.3. Neighbourhood Plan Area

The Bisley-with-Lypiatt Neighbourhood Plan Area was designated by Stroud District Council on 22 February 2016 under the provisions of the Localism Act 2011 and Part 2 of the Neighbourhood Planning (General) Regulations 2012 (as amended).

The boundary of the Bisley-with-Lypiatt Neighbourhood Area was subsequently amended to reflect changes to the Parish boundary in 2021. The Neighbourhood Area now follows the current Bisley-with-Lypiatt Parish boundary.

The amended Neighbourhood Area therefore comprises the whole of the Bisley-with-Lypiatt Parish. The boundary of the Neighbourhood Area is shown on the accompanying Neighbourhood Area Map.

The Basic Conditions Statement submitted with the Neighbourhood Plan confirms that the Plan relates solely to the designated Neighbourhood Area and that there are no other neighbourhood plans covering any part of the designated area.

The designation and subsequent amendment of the Neighbourhood Area have been undertaken in accordance with the statutory framework for neighbourhood planning, including the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012 (as amended).

4.4. Plan Period

It is intended that the Bisley-with-Lypiatt Neighbourhood Development Plan will cover the period to 2040.

4.5. Stroud District Council initial assessment of the Plan (Regulation 15).

The Parish Council submitted the draft Bisley-with-Lypiatt Neighbourhood Development Plan to Stroud District Council for consideration under Regulation 15 of the Neighbourhood Planning (General) Regulations. After an initial assessment of the Neighbourhood Development Plan and the supporting documents the Council was satisfied that these comply with the specified criteria.

This was however prior to the changes resulting from the coming into force of S98 and S99 of LURA. Following these changes and the period of additional consultation detailed below Stroud District Council stated that they consider that the Plan is still legally compliant.

Site Visit

I carried out an unaccompanied site visit on the 6 August 2026 to familiarise myself with the Neighbourhood Plan Area.

4.7. The Consultation Process

The Neighbourhood Development Plan has been submitted for examination with a Consultation Report which sets out the consultation process that has led to the production of the plan, as set out in the regulations in the Neighbourhood Planning (General) Regulations 2012.

The Statement describes the approach to consultation, the stages undertaken and explains how the Plan has been amended in relation to comments received. It is set out according to the requirements in Regulation 15.1.b of the Neighbourhood Planning (General) Regulations 2012):

(a) It contains details of the persons and bodies who were consulted about the proposed neighbourhood development plan;

(b) It explains how they were consulted; (c) It summarises the main issues and concerns raised by the persons consulted; and

(d) It describes how these issues and concerns were considered and, where relevant, addressed in the proposed neighbourhood development plan.

Examination of the documents and representations submitted in connection with this matter have led me to conclude that the consultation process was thorough, well conducted and recorded.

A list of statutory bodies consulted is included in the Consultation Statement.

4.8. Regulation 16 consultation by Stroud District Council and record of responses.

Stroud District Council placed the Bisley-with-Lypiatt Neighbourhood Development Plan out for consultation under Regulation 16 between 6 March to 16 April 2026.

A number of representations were received during the consultation period, and these were made available by Stroud District Council as part of the supporting information supplied for the examination process. I considered the representations, have taken them into account in my examination of the plan and made reference to them where appropriate.

4.9 Additional consultation

On 25 March 2026 sections 98 and 99 of the Levelling-up and Regeneration Act 2023 came into force, by virtue of The Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026, which were made on 2 March 2025.

As the Bisley-with-Lypiatt Neighbourhood Plan had been submitted on that date, I decided in the interests of natural justice, to provide an opportunity for interested parties to comment on the impact of these changes on the Plan.

I therefore requested that Stroud District Council place a notice on their website advising that the anyone with an interest in the examination could comment on the implications of the legal compliance and Basic conditions changes outlined above .

It was made clear that there was no need for respondents to repeat representations that had already been made in relation to any other matters (since the Regulation 16 representations stand as submitted). Similarly, it was not an opportunity to raise new matters that did not relate to these legal points.

A period of two weeks was provided to submit comments and Stroud District Council contacted those who made representations at Regulation 16 to make them aware of this additional consultation. The three-week consultation period ran from 15 July to the 29 July 2026.

I am satisfied that the consultation process was carried out appropriately and I have taken into account the content of the representations received in reaching my conclusions.

4.10. Compliance with the Basic Conditions

A Basic Conditions Statement was produced for the Bisley-with-Lypiatt Neighbourhood Development Plan. The purpose of this statement is to set out in detail how the Neighbourhood Development Plan, as submitted meets the Basic Conditions. It is the Examiner's Role to take this document into consideration but also take an independent view as to whether or not the assessment as submitted is correct.

Due to the coming into force of S99 of LURA on 25 March 2026 there are new Basic Condition requirements.

The Basic Condition which required that the neighbourhood plan be in general conformity with the strategic policies contained in the development plan for the area has been replaced with the following:

- the making of the neighbourhood development plan would not result in the development plan for the area of the authority proposing that less housing is provided by means of development taking place in that area than if the neighbourhood development plan were not to be made.

A further Basic Condition related to the new environmental assessment framework is commenced albeit, until such time as a completed framework for the implementation

of Environmental Assessment Reports is in place, compliance with this basic condition cannot be assessed.

As a result of these changes, I must determine whether the Neighbourhood Development Plan:

1. Has regard to national policies and advice contained in guidance issued by the Secretary of State;
2. Contributes to the achievement of sustainable development;
3. The making of the Neighbourhood Development Plan would not result in the development plan for the area of the authority proposing that less housing is provided by means of development taking place in that area than if the neighbourhood development plan were not to be made;
4. The making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations, and human rights legislation.
5. Any requirements imposed in relation to the Neighbourhood Development Plan by or under Part 6 of the Levelling Up and Regeneration Act 2023 (environmental outcomes reports) have been complied with.
6. Does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017. (Prescribed Conditions)

Documents brought to my attention by Stroud District Council for my examination included:

(a) The Bisley-with-Lypiatt Neighbourhood Development Plan:

This is the main document, which includes the policies developed by the community.

(b) The Consultation Statement:

This is a statement setting out how the community and other stakeholders

have been involved in the preparation of the Bisley-with-Lypiatt Neighbourhood Development Plan and is supported by an evidence base, which arose from the consultation.

(c) Basic Conditions Statement.

This is a statement setting out how Neighbourhood Development Plan Steering Group considers that the Neighbourhood Development Plan meets the Basic Conditions. This statement also includes the screening report for the Strategic Environmental Appraisal and Habitats Regulations Assessment and addresses how the plan contributes to the achievement of sustainable development.

Comment on Documents Submitted

As stated previously a short consultation period was conducted to allow anyone with an interest in the Plan to make representation on the issues raised by the introduction of Sections 98 and 99 of LURA.

Stroud District Council has considered the implications of these changes for the Bisley-with-Lypiatt Neighbourhood Development Plan and made the following representation:

The Council notes that the Neighbourhood Plan was prepared prior to the commencement of these provisions. Consequently, the Plan and supporting documents were not expressly drafted to address the new legal compliance requirements and revised Basic Conditions. The Council considers that this reflects the timing of the Plan's preparation, submission and examination rather than any fundamental deficiency in the content of the Plan or its overall strategy.

The Council's view is that the submitted Plan already gives substantial consideration to climate change, biodiversity and nature recovery, and housing delivery, and therefore largely addresses the matters introduced by the legislative changes.

In relation to climate change, Chapter 11 ("Climate Change, Resilience and Energy") is specifically devoted to climate change mitigation and adaptation. The Plan recognises the climate emergency, references national and local carbon

reduction objectives, promotes energy efficiency and retrofitting of existing buildings through Policy BWL CC1, supports appropriately located renewable and low carbon energy generation through Policy BWL CC2, and addresses flood risk and resilience. The Council therefore considers that the Plan is already designed to contribute positively to both the mitigation of and adaptation to climate change.

In relation to nature recovery, Chapter 7 ("Biodiversity and Nature Recovery") contains extensive provisions relating to biodiversity conservation and enhancement. The Plan is supported by an Ecological Appraisal undertaken by Gloucestershire Wildlife Trust and the Gloucestershire Centre for Environmental Records, identifies a Local Nature Recovery Network within the Parish, and includes Policy BWL W2, which seeks to secure positive biodiversity outcomes, habitat enhancement, biodiversity net gain, ecological connectivity and wider nature recovery objectives. The Council therefore considers that the objectives underpinning Local Nature Recovery Strategies are already substantially reflected within the Neighbourhood Plan.

In relation to housing provision, the Neighbourhood Plan does not seek to reduce housing delivery within the Parish. The Plan does not allocate housing sites because the adopted development strategy is established through the 2015 Stroud Local Plan. Instead, it provides a locally specific framework to guide the form, design and location of development. Policy BWL SD1 supports limited infill and redevelopment within settlement development limits and supports rural exception sites for affordable housing. Policy BWL SD2 supports the delivery of housing that meets evidenced local need, including smaller homes, accessible housing and affordable housing. The Council therefore does not consider that the making of the Plan would result in less housing being provided than would otherwise be delivered through the development plan framework.

Accordingly, the Council considers that only minor clarificatory modifications may be required to demonstrate compliance with the revised legislative framework."

Bisley-with-Lypiatt Parish Council did not make a separate representation but support the comments of Stroud District Council.

I also received a representation raising concerns regarding the implications of Policy

BWL 2 Important Views on opportunities for new housing in the Parish. I address this representation in my comments on that policy.

I am satisfied having regard to these documents and to the material change in circumstances arising from Sections 98 and 99 of LURA and other relevant documents, policies and legislation that the Bisley-with-Lypiatt Neighbourhood Development Plan does, subject to the recommended modifications, meet the revised Basic conditions.

4.10 Planning Policy

4.10.1. National Planning Policy

National Policy guidance is set out in the National Planning Policy Framework (NPPF). In December 2024 (as updated in February 2025) the Government issued a revised NPPF which made changes to national policy in a number of areas, most significantly policy relating to housing, including the introduction of the revised Standard Method for calculating housing need.

To meet the basic conditions, the Plan must have “regard to national policies and advice”.

Paragraph 30 of the December 2024 NPPF states:

“Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area or undermine those strategic policies.”

The Neighbourhood Development Plan should not repeat national policy but must demonstrate that it has taken national policies and advice into account.

On 17 August 2026 the Government published a further revised NPPF. This replaces the December 2024 NPPF and introduces changes to national planning policy in a number of areas, including plan-making, housing delivery and development management. It also introduces national decision-making policies intended to

provide a consistent national policy framework for determining planning applications.

The revised NPPF contains transitional arrangements for neighbourhood plans. It provides that neighbourhood plans which had been submitted to the local planning authority under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) on or before 17 August 2026 should continue to be prepared in accordance with the December 2024 NPPF. The Bisley-with-Lypiatt Neighbourhood Development Plan was submitted to Stroud District Council under Regulation 15 in March 2026 and therefore falls within these transitional arrangements. Accordingly, the December 2024 NPPF remains the applicable national policy framework for the examination of the Plan.

I have nevertheless had regard to the publication of the revised NPPF as a material change in the national planning policy context. In particular, the revised Framework introduces national decision-making policies and places greater emphasis on the relationship between national policy, strategic policies and neighbourhood plans. The revised Framework states that neighbourhood plans should support the delivery of strategic policies and should not promote less development than is set out in the strategic policies for the area or undermine those policies.

I have considered whether the policies of the Neighbourhood Development Plan remain appropriate having regard to the current national planning policy context, including the introduction of national decision-making policies. Where the Plan contains policies addressing matters which are already comprehensively addressed by national policy, I have considered whether those policies provide a sufficiently locally specific response and whether any modification is necessary to avoid unnecessary duplication or conflict with national policy.

4.10.2. Local Planning Policy- The Development Plan

Bisley-with-Lypiatt Parish lies within the area covered by Stroud District Council. The relevant development plan is:

The Stroud District Local Plan (2015)

Adopted on 19 November 2015. This is the principal adopted local plan for the

District and covers the period to 2031. It contains the development strategy, core policies, delivery policies, site allocations and Policies Map.

The Gloucestershire Minerals and Waste Plans.

The Local Plan Review was submitted for examination in 2021, and the examination has continued for several years without resolution. Stroud District Council has now moved to a new Local Plan 2026, with the new plan-making process commencing in June 2026. The Council's current timetable anticipates submission of the new Local Plan in 2028–29 and adoption in late 2029/early 2030.

Whilst the Bisley-with-Lypiatt NDP does not allocate any housing sites to meet the identified housing need I am satisfied that, subject to modification, it does not contain any policies which would frustrate the delivery of the proposed strategic housing allocations and therefore meets the Basic Condition that requires that the making the neighbourhood plan must not result in the development plan providing less housing than would have been provided if the neighbourhood plan had not been made and supports the strategic growth of the Neighbourhood Plan Area.

Because the Plan and supporting documents were written before the s98 and 99 came into force they address the issue of " general conformity " with the strategic policies of the development plan. Whilst this is no longer a relevant Basic Condition, I acknowledge that the Plan is in general conformity with strategic policies of the development plan.

4.10.4 Neighbourhood Plans should only contain non-strategic policies. The NPPF December 2024 (updated February 2025) states:

“Non-strategic policies

29. non-strategic policies should be used by local planning authorities and communities to set out more detailed policies for specific areas, neighbourhoods or types of development. This can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment and setting out other development management policies.

30. Neighbourhood planning gives communities the power to develop a shared

vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area or undermine those strategic policies.”

4.10.5 Should there be a conflict between a policy in a neighbourhood plan and a policy in a Local Plan, section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that the conflict must be resolved in favour of the policy, which is contained in the last document to become part of the development plan.

I have considered the Strategic policies of the Development Plan and the Policies of the Neighbourhood Development Plan and consider that, subject to the recommended modifications, the Plan aligns with the Strategic policies of the:

The Stroud District Local Plan (2015)

The Local Plan Review was submitted for examination in 2021, and the examination has continued for several years without resolution and therefore can be given little weight. Stroud District Council has now moved to a new Local Plan 2026, with the new plan-making process commencing in June 2026. The Council's current timetable anticipates submission of the new Local Plan in 2028–29 and adoption in late 2029/early 2030. It is at too early stage in production to be given any weight.

4.11. Other Relevant Policy Considerations

4.11.1 European Convention on Human Rights (ECMR) and other European Union Obligations

As a ‘local plan’, the Neighbourhood Development Plan is required to take cognisance of the EU Strategic Environmental Assessment (SEA) Directive 2001/42/EC Office.

In February 2025 Stroud District Council, considered the likely environmental effects of the draft policies of the emerging Bisley with Lypiatt NDP. Stroud District Council considered the likely effects of the NDP against the criteria in Schedule I, of the Environmental Assessment of Plans and Programmes Regulations 2004.

Following analysis of likely significant effects, Stroud District Council considered that

the NDP is unlikely to have any significant effects on the environment. Therefore, the Council determined that Strategic Environmental Assessment of Bisley with Lypiatt Neighbourhood Development Plan is not required.

As required by Regulation 9(2)(a) of the Environmental Assessment of Plans and Programmes Regulations 2004 the Council's screening opinion was sent to Historic England, Natural England and the Environment Agency, to arrive at a determination in consultation with the statutory consultees.

SEA Screening Opinion – Statutory Consultees

All three statutory consultees agreed with Stroud District Council's screening opinion, that the Bisley with Lypiatt Neighbourhood Development Plan was unlikely to give rise to significant environmental effects and therefore would not require Strategic Environmental Assessment.

Habitat Regulation Assessment (HRA) Screening Opinion

Stroud District Council has also used the analysis of likely significant effects to consider whether the NDP would be likely to give rise to significant environmental effects on European Designated Sites. Following this analysis, Stroud District Council considers that the NDP is unlikely to have any significant effects on European Designated Sites and can therefore be screened out from any requirement for further assessment under the Habitat Regulations.

Habitat Regulation Assessment Screening Opinion – Natural England

Natural England utilised the information within the analysis of likely significant effects to also determine that the NDP would be unlikely to give rise to significant environmental effects on European Designated Sites.

.

Prescribed Matters

Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out a further basic condition for a Neighbourhood Development Plan in addition to those set out in the primary legislation. Being that:

- the making of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations

2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007) (either alone or in combination with other plans or projects). (See Schedule 2 to the Neighbourhood Planning (General) Regulations 2012 (as amended) in relation to the examination of neighbourhood development plans.)

I am satisfied with the screening conclusion for HRA that there are no likely significant effects on any European site resulting from the policies in the Plan and therefore the Prescribed Matters in this connection are met.

4.11.2 Sustainable development

The Bisley-with-Lypiatt NDP is accompanied by Basic Conditions Statement sets out how the plan addresses achieving sustainable development.

I am satisfied having regard to this document and other relevant documents, policies and legislation that the Neighbourhood Development Plan does, subject to the recommended modifications, meet the Basic Conditions in this regard.

European Convention of Human Rights and compliance with the Human Rights Act 1998.

The Neighbourhood Development Plan is required to take cognisance of the European Convention of Human Rights and to comply with the Human Rights Act 1998.

I am satisfied that the Neighbourhood Development Plan, subject to modification meets the basic conditions on EU obligations.

4.11.3 Excluded development

I am satisfied that the Neighbourhood Development Plan does not cover County matters (mineral extraction and waste development), nationally significant infrastructure such as highways and railways or other matters set out in Section 61K of the Town and Country Planning Act 1990.

4.11.4 Development and use of land

I am satisfied that the Neighbourhood Development Plan covers development and land use matters.

4.12 Neighbourhood Development Plan Policies

General comments

Planning Guidance on preparing neighbourhood plans and policies is clear, it states:

“A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.

Neighbourhood planning can inspire local people and businesses to consider other ways to improve their neighbourhood than through the development and use of land. They may identify specific action or policies to deliver these improvements. Wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non-land use matters should be clearly identifiable. For example, set out in a companion document or annex.”

In order to provide clarity and to ensure that the policies in the Neighbourhood Plan meet the Basic Conditions it has been necessary for me to make modifications to a number of policies. This includes modifications where:

- Policies have sought to introduce controls outside the scope of the planning system or where existing policy already sets out the scope of control.
- A policy has not been drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications.

The details of these modifications are set out within my comments on the related policies. My comments on policies are in blue with the modified policies in red.

Stroud District Council recommend the following text additions/modifications, I agree that these should be made:

Climate Change Mitigation and Adaptation

Additional supporting text within Chapter 11 to make explicit that the Plan has been designed to contribute to both climate change mitigation and adaptation through its policies relating to energy efficiency, retrofitting, renewable and low carbon energy generation, flood risk management and climate resilience.

Local Nature Recovery Strategy

Additional supporting text within Chapter 7 acknowledging the relevant Local Nature Recovery Strategy and confirming how Policy BWL W2, the Ecological Appraisal and the identified Local Nature Recovery Network contribute towards biodiversity enhancement, ecological connectivity and nature recovery objectives within the Parish.

Housing Provision

The inclusion of a statement within the Basic Conditions Statement, or other supporting examination material, confirming that the Plan does not reduce housing provision below that which would otherwise come forward through the development plan framework and would not result in less housing being provided than would be the case if the Neighbourhood Plan were not made.

In line with the recommendations of Gloucester County Council the following modifications should be made to the text of the Plan:

PAGE 24, Para 7.3.

The title Local Ecological Network and Nature Recovery* requires a *Footnote 14

***Footnote 14 : The Gloucestershire Nature Recovery Strategy published in**

February 2026 (from now on referred to as the LNRS) provides the County - wide context for the Parish's Nature recovery and measure to support biodiversity.

<https://www.gloucestershire.gov.uk/planning-and-environment/ecology-and-landscape/gloucestershire-local-nature-recovery-strategy/>

*Footnote 14 becomes *Footnote 15.

PAGE 25, 1st Para (under the map)

Re-word: "The Parish has a Local Recovery Network also detailed in the Ecological Appraisal to be seen in the context of the LNRS *Footnote 16

*Footnote 16: op.cit. <https://www.gloucestershire.gov.uk/planning-and-environment/ecology-and-landscape/gloucestershire-local-nature-recovery-strategy/>

PAGE 26

1st Para 3rd line footnote now becomes *Footnote 17 and there is an addition to this *Footnote as follows :-

*The LNRS Lcal Habitat Map has a spatial on-line tool that maps potential measures across areas of the County where they would have best impact for nature.

https://www.gloucestershire.gov.uk/media/it1nsbsv/gloucestershire-lnrs-part-2_final-1.pdf

PAGE 27

POLICY 1, line 2: Omit "where possible" . In the site specific advice section: "Biodiversity is essential for the resources we need to live"

POLICY 1a: Last line add "and LNRS"

POLICY 1c: Penultimate line add "and LNRS" after Nature Recovery Network.

PAGE 27

Last line add 4 words at end of line ".....compost and improve biodiversity in the soil".

PAGE 28 Para 7.5 Biodiversity Projects

Para 1 change *Footnote number (LNAP) to *18

para 3:

Create bullet points following line 4 to add a new line re the LNAP in relation to one of LNRS's priority measures that we are acting on as a Parish:

.....community and volunteer activities such as

citizens surveys (bioBLITZ) that take place in community areas such as allotments as well as observations by local residents in their gardens

LNAP actions with local landowners and farmers to support and connect unimproved "species-rich sward and meadows" *Footnote 19

***Footnote 19: Biodiversity priority action statement LNRS op.cit p.4
Biodiversity priorities and potential measures**

4.12.1 The Neighbourhood Plan Vision, Aims, Objectives and Policies

The Vision for Parish 2025-2042

Our vision for the Parish in 2040 is that Bisley, Eastcombe, Oakridge, and the surrounding hamlets and farms, will remain characteristic Cotswold villages in a much valued and protected landscape. There will have been no major development in the area, but new housing will have been added as infill in the villages and there will be some new edge-of-settlement developments of sustainable, affordable, well-designed housing provided by community land trusts or similar locally led schemes. The new buildings will all be in harmony with the built and natural landscape.

All developments will have been built to the highest energy-efficient standards, with positive contributions to the natural environment. The residents of the Parish will all

live in well-insulated homes heated by renewable energy. Older houses will have been insulated and fitted with sustainable heating systems.

There will be less reliance on private cars, as there will be good bus or electric minibus services, some of which will operate on-demand, connecting the villages and nearby towns, especially Stroud. There will be more use of bicycles, especially electric bikes, which reduce the challenge of the hills. Dedicated off-road cycle routes will connect the main villages and link to Chalford and Stroud. There may be some small scale local renewable energy generation that benefits local residents, supported by the community, and discreetly sited to avoid adverse impact on the landscape or the community.

A small network of local shops and farm shops will meet many of the daily needs of residents. Small businesses will continue to provide employment for locals and for workers from outside the Parish. Amenities for children and young people will include play areas, sports and social clubs. As roads will be safer, more children will be able to cycle and walk to school and social activities. Home composting will be the norm, and community composting schemes will mean all green waste is recycled locally.

The natural environment, flora and fauna, will be noted for its richness. Local nature recovery will have proceeded in step with and as part of the wider nature recovery strategy of the district and county. Several areas, including allotments, will have received wildlife designation, and will be connected by wildlife corridors which allow movement of insects, reptiles, birds and mammals between the clean 'blue' corridors of the Slad Brook, the Holy Brook, the Toadsmoor and Frome valleys and the varied habitats of the higher land of the Parish. Many residents will have 'nature-friendly' gardens which will form an important part of this network. Pesticide and herbicide use will be almost unknown, following the example set by the Parish Council policy of 2021. There will be more trees, including community orchards and fruit trees, throughout the Parish. Farmers will have played an important part in this, adopting many nature-friendly farming methods such as planting more hedges, reducing hedge flailing and setting aside larger areas for farmland birds.

Connections between local farmers and the community will be strengthened, with shops and markets selling more local produce, improving food security and

resilience as climate change alters our environment. There will be an increased understanding that we live in and with nature.

Objectives

1. Support and encourage sustainable development that is in keeping with the character of the built and natural environment and ensure any development meets community demand.
2. Enhance and increase biodiversity and support nature recovery.
3. Conserve, protect and enhance our distinctive landscape and villages.
4. Create, enhance and maintain existing open green public spaces.
5. Promote and enable sustainable transport including active travel
6. Encourage and support enterprise development and opportunities.
7. Promote local energy saving and small-scale generation measures.

COMMENT

I am satisfied that the NDP Vision, themes and objectives on page 41 were developed from the consultation process and that the policies within the plan reflect the vision and strategic objectives.

NEIGHBOURHOOD PLAN POLICIES

POLICY BWL L1 Landscape Character

Development proposals must conserve or enhance the special features of the two distinctive Cotswold National Landscape character areas (High Wold, and the High Wold Valley) of the Parish. Proposals will be supported where they reflect the character, distinctiveness and diversity of the landscape.

New development will be expected to:

- a. Protect archaeological and historical features (designated and non- designated)

which contribute to the distinctive character of the area, where appropriate; and,

b. Respect the landscape types and character areas drawing, as appropriate, upon relevant assessments, including Cotswold National Landscape Strategy and Guidelines, Stroud District Landscape Character Assessment (2000) or successor document, Eastcombe Conservation Area Landscape and Visual Appraisal and the Stroud District Council Landscape Sensitivity Analysis Report.

In the areas that are the High Wold (Bisley Plateau) character type this means:

i. Development proposals will protect and enhance the open, sparsely settled character of the High Wold. Isolated development that will intrude negatively into the landscape and cannot be successfully mitigated will be avoided.

ii. New built development will be visually integrated with the rural landscape setting and not interrupt the setting of existing villages or wide vistas.

iii. Existing stone walls, trees, hedges, and other natural features will be retained as part of the scheme. Harsh edges of new development will be broken up with appropriate and adequate tree planting, ideally in advance of the development taking place. For preference, trees should be native and non-invasive.

In the areas that are the High Wold Valley character type this means:

iv. Developments that might interrupt the sense of seclusion within these areas will be avoided.

v. Natural features such as the riparian and riverine habitats along watercourses, areas of ancient broadleaved woodland (e.g. Toadsmoor Woods / High Wood) will be both retained and managed appropriately in the future.

COMMENT

This policy does not have regard for national policy , for clarity and to meet the Basic Conditions, the policy should be modified as follows:

Policy BWL L1: Landscape Character

Development proposals should conserve and, where appropriate, enhance the distinctive character and special qualities of the High Wold and High Wold Valley landscape character areas within the Parish.

Development should respond positively to the relevant landscape character and sensitivity evidence and should:

- a. retain and, where practicable, incorporate characteristic landscape features, including stone walls, hedgerows, trees, woodland, watercourses and other features that contribute to local landscape character;**
- b. respect the established relationship between settlements and their surrounding landscape and avoid unacceptable visual intrusion into open countryside or important vistas.**

High Wold

Within the High Wold landscape character area, development should:

- c. protect the open and sparsely settled character of the landscape;**
- d. avoid development that would result in unacceptable intrusion into the landscape or interrupt important rural vistas or the setting of existing settlements; and**
- e. ensure that new development is appropriately integrated into its rural landscape setting.**

High Wold Valley

Within the High Wold Valley landscape character area, development should:

- f. protect the distinctive secluded character of the valley;**
- g. retain and, where appropriate, enhance characteristic riparian and riverine features and other locally important landscape features; and**
- h. avoid development that would result in unacceptable harm to the landscape character or visual qualities of the valley.**

POLICY BWL L2 – Important Local Views

The views identified as Important Local Views are listed in Appendix 1.

Development proposals that would affect an Important Local View should assess the effect of the proposals on the View concerned and should demonstrate that they are sited and designed to be of a form and scale that avoids or mitigates any harm to the

important local views and landscape character of the Parish, preserving the visual integrity, identity and scenic quality of the National Landscape.

Proposals that would have an unacceptable detrimental impact on an Important Local View will not be supported.

COMMENT

I have received representation expressing concern that the inclusion of this policy, in particular that views 3,4 and 5 effectively restrict the opportunity for new housing and therefore conflict with the Basic Condition that requires that:

"The making of the Neighbourhood Development Plan would not result in the development plan for the area of the authority proposing that less housing is provided by means of development taking place in that area than if the neighbourhood development plan were not to be made;"

I am satisfied that the evidence supporting the identified views is robust and as the Parish lies entirely within the Cotswold National Landscape. it is reasonable to include a policy to protect those views. However, as currently worded the policy is too restrictive and the term " unacceptable detrimental impact" is not defined. I am satisfied that subject to modification the policy would *"not result in the development plan for the area of the authority proposing that less housing is provided by means of development taking place in that area than if the neighbourhood development plan were not to be made"*. For clarity and to meet the Basic Conditions, the policy should be modified as follows:

Policy BWL L2 – Important Local Views

The Important Local Views identified in Appendix 1 and on the Policies Map are valued for their contribution to the landscape character, visual identity and scenic quality of the Parish and the Cotswolds National Landscape.

Development proposals should conserve and enhance the identified characteristics and qualities of these Important Local Views. Proposals that

would result in significant and demonstrable harm to an Important Local View will not be supported unless the harm can be satisfactorily mitigated.

POLICY BWL L3 Local Green Spaces

Spaces listed below are designated as Local Green Spaces for protection as places that are 'demonstrably special' to our local community:

Bisley

1. King George V Playing Field
3. Teeds Rise
4. Eastcombe Recreation and Pleasure Ground
5. Hodges Field (Junior Football Pitch)
6. Eastcombe Allotments
7. Scout Headquarters Field
8. Eastcombe Village Green
9. Eastcombe Baptist Chapel Graveyard
24. Junction of Fidges Lane and The Street
25. St Augustines Church – Garden of Rest

Oakridge Lynch

10. Oakridge Recreation Ground
11. Allotments
12. Cemetery
13. War Memorial

14. Village Green

15. Farm Lane Land by stream

16. Land at the Broadway

Bournes Green Far Oakridge

17. Land at Bournes Green 19. Cherry Piece Triangle 21. Allotments

18. Bournes Green Triangle 20. Allotments 22. Far Oakridge Green

Development proposals within the identified LGSs will only be supported in very special circumstances where it would positively enhance the beneficial use of these spaces. Examples would be improved access, or opportunities for outdoor sport and recreation, the retention and enhancement of landscapes, visual amenity and biodiversity.

Development Proposals that are on land adjacent to Local Green Space are required to set out how any impacts on the special qualities of the green space, as identified by its reason for designation, will be mitigated.

COMMENT

I am satisfied that with the exception 24. Junction of Fidges Lane and The Street ,the proposed Local Green Space(LGS) meets the tests set out in the NPPF2024 (updated February 2025) and those set out in the NPPF August 2026. Proposed LGS designation 24 is a verge and owned by the Highways Authority. Whilst this may contribute to the landscape setting of the area it is not suitable to be designated as a LGS.

I am satisfied that this policy, through the designation of a Local Green Space addresses the requirements of S.98 of LURA in that it does seek to "*secure that the development and use of land in the neighbourhood area contribute to the mitigation of, and adaptation to, climate change*".

For Clarity, the policy should be modified to reflect the requirements of the

NPPF and caselaw (see Court of Appeal Judgement in the Case of The Queen (On the Application of Lochailort Investments Limited) and Mendip District Council Norton St Philip Parish Council 2nd October 2020) which clearly states that Local Green Space policies in neighbourhood plans should not deviate from the policy requirements of the NPPF. To reflect the modification to this policy the mapping within the plan should also be modified to show the Local Green Space designations clearly with adequate annotation. For clarity and to meet the Basic Conditions the policy should be modified as follows:

The following areas are designated as a Local Green Spaces:

POLICY BWL L3 Local Green Spaces

Spaces listed below are designated as Local Green Spaces for protection as places that are ‘demonstrably special’ to our local community:

Bisley

- 1. King George V Playing Field**
- 3. Teeds Rise**
- 4. Eastcombe Recreation and Pleasure Ground**
- 5. Hodges Field (Junior Football Pitch)**
- 6. Eastcombe Allotments**
- 7. Scout Headquarters Field**
- 8. Eastcombe Village Green**
- 9. Eastcombe Baptist Chapel Graveyard**
- 25. St Augustines Church – Garden of Rest**

Oakridge Lynch

10. Oakridge Recreation Ground

11. Allotments

12. Cemetery

13. War Memorial

14. Village Green

15. Farm Lane Land by stream

16. Land at the Broadway

Bournes Green Far Oakridge

17. Land at Bournes Green

18. Bournes Green Triangle

19. Cherry Piece Triangle

20. Allotments

22. Far Oakridge Green

Development within a designated Local Green Space should be consistent with national policy for Green Belts. Inappropriate development will not be supported except in very special circumstances.

POLICY BWL W1 Wildlife

Development can be supported where it:

1. Protects and improves wildlife value;
2. Conserves and enhances the natural beauty and wildlife of the Parish;
3. Avoids or minimises light, water, air and noise pollution;

4. Protects highway verges as wildlife corridors, and other wildlife corridors.

COMMENT

I am satisfied that this policy addresses the requirements of S.98 of LURA in that it does seek to "secure that the development and use of land in the neighbourhood area contribute to the mitigation of, and adaptation to, climate change".

POLICY BWL W2 Biodiversity and Nature Recovery

1. Development proposals will be expected to have an overall positive impact on biodiversity and contribute to nature recovery where possible. In Bisley-with-Lypiatt this means:

a. Avoiding development on designated biodiversity sites and the important existing components of local ecological networks within the Parish, which are the unimproved limestone grasslands, ancient native woodlands and the two tributaries of the River Frome. Where appropriate, development should demonstrate how it will enhance the integrity and connectivity of the Local Nature Recovery Network.

b. Avoiding development that:

o has a net detrimental impact on land in the core open habitat network or high priority for restoration;

o has a net adverse impact on the provision, biodiversity or amenity value of allotments and composting scheme sites in the Parish.

c. Maintaining and where practicable enhancing existing on-site biodiversity assets and provide for wildlife needs by incorporating practical measures. (such as stone walls or hedgerows rather than fencing). If onsite delivery of mandatory Biodiversity Net Gain is not possible, any offsetting should strengthen the Nature Recovery Network by investment in opportunities for enhancement elsewhere in the Parish.

d. On-site Green Infrastructure delivered through developments should be delivered in accordance with Building with Nature or similar standards.

Proportional to the size and nature of the proposal, development proposals will be supported by a statement that sets out how the development proposal impacts, both positively and negatively, on biodiversity and contributes to nature recovery.

Development outside of designated biodiversity sites, core habitat or. high-priority zones of the Nature Recovery Network but which may cause. significant direct or indirect harm to them (including isolating them from the network) will not be supported.

COMMENT

I am satisfied that this policy addresses the requirements of S.98 of LURA in that it does seek to *"secure that the development and use of land in the neighbourhood area contribute to the mitigation of, and adaptation to, climate change"*.

This policy repeats and rephrases national policy. For clarity and to meet the Basic Conditions, it should be modified as follows:

Policy BWL W2 – Local Ecological Network and Nature Recovery

The Parish's ecological network, including locally important habitats, wildlife corridors and other features identified on the Policies Map, will be protected and, where practicable, strengthened. Development proposals affecting the ecological network should:

- a. conserve its integrity and connectivity and avoid the fragmentation or isolation of habitats;**
- b. have particular regard to locally important features, including unimproved limestone grassland, ancient woodland and the tributaries of the River Frome;**
- c. where practicable, strengthen ecological connections and contribute to priorities identified in the relevant Local Nature Recovery Strategy; and**

d. incorporate appropriate habitat enhancement and green infrastructure measures where these would strengthen the ecological network.

Cumulative effects should be considered where incremental development could weaken the ecological network or its connectivity.

POLICY BWL W3 Dark Skies and Lighting Schemes

1. New development proposals must balance the safety of occupants or visitors, with the impacts of new external lighting, and/or light-spill from internal lighting, on the dark night skies of the Parish and the Cotswolds National Landscape.

2. Proposals will be expected to demonstrate how light pollution is either avoided, or where necessary minimized, by:

a) Directing lighting downwards whilst preventing upward, sideways and outward spillage;

b) Ensuring the colour and intensity of lighting is appropriate for wildlife and the wider setting;

c) Ensuring the design and quality of fenestration and screening minimises light glow, glare and light trespass;

d) Ensuring any safety concerns that have been identified are suitably addressed; and,

e) Ensuring that any community need for floodlighting is balanced against the other clauses listed above.

COMMENT

This policy repeats national policy. For clarity and to meet the Basic Conditions, the policy should be modified as follows:

Policy BWL L4 – Dark Skies

To protect the Parish's intrinsically dark landscapes and the dark skies of the Cotswolds National Landscape development proposals involving external lighting, or those likely to result in significant light spill from buildings, should be designed and located to avoid or minimise unnecessary glare, light spill and upward illumination, having regard to the needs of wildlife, local amenity and landscape character.

Particular care should be taken with proposals for floodlighting or other extensive illumination where these could adversely affect the rural character, tranquillity or appreciation of the Parish's dark skies.

POLICY BWL SD1 - Design and Development

1. Settlement Development Limits are designated in the Stroud Local Plan for Eastcombe, Bisley and Oakridge as shown on figure 2a - c. Limited infill and re-development will be supported inside these boundaries where:

a. It is of scale appropriate to the location;

b. It conserves and enhances the Parish's built and natural environment having regard to the distinctive local character, and accords with the Design Guidelines set out in Schedule 1 of this Neighbourhood Plan.

2. Outside the Settlement Development Limits, development proposals should accord with local and national policies for the countryside where development is strictly controlled. In addition to this policy context, development will be supported in principle by the Parish where:

a. It is a rural exception site delivering affordable housing to meet identified need in the Parish, especially where developed by a Community Land Trust;

b. It conserves and enhances the Parish's built and natural environment having regard to the distinctive local character according with the Design Guidelines of this Neighbourhood Plan;

c. It maintains the local landscape 'Chalford Gap' between Eastcombe and Chalford

Parish as indicated on figure 7. Development proposals which would result in the loss of, or unacceptable reduction to the local landscape gap between Eastcombe and Chalford will not be supported.

3. Applicants are encouraged to engage in early, proactive, effective and proportionate engagement with the community on matters of design with the aim of reinforcing positive local characteristics.

COMMENT

I am satisfied that this policy addresses the requirements of S.98 of LURA in that it does seek to "secure that the development and use of land in the neighbourhood area contribute to the mitigation of, and adaptation to, climate change".

For clarity and avoid confusion the policy should be split, the first dealing with settlement strategy and the Chalford Gap, and the second dealing with locally distinctive design. This removes the national-policy repetition and gives each policy a clear purpose.

POLICY BWL SD1 – Settlement Development and Settlement Boundaries
Development within the Settlement Development Limits for Eastcombe, Bisley and Oakridge, shown on the Policies Map, will be supported in principal and should:

- a. be of a scale, form and layout appropriate to the character and setting of the settlement; and**
- b. respond positively to the locally distinctive built and landscape character of the Parish, having regard to Policy BWL SD2 and the Design Guidelines in Schedule 1.**

Outside the Settlement Development Limits, development will be considered in accordance with national and development-plan policies for the countryside. Rural exception housing that meets an identified local affordable housing need will be supported where it accords with those policies and the policies of this Plan.

Chalford Gap

The open landscape gap between Eastcombe and Chalford, identified on the Policies Map, is an important local landscape feature that contributes to the separate identity and landscape setting of the two settlements.

Development that would result in the loss or unacceptable reduction of the gap or would materially undermine its openness or contribution to settlement identity, will not be supported.

POLICY BWL SD1a – Local Design and Development Character

Development proposals should respond positively to the distinctive built and landscape character of the Parish and contribute to the creation of places that are locally distinctive, attractive and well-integrated with their surroundings.

Proposals should:

- a. reflect the scale, height, form and layout that responds positively to the character and setting of the settlement and site;
- b. respond positively to the established relationship between buildings, streets, spaces and the surrounding landscape;
- c. use materials, architectural details, boundary treatments and other design features that reflect the local character;
- d. retain and incorporate, where practicable, existing features that contribute to local character, including stone walls, hedgerows, trees and other landscape features;
- e. ensure that new development is appropriately integrated with existing development and does not create an unacceptable hard or visually intrusive edge to the settlement; and
- f. have regard to the Design Guidelines in Schedule 1.

Development affecting the setting of a settlement, important landscape feature or locally identified view should demonstrate a positive response to its context and avoid unacceptable harm to local character.

POLICY BWL SD2 - Meeting Local Housing Need

Housing should meet evidenced local need as set out in the most up-to-date Housing Need Survey for the Parish, and include a mix in the size, type and affordability of dwellings proposed with a likely emphasis on:

A. Housing built to adaptable and accessible M4(2) standards*, in order to meet the needs of an ageing population;

B. Smaller 1 and 2 bedroom housing for downsizing;

C. Smaller housing for younger people both single, couples and with families.

D. Proposals to sensitively split larger individual houses into smaller dwelling units will be supported. All smaller dwelling units created in this way must demonstrate adequate parking provision can be accommodated on site.

COMMENT

In order to meet the Basic Conditions and avoid conflict with or repetition of national policy, the policy should be reworded as follows:

POLICY BWL SD2 – Meeting Local Housing Need

Development proposals should have regard to the most up-to-date evidence of housing need for the Parish and provide an appropriate mix of dwelling sizes, types and affordability, with particular emphasis on:

a. accessible and adaptable housing to meet the needs of an ageing population;

b. smaller 1- and 2-bedroom homes suitable for downsizing; and

c. smaller homes suitable for younger people, including singles, couples and families.

The sensitive subdivision of larger houses into smaller dwellings will be supported where it provides suitable homes and can be accommodated without unacceptable impacts on the character of the building or area.

POLICY BWL LH1 Non-Designated Assets of Local Heritage Significance

1. The Plan identifies buildings, features and structures which are not listed nor in

conservation areas but are of importance for their local heritage significance as identified and detailed in Appendix 3.

2. The effect of a Town Planning application on non-designated heritage assets of local heritage significance should be fully taken into account when determining the application. Development proposals will be supported where they can demonstrate that the heritage significance and setting of our local heritage assets will be conserved and, where appropriate, enhanced. Proposals involving any harm to a local heritage asset or any potential loss of significance will be supported only where there is clear and convincing justification, set out in a Heritage Statement.

COMMENT

In order to meet the Basic Conditions and avoid the repetition of national policy, the policy should be reworded as follows:

The Plan identifies non-designated heritage assets of local significance, as listed in Appendix 3. Development proposals affecting an identified asset or its setting should demonstrate that its significance has been understood and should conserve it and, where appropriate, enhance its significance. Where development would harm or result in the loss of significance of an identified asset, the benefits of the proposal should be weighed against the scale of harm or loss and the significance of the asset.

POLICY BWL HT1 Getting around by bus, bike or on foot

Support will be given to proposals that create or improve an accessible, safe and attractive movement infrastructure that promotes walking, cycling and public transport choices for local journeys and to the important district centre of Stroud.

Development proposals will be required to demonstrate that it will cause no adverse effect on the capacity and safety of the local highway network.

COMMENT

I am satisfied that this policy addresses the requirements of S.98 of LURA in

that it does seek to *"secure that the development and use of land in the neighbourhood area contribute to the mitigation of, and adaptation to, climate change"*.

In order to meet the Basic Conditions and avoid the repetition of national policy, the policy should be reworded as follows:

POLICY BWL HT1 Getting around by bus, bike or on foot

Development proposals should contribute to safe, attractive and sustainable movement within the Parish, including opportunities to walk, cycle and use public transport.

POLICY BWL CC1 Retrofitting Existing Buildings to Improve Energy Efficiency

The sensitive retrofitting of energy efficiency measures and the appropriate use of small scale domestic renewable and low carbon energy systems in existing buildings will be supported.

Proposals that are sensitive to buildings in the conservation area, listed buildings and historic non designated heritage assets will be supported, especially where they help to secure a sustainable future for the building.

COMMENT

I am satisfied that this policy addresses the requirements of S.98 of LURA in that it does seek to *"secure that the development and use of land in the neighbourhood area contribute to the mitigation of, and adaptation to, climate change"*.

POLICY BWL CC2 : Renewable or Low Carbon Energy Generation

Proposals for renewable or low carbon energy schemes in the Parish can be supported where they meet all the following criteria. That they:

1. Are located such that they have no adverse impact on the landscape and visual amenity

2. Are sensitively sited to protect ecology, wildlife, heritage assets and the natural environment on the site and in the locality

3. Are small in scale

For community energy generation proposals the following additional criteria will also need to be met. That they:

4. Have the support of the community

5. Are led and controlled by the community for the benefit of the community

COMMENT

I am satisfied that this policy addresses the requirements of S.98 of LURA in that it does seek to *"secure that the development and use of land in the neighbourhood area contribute to the mitigation of, and adaptation to, climate change"*.

In order to meet the Basic Conditions and avoid the repetition of national policy, the policy should be reworded as follows:

POLICY BWL CC2: Renewable and Low Carbon Energy

Renewable and low carbon energy development will be supported where it is appropriately sited and designed to respond to the character and landscape setting of the Parish, including the Cotswolds National Landscape.

Proposals should:

a. avoid unacceptable harm to landscape character, visual amenity and the setting of heritage assets;

b. minimise impacts on biodiversity and ecological features; and

c. be proportionate in scale and appropriately integrated into their surroundings.

Community-led energy schemes will be particularly supported where they demonstrate clear local benefit and community involvement in their ownership, management or control.

POLICY BWL E1: Existing and New Businesses

1. The provision of local employment will be supported in principle where it:
 - a. diversifies and supports an existing rural based business (such as farming); or
 - b. facilitates the establishment of new start-up businesses.
2. Proposals will be supported where it can be demonstrated that they:
 - a. Are of a scale, layout, and design that is sensitive to the character. of the surrounding area;
 - b. Do not result in unacceptable harm to the residential amenity;
 - c. Conserve or enhance the natural environment, including landscape character, biodiversity, and heritage assets;
 - d. Provide safe and suitable access for all users and do not result in a severe impact on the local highway network or parking capacity;
 - e. Prioritise the use of the conversion of existing redundant buildings where feasible.

COMMENT

I am satisfied that this policy addresses the requirements of S.98 of LURA in that it does seek to *"secure that the development and use of land in the neighbourhood area contribute to the mitigation of, and adaptation to, climate change"*.

In order to meet the Basic Conditions and avoid the repetition of national policy, the policy should be reworded as follows:

POLICY BWL E1: Existing and New Businesses

Proposals that provide local employment will be supported in principal where they:

- a. diversify or support existing rural businesses, including farming and other land-based enterprises;**
- b. facilitate new or expanding local businesses, including start-ups; and**
- c. make effective use of existing redundant rural buildings where feasible.**

Proposals should be appropriately located and of a scale and form that reflects the character of the surrounding area.

The loss of premises providing local employment or business space will be resisted where there is a reasonable prospect of continued employment or business use.

POLICY BWL E2: Home Working

Proposals that increase opportunities for residents to work from home or from within the Parish will be supported.

For working space at residential properties where planning permission is required, support will be given to proposals for small scale, proportionate residential extensions or modest conversions of existing buildings in the gardens of residential properties. Proposals should clearly demonstrate that the work area is for its occupants and:

- a. is ancillary to the primary residential use;
- b. does not have an unacceptable impact on the amenities of residential properties in the immediate locality;
- c. incorporates measures to mitigate the impact of traffic generation, noise. and odours.

COMMENT

I am satisfied that this policy addresses the requirements of S.98 of LURA in that it does seek to *"secure that the development and use of land in the neighbourhood area contribute to the mitigation of, and adaptation to, climate change"*.

In order to meet the Basic Conditions and avoid the repetition of national policy, the policy should be reworded as follows:

POLICY BWL E2: Home Working

The Neighbourhood Plan supports opportunities for residents to work from home or establish small-scale businesses within the Parish, including through the appropriate adaptation and reuse of existing buildings.

SECTION 5

Conclusion and Recommendations

1. I find that the Neighbourhood Development Plan has been prepared in accordance with the statutory requirements and processes set out in the Town and County Planning Act 1990 (as amended by the Localism Act 2011) and the subsequent Neighbourhood Planning (General) Regulations 2012. (As amended)
2. The Neighbourhood Plan does not deal with County matters (mineral extraction and waste development), nationally significant infrastructure such as highways and railways or other matters set out in Section 61K of the Town and Country Planning Act 1990.
3. The Neighbourhood Development Plan does not relate to more than one Neighbourhood Area and there are no other Neighbourhood Development Plans in place within the Neighbourhood Area.
4. The Strategic Environmental and Habitats Regulations Assessment screening meets the EU Obligation.
5. The policies and plans in the Neighbourhood Development Plan, subject to the recommended modifications would contribute to achieving sustainable development. They have regard to national policy and guidance, meet the legal requirements and would not result in the development plan for the area of the authority proposing that less housing is provided by means of development taking place in that area than if the neighbourhood development plan were not to be made. In reaching my conclusions I have been mindful that the courts have consistently treated "having regard to" as a less demanding legal test than conformity. It requires genuine and rational consideration of national policy, rather than automatic compliance. Because the NPPF itself contains policies that require planning judgment and balancing, I have exercised judgment rather than mechanically comparing the Plan against individual paragraphs of the NPPF.
6. Although the Plan has been examined against the NPPF 2024 under the transitional arrangements set out in the new NPPF 2026 issued on August 12, 2026. I am satisfied that the policies subject to the recommended

modifications have regard for the new NPPF, including the national development management policies.

7. The supporting text for policies that have been modified should be changed to reflect those modifications.
8. I therefore consider that the Neighbourhood Development Plan subject to the recommended modifications can proceed to Referendum.

Deborah McCann BSc MRICS MRTPI Dip Arch Con Dip LD

Planning Consultant

NPIERS Examiner

CEDR accredited mediator

September 2026

