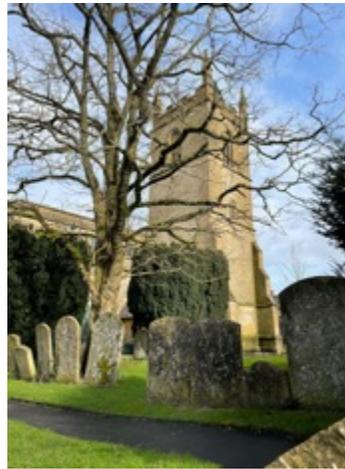


STOW ON THE WOLD & THE SWELLS

Neighbourhood  
*Plan*

2023 – 2031



**BASIC CONDITIONS STATEMENT**

Published by Stow on the Wold Town Council  
under the Neighbourhood Planning (General) Regulations 2012 (as amended)

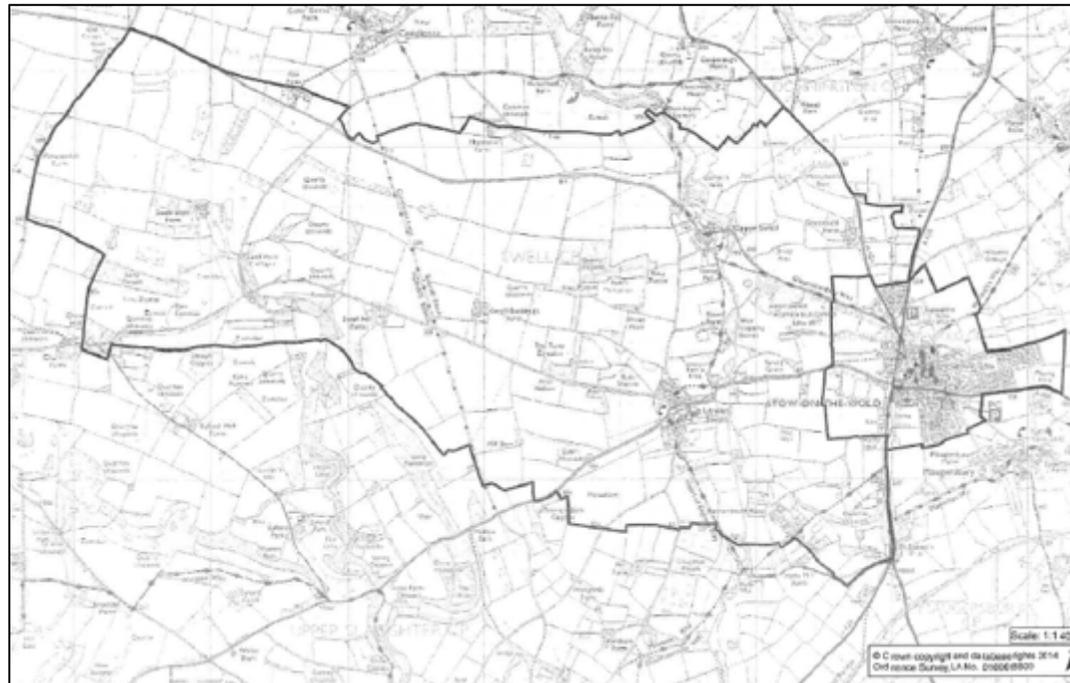
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## 1.INTRODUCTION

1.1 This statement has been prepared by The Stow on the Wold Town Council (“the Town Council”) to accompany its submission of the Stow on the Wold & The Swells Neighbourhood Plan (“the Neighbourhood Plan”) to the local planning authority, Cotswold District Council (“CDC”), under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”).

1.2 The Neighbourhood Plan has been prepared by the Town Council defined as the ‘Qualifying Body’ as per the regulations, but the Neighbourhood Area (“the Area”), covers and coincides with the boundary of The Swells Parish, as well as that of Stow on the Wold (see Plan A below). The Area was designated by the CDC in April 2015.



*Plan A: The designated Stow on the Wold and Swells Neighbourhood Area*

1.3 The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Area. They do not relate to ‘excluded development’, as defined by the Regulations. The plan period of the Neighbourhood Plan is from 2023 to 2031, the end date of which corresponds with the plan period of the Cotswold Local Plan (“the Local Plan”), which currently is undergoing a partial update. This will enable the two plans to neatly operate alongside each other and to be monitored and reviewed on a similar timeframe.

1.4 The statement addresses each of the four ‘Basic Conditions’, which are relevant to this plan, required of the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Town & Country Planning Act.

1.5 The Regulations state that a Neighbourhood Plan will be considered to have met the Conditions if:

- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Neighbourhood Development Plan,
- b) (Not relevant for this Neighbourhood Plan),
- c) (Not relevant for this Neighbourhood Plan),
- d) The making of the Neighbourhood Development Plan contributes to the achievement of sustainable development,
- e) The making of the Neighbourhood Development Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),
- f) The making of the Neighbourhood Development Plan does not breach and is otherwise compatible with EU obligations.

1.6 The responsibility for determining if a Neighbourhood Plan has had regard to national policy and is in general conformity with strategic policy rests with a combination of the qualifying body, the local planning authority and the independent examiner (Planning Practice Guidance §41-070 and §410-074). Case law, established in the Tattenhall Neighbourhood Plan in 2014 (see §82 of EWHC 1470) but endorsed by the Courts on a number of occasions since, makes clear that:

*“... the only statutory requirement imposed by Condition (e) is that the Neighbourhood Plan as a whole should be in general conformity with the adopted Development Plan as a whole ... any tension between one policy in the Neighbourhood Plan and one element of the ... Local Plan (is) not a matter for the Examiner to determine.”*

## 2.BACKGROUND

2.1 The decision to proceed with a Neighbourhood Plan was made firstly by the Town Council in 2015. The key driver of this decision was a sense of wanting to plan positively for a more sustainable future of the town but recognising that its neighbours, Lower and Upper Swell, were close by, it invited Swells parish to form a multi-parish Neighbourhood Area, which it accepted. As the plan area is wholly located within the Cotswolds Area of Outstanding Natural Beauty (AONB), it was important to both Councils to present a vision which protects the special qualities of the AONB and encourages development that meets the needs identified by the community.

2.2 A committee was formed comprising representatives of the Councils and residents of the Parishes. The group has been delegated authority by the Councils to make day-to-day decisions on the preparation of the Neighbourhood Plan. However, as the qualifying body, the Stow Town Council approved the publication of the Pre-Submission plan in February 2023 and the Submission Plan now.

2.3 The Town Council has consulted the local community extensively over the duration of the project as it became clear early on that a significant number of residents wanted the project to tackle longstanding problems and to innovate in finding workable solutions. With this in mind, the project has naturally focused on the town, accepting that the same early engagement in the Swells indicated a preference for the villages and their surrounding countryside to remain much as they are now. As the policy ideas evolved, especially in the period since the Covid lockdowns, which significantly hampered progress, so the Town Council sought to engage with other stakeholders, notably Broadwell and Mangersbury parish councils, the Cotswold Conservation Board (CCB), Gloucestershire County Council (GCC) and land interests. The nature and outcome of these various publicity and consultation exercises are set out in the separate Consultation Statement.

2.4 The Town Council has also sought to work closely with officers of the CDC to collate and examine the evidence base, to design and iterate policy proposals and to define the proper relationship between the Neighbourhood Plan and the adopted and emerging Local Plans. Once the vision, objectives and especially policies promoting a new spatial plan had been clarified it became very important that the Town Council explained and evidenced its proposals to CDC, acknowledging that they represented a (non-strategic) departure from some of the past trends in development plan policy for the town. Officers have been helpful in advising on how the case for change in an AONB setting should be made and evidenced, as has the advice of the CCB.

2.5 The Neighbourhood Plan contains 16 land use policies (coded SSNP1 – SSNP16), which are defined on the Policies Map where they apply to a specific part of the Area. The Plan has deliberately avoided containing policies that duplicate adopted development plan policies or national policies that are already used to determine planning applications in the Area. The policies are therefore a combination of site-specific allocations or other proposals and of development management matters that seek to refine and/or update existing policies.

### **3. CONDITION (A): REGARD TO NATIONAL PLANNING POLICY**

3.1 The Neighbourhood Plan has been prepared with full regard to national policies as set out in the National Planning Policy Framework (NPPF) and of the Planning Practice Guidance (PPG) in respect of formulating Neighbourhood Plans. In overall terms, there are four NPPF paragraphs that provide general guidance on neighbourhood planning, to which the Neighbourhood Plan has directly responded:

#### General Paragraphs

3.2 The Town Council believes the Neighbourhood Plan “support(s) the delivery of strategic policies contained in local plans ... and ... shape(s) and direct(s) development that is outside of these strategic policies” (§13). It considers the Neighbourhood Plan contains only non-strategic policy proposals or proposals that refine strategic policy to fit the circumstances of the Area without undermining the purpose and intent of those strategic policies (§18). It considers that the Neighbourhood Plan sets out more “detailed policies for specific areas” including “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” (§28).

3.3 The Parish Council considers that its Neighbourhood Plan has provided its communities the power to develop a shared vision for the Area that will shape, direct, and help to deliver sustainable development by influencing local planning decisions as part of the statutory development plan. The Plan is underpinned by relevant and up-to-date evidence. This is considered to be adequate and proportionate, focused tightly on supporting and justifying the policies concerned (§31).

## Specific Paragraphs

3.4 Each policy engages one or more specific paragraphs of the NPPF. Those that are considered to be of the most relevance and substance are identified in Table A below.

<b>Table A: Neighbourhood Plan &amp; NPPF Conformity Summary</b>			
<b>No.</b>	<b>Policy Title</b>	<b>NPPF Ref.</b>	<b>Commentary</b>
SSNP1	The Stow on the Wold Development Boundary	16	The policy redefines the Development Boundary for Stow on the Wold as set out in the Local Plan, to include the completion of the surgery development on Mangersbury Road and the site allocation in Policy SSNP7. The policy repeats the Local Plan provisions in distinguishing the built-up area from the surrounding countryside so it is evident how a decision maker should react to development proposals as per §16, and so that the policy retains its full weight in §14 is engaged in decision making (i.e. to avoid a dependence on the Local Plan in this respect). It is therefore a necessary duplication per §16.
SSNP2	Development in The Swells and the Countryside	16, 78, 80, 174, 176	<p>The policy sets out principles for development in Lower and Upper Swell and the rest of the countryside of the neighbourhood area. The policy is consistent with §16 in clarifying the types of development that are suitable in each settlement based on their settlement character in accordance with strategic countryside policy, per §78 (rural development) on the one hand and §174 (natural environment) and §176 (protected landscapes) on the other.</p> <p>Due to the sensitive nature of the surrounding countryside, which is wholly located in the Cotswold AONB, proposals for isolated homes in the countryside that are argued solely on the grounds of §80(e) are ruled out by the policy as it is considered that there is no location in this Area where the AONB would be enhanced rather than harmed by such a proposal, which no level of architectural quality could redeem. It does not prevent proposals coming forward to seek benefit from other clauses in §80.</p>
SSNP3	Housing Mix	61, 72	This policy has two parts. Firstly, it sets out the requirements for the delivery of affordable homes in Stow. Planning Practice Guidance allows for the minimum discount of First Homes to be amended through local or neighbourhood plans. In essence the policy reflects the spirit and intention of §72 to deliver a wide choice of homes that reflects local demand by seeking to ensure that the First Homes product is affordable in the town. The Government's plans for the delivery of First Homes were set out in a Written Ministerial Statement in April 2021, but it is considered that First Homes in practice is the

			same sale product as entry-level homes. Secondly, it seeks to influence housing mix for housing developments to deliver a wide choice of homes that reflects local demand and to create a demographically balanced community (§61).
SSNP4	Principal Residence	31, 78	The policy is in accordance with §31 which states that ‘the preparation and review of all policies should be underpinned by relevant and up-to-date evidence’. The Stow on the Wold and the Swells Housing Needs Assessment (2022) concludes that the substantial proportion of second home ownership in the neighbourhood area is ‘having a significant impact on the availability of tenures in the area and consequently housing affordability’. The policy attempts to ensure new housing schemes – most especially that proposed in Policy SSNP7 – do not fall foul of the same trend and are as responsive to local needs as possible per §78.
SSNP5	Specialist Accommodation for Older People in Stow	63, 78	The policy is intended to slow down the supply of age-restricted housing in Stow on the Wold for the plan period as part of the plan’s affordable housing objective, in order to achieve a mixed and balanced community (§63). Stow has a significant supply of age restricted homes, with the only major housing developments of the last two decades in the town being of this type (serving a market that is very much larger than the town or district alone, given its attractions). Combined with an aging population demographic, and a declining population (5% since 2001), this trend is running counter to the ‘balanced community’ objective. Places like Stow simply cannot ‘predict and provide’ for older persons housing in a way encouraged by national policy without increasingly serious sustainability consequences.
SSNP6	Health and Well Being	92, 93	The policy intends to encourage sustainable and healthy communities per §92 with access to green infrastructure per §93.
SSNP7	Land of North East of Stow	60, 62, 73, 79, 82, 84, 86, 93, 104, 105, 106, 126, 129, 174, 175, 176, 177, 179	The policy allocates land for a low or zero carbon residential-led, mixed use development consisting of approximately 170 homes in total: approximately 100 open market homes and approximately 70 affordable homes. It will therefore make the most significant contribution to ‘boosting the supply of homes’ (§60) in the town for 30+ years. The ‘size, type and tenure of housing needed for different groups in the community’ has been assessed (§62), along with the objective of arresting population decline in this rural area per §79. The allocation acknowledges that ‘the supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as significant extensions to existing towns, provided they are well located (it is) and designed (it will be, per the Design Code), and supported by the necessary infrastructure and facilities including a genuine choice of

			<p>transport modes (it will be, given its locational advantages), per §73. The boost to the size of the town’s population should bolster the local economy – a larger local workforce that does not need to commute long distances from more affordable locations outside the Cotswolds, that will spend some of its money in the town’s businesses, and that will use local schools and other services, per §82(c) and §84(a).</p> <p>Another economic benefit will be in enabling public realm improvements to the Market Square to boost its businesses and in driving greater footfall per §86. Its new business units will further boost the local economy and its new community hub will make a step change in the provision of this type of facility per §93(a). Its transport effects have been assessed in principle and show that a) the traffic it generates will not be significant in the context of the town and A429 Fosse Way and b) the scheme should reduce the need for other trips in and out of the town to access work and services per §104(a) and §105. The site is also well connected to the town centre and the rest of the town per §104(c) and §106(d). The scheme will be controlled by the Design Code, with the 1950s Park Estate in the town identified for its inspiration for working with the Cotswold vernacular, per §126 and §129. Great weight has been placed on the location of the town in the Cotswold AONB (§176) and the justification for the scheme is set out in full in Appendix F of the Plan per the tests of §177. The scheme will provide at least 20% onsite biodiversity net gain per §179(b) and the policy also requires that the mature tree and hedgerows within the site boundaries are retained. By demonstrating that the site can deliver a suitable scheme it is considered that on balance, this allocation, with its specific mitigation measures set out as requirements has had proper regard to the NPPF as a whole and will deliver sustainable development.</p>
SSNP8	Stow Town Centre & Market Square	86	The policy sets out the boundaries for the Stow on the Wold Town Centre and defines Market Square as a primary shopping area, as outlined on the Policies Map. The policy makes clear the range of uses which are appropriate for the Town Centre and the Market Square (§86b). The aim is to sustain a retail-led mix of commercial uses within the Town Centre to promote its long-term vitality and viability.
SSNP9	Playing Field Facilities	93, 98	The policy supports the enhancement of two important community facilities in the town (§93) that serve as vital sports and recreation assets (§98).
SSNP10	Local Green Spaces	101, 102, 103	The policy responds to the provisions of §101 to make designation proposals, informed by its evidence base in respect of meeting the tests of §102. Its wording then reflects the Green Belt equivalency of §103.

SSNP11	Stow and the Swells Design Code	127, 128, 129	‘Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development’ (§127). The policy seeks to bring ‘clarity about design expectations’ within the Parishes (§128). The specific matters included in the policy ‘provide a framework for creating distinctive places’ to deliver a ‘consistent and high-quality standard of design’ (§128). These goals are captured in the Design Code (§129) that has been formulated to refine and work alongside the adopted, districtwide, Cotswold Design Code.
SSNP12	Non Designated Heritage Assets	203	This policy identifies a number of non-designated heritage assets to engage the provisions of §203. They have been derived in accordance with the guidance published by Historic England.
SSNP13	Zero Carbon Buildings	152, 154	This policy is intended as an interim measure pending either the adoption in the Local Plan Review of a similar policy covering the whole district or an acceleration towards the same objective than is currently proposed by the Government in its Future Homes Standard. It is intended here to help shape future development in the neighbourhood area in a way that contributes to radical reductions in greenhouse gas emissions as encouraged by §152. This will be primarily through the use of a Post Occupancy Evaluation reporting process to ensure that energy performance standards are met once built and occupied per §154(b). It encourages the adoption of zero carbon standards like PassivHaus as they will deliver and certify better energy performance, hence such proposals being exempt from that reporting process. It is therefore vital to note that the policy does not make the PassivHaus (or equivalent certified standard) a requirement. Rather it is encouraging of such proposals even though such a provision is bound to be in place nationally within the next five years and many developers are already planning for delivering to this standard in their layouts and building specifications.
SSNP14	Walking & Cycling in the Town and Parish	104	The policy requires that transport issues are considered from the earliest stages of development proposals so that opportunities to promote walking and cycling are identified and pursued (104c).
SSNP15	Vehicle Parking	104, 107	This policy has two parts. Firstly, it seeks to ensure that proposals consider parking as integral to the design of schemes (104e) so that existing serious parking problems, which are particularly present in the town, are not exacerbated. Secondly, it encourages proposals which bring forward shared off-street vehicle parking in Lower Swell provided that it does not harm the appearance and special historic character of the Conservation Area or cause significant harm to the amenities of local residents. Such proposals should also include provision for EV charging (107e).

SSNP16	Digital infrastructure	114	This policy is in accordance with NPPF paragraph §114 in highlighting the importance of advanced, high quality and reliable communications networks.
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3.5 It is considered that all the policies have had full regard to national policy.

#### 4. CONDITION (D): CONTRIBUTING TO ACHIEVING SUSTAINABLE DEVELOPMENT

4.1 Given the intended scope of the Neighbourhood Plan, the Councils and CDC agreed that an SEA would be necessary as a matter of principle and the Councils proceeded to appoint AECOM to prepare first a scoping report for a Sustainability Appraisal (SA/SEA) in November 2020 for consultation with the statutory bodies and then draft and final SA/SEA reports at the Pre-Submission and Submission stages. CDC provided a formal screening opinion confirming the need for an SEA in October 2020.

4.2 The separate SA/SEA Report sets out the sustainability effects of the policies of the Neighbourhood Plan. The Report concludes:

*“Overall, the appraisal has served to highlight a range of potential effects in implementing the SSNP. Significant negative effects are predicted in relation to the land, soil, and water resources theme, which reflects the permanent loss of greenfield and agricultural land at the proposed site allocation.*

*Significant positive effects are predicted in relation to the population and communities theme, which reflects the significant delivery of new housing targeted at meeting locally identified needs alongside a new community hub building and improved parking provisions which seek to improve the town centre experience. These efforts, alongside measures to connect development and improve active travel, are also considered likely to lead to minor long-term positive effects in relation to the health and wellbeing SEA theme.*

*With limited biodiversity constraints in the neighbourhood area and policy measures which seek a 20% biodiversity net gain in new development (higher than the national standard), minor positive effects are also predicted in relation to the biodiversity SEA theme.*

*The landscape and heritage setting reflect key constraints for development in Stow and the Swells and whilst the SSNP seeks a high-quality, landscape-led approach to development, residual minor landscape impacts are predicted, and uncertainty is noted in relation to historic environment impacts. Recommendations have been made which seek to reduce this uncertainty (see below).*

*Both minor negative and minor positive effects are concluded in relation to climate change. The SSNP places great emphasis on high-quality design and efficiency standards in development, adopted a ‘zero carbon ready’ approach. However, the lack of direct rail connectivity reduces the potential to improve per capita emissions in the short to medium term and may conflict with the district carbon neutral goals and declared climate emergency to some degree.*

*The potential for both positive and negative effects in relation to transport are identified. The relatively large-scale site allocation site is likely to impact upon traffic and congestion locally (the extent to which remains uncertain), but wider measures to improve car parking, the town centre public realm, and active travel networks are likely to be more beneficial.”*

## **5. CONDITION (E): GENERAL CONFORMITY WITH THE STRATEGIC POLICIES OF THE DEVELOPMENT PLAN**

5.1 The Neighbourhood Plan has been prepared to ensure its general conformity with the strategic policies of the Local Plan, which covers the period 2011 – 2031. In doing so, the Councils has worked closely with the CDC with the aim of ensuring that both consider this basic condition has been fully met.

5.2 The Local Plan defines Stow on the Wold as a ‘Principal Settlement’ in the Mid Cotswold Sub-Area in its settlement hierarchy. Its policy DS1 (Development Strategy) identifies the Principal Settlement as the focus of the strategy for housing and employment allocations. Policies DS2 and DS4 operate a development boundary mechanism to focus development within the built-up area of the settlements.

5.3 The Neighbourhood Plan has sought to add value to the Local Plan by refining some of its policies to better fit with the Stow on the Wold and the Swells context and, to ensure that local housing needs continue to be met in the plan period. This will in turn ensure that the CDC is able to use the Neighbourhood Plan to engage NPPF §14 in relevant development management decisions for as long as the §14 (or successor) conditions are met.

5.4 During the creation of the Neighbourhood Plan in 2022, CDC consulted on Issues & Options for the partial review of the Plan. It proposes to maintain the current plan period to 2031 but to update policies in the light of it declaring a Climate Emergency and to encourage thinking about the District to 2040 and beyond. It is too early for this Neighbourhood Plan to take into account draft policy proposals but it is noted that the direction of travel on climate change policies is consistent with that taken by the Neighbourhood Plan.

5.5 An of the general conformity of each policy, and its relationship with emerging policy where relevant, is contained in Table B below.

**Table B: Neighbourhood Plan & Development Conformity Summary**

No.	Policy Title & Refs	Commentary
SSNP1	The Stow on the Wold Development Boundary	The policy redefines the Development Boundary of Stow on the Wold as set out in Policy DS2 to accommodate the completion of the surgery development on Mangersbury Road and site allocation of SSNP7. The policy wording is repeated for completeness and so that SSNP1 can operate without dependence on DS2 should the Local Plan lose its weight.
SSNP2	Development in The Swells and the Countryside	The policy seeks to provide certainty for applicants and decisionmakers in clarifying the types of development that are suitable in Upper and Lower Swell respectively based on their settlement character. The policy is consistent with Local Policy DS3 in managing small scale development in villages defined as ‘non-principal settlements’, which do not have defined Development Boundaries. The policy does not alter the ‘non-principal’ status of either settlement, nor sets any precedent for modifying or undermining the strategic intent or meaning of the Development Strategy set out in Local Plan policy DS1. Additionally, the policy is also consistent with Local Plan policies DS4, EN4 and EN5 in managing development outside settlements in the wider natural and historical landscape of the area, which all lies within the Cotswolds AONB.
SSNP3	Housing Mix	This policy has two parts. Firstly, it updates Local Plan policy H2 by setting out the requirement to deliver affordable homes in line with the evolution of national policy since 2018 (notably the launching of the ‘First Homes’ affordable housing as a sale product. Secondly, it defines the baseline proportions of housing types (by size) to meet local needs as a refinement of Local Plan policy H1.
SSNP4	Principal Residence	There is no policy in the Local Plan relating to Principal Residence. However, the evidence base clearly identifies a need to address the adverse effect that the high proportion of second homes in the neighbourhood area has on access to market and affordable homes. As such, the policy seeks to tackle the issue in ensuring that the occupancy of new open market housing is as Principal Residency.
SSNP5	Specialist Accommodation for Older People in Stow	The policy intends to tackle the over-supply of age-restricted housing following two major such developments in the last decade, which has led to a noticeable change in the town’s demographic. In doing so, the policy refines Local Plan policy H4 which states that proposals for specialist accommodation for older people will be permitted provided that the development: ‘a. meets a proven need for that type of accommodation’. It is considered that such need has already been met in full over recent years, including the Local Plan period. As noted in Table A, the ‘predict and provide’

		approach is not sustainable in Stow, however, the policy does allow for one or more small schemes for households with a local connection, with a cap of a total of 40 units and/or dwellings over the plan period.
SSNP6	Health and Well Being	The policy encourages proposals to consider health and wellbeing, the environment, and the future impact of climate change in accordance with EN1 and INF3.
SSNP7	Land of North East of Stow	Although the current Local Plan does not require new housing in Stow on the Wold for the plan period, the policy will make a contribution to meeting housing needs in the District. Stow is classified as a Principal settlement in Local Plan policy DS1, and the Local Plan states in that ‘the Development Strategy guides future growth towards 17 Principal Settlements across the District ... selected on the basis of their social and economic sustainability, including accessibility to services and facilities.’ The allocation of approx. 170 homes will represent an increase of approx. 17% in the existing housing stock and, given their type and tenure mix, an increase in the town’s population of more than 20% in an attempt to turn around the 5% decline since 2001. In doing so, the proposal does not undermine the Local Plan Development Strategy of DS1 or the strategy for the town of S13 but instead makes a positive contribution to both. Its proposal to deliver a new business centre is consistent with EC1 in seeking to ‘maintain and enhance the vitality of the rural economy’, to enable opportunities for more sustainable working practices, including home-working, to support and improve the vitality and viability of the town centre and to support sustainable tourism in ways that enables the District to attract higher numbers of longer-stay visitors. It also accords with EC3 in that it lies ‘within the redrawn Development Boundary, where proposals for employment-generating uses on sites that are not currently identified as an established employment site will be permitted in principle’. Any office use of the centre (for the Town Council) will not be of a scale that undermines the town centre and so the proposal generally accords with EC8 as it will be ‘consistent with the strategy for the settlement’ per EC8(4) and consist with the tests of EC8(7). Its enabling of major public realm improvements to the town centre will deliver part of the S13 strategy and the tourism goals of EC10. As addressed elsewhere in the statement, and as detailed in Appendix F of the plan, it is considered the proposal is consistent with AONB provisions of EN5. It has also taken care to establish key development and design principles to ensure the provisions of its design, landscape, heritage and infrastructure policies EN2, EN4, EN7, EN10, EN11, EN12, INF3 and INF7 can be met at the planning application stage. In respect of the new community hub, the proposal accords with INF2(1) as all of the tests of that clause can be met by the scheme in this location, and with the proposed policy wording.
SSNP8	Stow Town Centre & Market Square	The policy complements and partially updates Local Plan policy EC8 to bring it up to date with the NPPF and the 2020 update to the Use Classes Order. The policy is also consistent in its definition of the Stow on the Wold Town

		Centre boundaries as the same area is defined as a ‘Key Centre’ in the Local Plan. Additionally, the Local Plan states that ‘options should be explored for improving the physical environment of the town centre, including moving car parking provision from the Market Square to a suitable location within easy reach of the town centre’, which the policy supports (and Policy SSNP7 enables) providing that it does not hurt the viability of the town centre.
SSNP9	Playing Field Facilities	The policy encourages the improvement of two existing important community facilities in accordance with Local Plan policy INF2.
SSNP10	Local Green Spaces	The policy designates nine Spaces in addition to those designated by EN3 and its wording is consistent with that policy and with the NPPF.
SSNP11	Stow and The Swells Design Code	The policy refines Local Plan policy EN2 and refines and works alongside the Cotswold Design Code by identifying local context and specific design features of the town and two villages in greater detail.
SSNP12	Non Designated Heritage Assets	The policy is consistent with EN12 in seeking to conserve non-designated heritage assets in the Parishes, which are identified on the Policies Map and in Appendix B.
SSNP13	Zero Carbon Buildings	There is no adopted strategic policy on this matter, but this policy is consistent with the Local Plan objectives of ensuring new development is of a sustainable design and maximises energy efficiency and with the broader climate change ambitions of the District Council.
SSNP14	Walking & Cycling in the Town	This policy is consistent with Local Plan Policy INF3 in giving a renewed emphasis to sustainable travel routes in the Parishes.
SSNP15	Vehicle Parking	The policy is consistent with INF5 which sets out the conditions for bringing forward new vehicle parking. Additionally, the Local Plan states that ‘options should be explored for improving the physical environment of the town centre, including moving car parking provision from the Market Square to a suitable location within easy reach of the town centre’, which the policy supports providing that it does not hurt the viability of the town centre.
SSNP16	Digital Infrastructure	The policy is consistent with Local Plan policy INF9 in requiring proposals to not have an adverse impact on heritage assets, the special landscape, or the scenic beauty of the AONB.

5.20 It is considered that all the policies are in general conformity with the strategic policies of the adopted development plan. As a result, the Neighbourhood Plan, as a whole, meets Condition (e).

## **6. CONDITION (F): COMPATIBILITY WITH EU LEGISLATION**

6.1 The requirements in respect of Strategic Environmental Assessment (SEA) have been addressed in Section 4 of this Statement. Suffice to say that the process for preparing the Sustainability Appraisal (incorporated the SEA) and the content of the respective reports has followed the requirements set out in the EU Directive 2001/42 as translated in the UK's Environmental Assessment of Plans & Programmes Regulations 2004.

6.2 The Councils has also met its obligations in relation to the habitat provisions of EU Directive 92/43/EEC (and the associated Conservation of Natural Habitats and Wild Flora and Conservation of Habitats and Species Regulations 2017 (as amended)). In this regard, the Councils provided CDC with all the necessary information it required for the purposes of determining whether an Appropriate Assessment was required or to carry out the Appropriate Assessment if one was required. The CDC's Habitats Regulations Screening Assessment concludes that the making of the Neighbourhood Plan is not likely to have a significant effect on a European site (as defined in the 2017 Regulations) either alone or in combination with other plans or projects.

6.3 The Councils has been mindful of the fundamental rights and freedoms guaranteed under the European Convention on Human Rights in process of preparing the Neighbourhood Plan and considers that it complies with the Human Rights Act. The Neighbourhood Plan has been subject to extensive engagement with those people local to the area who could be affected by its policies and their views have been taken into account in finalising the Plan.

6.4 In respect of Directive 2008/98/EC – the Waste Framework Directive – the Neighbourhood Plan does not include any policies in relation to the management of waste, nor does the area include a waste management site. On that basis, this Directive is not considered relevant to the Neighbourhood Plan and therefore could not be breached.