

Kineton Neighbourhood Development Plan

Formal Consultation – Thursday 23rd July to Friday 4th September 2015

Regulation 16 Representations:

Rep. No.	Policy	Representation	Reg.19 Request?
KNP001	Whole document	Supports all policies within the NDP – No additional comments entered.	Not indicated
KNP002	H1	Strongly agree with this well thought out plan which will determine at local level where housing should go.	Not indicated
	H6	Absolutely agree with the forward thinking tone of this policy. If we have to have housing it should be on the north side of the old railway to protect the village centre, as that is where most through traffic and new residents will go to work etc. Brilliant idea to hopefully include a link road which would protect the village even more.	
	D1	High standard of design in keeping with the village is necessary to preserve the village's character.	
	D2	The landscape is of the utmost importance, and the protection of the Edgehill Battlefield setting is a priority. This was referred to as 'the jewel in Warwickshire's Crown' at a recent planning meeting by an elected Councillor, and the Sealed Knot, Battlefields Trust, English Civil War Society Friends and CPRE have all objected to any harm to this landscape.	
	D7	Many parts of Kineton flood. The recent development granted for 8 houses at Banbury Road, which is not part of the Plan, will add to the River Dene flooding as the outflow from these 8 large houses via an onsite treatment plant will go into the river. Surface water flooding is also a problem and it is good that the Plan allows for this.	
	D10	The views across and from the battlefield should be protected at all costs.	
	E1	We must safeguard this land for future generations.	
	E5	The Map shows the extent of flooding and the importance of using sufficient measures to deal with it.	
	E6	Absolutely vital to protect these 'natural' assets, some of which are extremely ancient, particularly for wildlife.	

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	E8	This is a severe problem in the village. A recent proposal for 33 houses on Banbury Road which were refused, on top of the 8 already granted, had the option at Reserved Matters stage to pump into the main sewer some distance away or use an onsite treatment plant. I am absolutely against the latter of these two options as it would add to the River Dene flooding and is not sustainable in this day and age. Onsite treatment plants should be avoided at all costs.	
	IN5	The link road is a brilliant idea for preserving our ancient village centre.	
	SSB1	Excellent choice of location as it is on the optimum side of the village for sustainability.	
	SSB4	This is a good site, and up to 10 dwellings is reasonable. Little Kineton cannot expect to avoid all development in the hope that Kineton itself will take it all. Sycamore Court, Norton Grange etc would never have been built otherwise. It is also within walking distance of the village and must be at least as near or nearer to the Primary School, doctors etc. than any sites on Banbury Road.	
KNP003	D10	The Edgehill Battlefield landscape should be preserved at all costs.	Not indicated
	SSB1	An ideal site due to the majority of the traffic heading towards the M40 not the centre of the village.	
	SSB3	Little Kineton has had no housing compared to the rest of the village, how can they be exempt from this?	
	SSB4	Again, Little Kineton seems a good place for growth especially small schemes like this!	
KNP004	H1	Having reviewed the plan it seems to me as though the sites are in the right places in the village when you take account of the current traffic flows. Anything which avoids further traffic through the centre of the village is a good thing.	Not indicated
	H3	As above, the proposed sites are in good places.	
KNP005	Whole document	Supports all policies within the NDP – No additional comments entered.	Not indicated
KNP006	Whole document	Supports all policies within the NDP – No additional comments entered.	Not indicated
KNP007	Whole document	Supports all policies within the NDP – No additional comments entered.	Not indicated
KNP008	Whole document	Supports all policies within the NDP – No additional comments entered.	Not indicated

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KNP009	Whole document	Supports all policies within the NDP – No additional comments entered.	Not indicated
KNP010	<p>H1</p> <p>H2</p> <p>H4</p> <p>H6</p> <p>E6</p> <p>E9</p> <p>IN3</p> <p>IN5</p> <p>SSB1</p> <p>SSB2</p>	<p>There has been good local consultation about the development of this policy.</p> <p>Provided that any brownfield land has been assessed for biodiversity - brownfield can often be more biodiverse than greenfield agricultural land for invertebrates.</p> <p>Garden land can be very important for biodiversity, and for linking pockets of biodiversity together.</p> <p>There should be consideration of the impact on biodiversity as this area may well be significant for many species of wildlife in the village - plants and invertebrates living on the village edges are a food source for birds and wildlife that range further through the village. The surrounding farmland may well be much less biodiverse than it might appear.</p> <p>Consideration should be given to ensuring that any newly planted trees or hedges will be able to establish effectively, to at least replace the equivalent of any that will be lost. When close to housing, to avoid an overall negative effect on wildlife, replacement trees/hedges are likely to need to cover a greater area than those lost, to reduce the impact of human disturbance (e.g. disturbance to nesting birds, plus soil compaction from foot traffic, including children playing, can prevent healthy root development).</p> <p>Fully agree. A number of plant species that were quite common in the village just 20 years ago are now rare or lost, and this will have had a knock-on effect on the insect species associated with them. The variety of plants, birds, and other wildlife is important in its own right, but also has an impact on the character of the village and the quality of life of villagers.</p> <p>Mitigation may be necessary if increased pedestrian access would have an impact on biodiversity.</p> <p>The on-street parking in the village centre, at its current level, does reduce traffic speed and may in fact make the road safer for pedestrians at peak periods. There is, however, no scope for extra parking there.</p> <p>There is currently very little pedestrian access to the railway cutting area. Housing on the far side of it could have a significant impact on biodiversity even if the same total area of trees/hedges is maintained. Extra provision of trees and hedging may help to mitigate this.</p> <p>See comments on SSB1 re impact of change of use.</p>	Not indicated

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	SSB3	See comments on SSB1 re impact of change of use.	
	SSB4	See comments on SSB1 re impact of change of use.	
KNP011	Whole document	Supports all policies within the NDP – No additional comments entered.	Not indicated
KNP012	Whole document	Supports all policies within the NDP – No additional comments entered.	Not indicated
KNP013	Whole document	Supports all policies within the NDP – No additional comments entered.	Not indicated
KNP014	Whole document	Supports all policies within the NDP – No additional comments entered.	Not indicated
KNP015	Whole document	Supports all policies within the NDP – No additional comments entered.	Not indicated
KNP016	Whole document	Supports all policies within the NDP – No additional comments entered.	Not indicated
KNP017	Whole document	Supports all policies within the NDP – No additional comments entered.	Not indicated
KNP018	D2	Extremely important that all the above recommendations are taken into account for any proposed developments within the village.	Not indicated
	E2	It is vital that existing views and landscapes are preserved for future generations.	
	E6	Where hedging and trees are removed Developers should replace them with hedging and trees of the same height as those destroyed.	
	IN5	Traffic congestion and on street parking is already a major concern in the centre and surrounding areas of Kineton.	
KNP019	H3	There is also a need for 100% ownership of affordable homes	Not indicated
	D10	Archaeological assessments should be carried out on all potential sites with findings made known to the Parish Council. Once concreted over there is no means of recovery.	
	E1	This should be kept to a minimum if crops have been grown recently in the fields.	
	E6	Some developments have complained of running out of money to adhere to this requirement. How do	

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	E8	we ensure this? Severn Trent already have problems to address in Kineton and currently are not upgrading the system, so it is imperative this is dealt with new housing.	
KNP020	Whole document	Supports all policies within the NDP – No additional comments entered.	Not indicated
KNP021	Whole document	Supports all policies within the NDP – No additional comments entered.	Not indicated
KNP022	Whole document	Supports all policies within the NDP – No additional comments entered.	Not indicated
KNP023	Whole document	Supports all policies within the NDP – No additional comments entered.	Not indicated
KNP024	H1 H5 H6 D2 D9 E2 E5 E6	The development sites in terms of location and scale are right for the village. The location of the majority of new houses to the north of the village centre is crucial in order to absolutely minimise the adverse impact on the already severely congested village centre. The provision of affordable social housing is very important for local people in the village. The allocation of safeguarded land as proposed is a sensible approach but should only be used after due account has been taken of the village centre constraints. In particular, assessments of the constraints caused by limited car parking facilities, inadequate road widths, very limited commercial expansion capability and severe congestion of the village centre should be made to inform new housing planning decisions. Proper and full assessments of the ecological impacts should be undertaken for all proposed development sites to inform all planning decisions. This is particularly important for edge of village development sites to preserve the edge of village characters and settlement boundaries. This is particularly important given the village's undulating and elevated surrounding areas. All new developments should include measures for the use of grey water to minimise storm water runoff. All new developments should have landscape designs which use native trees and shrubs in open green	Not indicated

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		spaces and for visual mitigation measures.	
	E7	All new houses should have compulsory use of grey water.	
	IN2	The Parish Councils should develop a community assets plan as the basis for planning for the future growth and securing developer contributions to deliver.	
	IN3	Support the creation of an edge of village circular walk. Also the use of the old railway line for cycling and walking.	
	IN5	Consideration should be given to a small village centre car park on land adjacent to and part of the Market Place GP surgery. All new developments no matter where proposed should include an assessment of the vehicular impact of that development on the current village centre road network congestion. Only very small developments within the settlement boundary should be considered to the south east of the village. Consideration should be given to a development funded new road across the northern edge of the village to link the new development sites.	
	SSB1	This is on the favoured side of the village which minimises the vehicular impact on the already severely congested village centre.	
	SSB2	The site is sensible due to its size combined with and in keeping with the settlement boundary and the edge of village linear character.	
	SSB3	Again a location which is suitable to minimise the further detrimental vehicular impact on the already severely congested village centre.	
KNP025	H1	Location to the north of the village is important to minimise any adverse vehicular effect on the village centre.	Not indicated
	H6	Locations to the north of the village for traffic management purposes are supported.	
	IN3	More edge of village walking and cycle routes are needed.	
KNP026	IN5	B above very important in relation to the current village centre problems.	Not indicated
KNP027	Whole document	Supports all policies within the NDP – No additional comments entered.	Not indicated
KNP028	H1	The development plan makes it clear that the areas designated for possible development will not be detrimental to the character and ambiance of the village.	Not indicated

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KNP029	H1	Fully support the Kineton Neighbourhood Development Plan and Policy H1 as the proposed sites avoid further traffic congestion through the centre of the village whilst preserving the known historical and visual assets.	Not indicated
	H2	Fully support preference to develop brownfield land over agricultural/greenfield sites.	
	H5	Would also support appropriate (assisted) housing for the elderly given the mature demographic of many of the residents in Kineton.	
KNP030	H3	I very much feel that local people should not be priced out of local housing.	Not indicated
	D3	Large developments should be resisted because they would swamp the existing community.	
	D8	Is two spaces enough? Even a one bedroomed house would need two spaces because most husbands and wives now have a car each.	
	IN3	Bridle paths should also to be included in this section.	
	SSB2	This site is very wet and the bottom end floods making sewage treatment very difficult.	
KNP031	SSB2	Any development of this site should provide pedestrian access to the Red Road, and thus to the village centre without using the highway. Any development of this site should be carefully scrutinised for flooding risks.	Not indicated
KNP032	H1	There is no evidence base provided to justify the levels of growth proposed. The evidence base provided does not support these figures. Moreover the choice of locations is not justified by a proper site appraisal exercise looking at alternatives. What other sites were considered and ruled out? It is likely that significantly greater growth will be required and the levels promoted here seem arbitrary.	Not indicated
	H2	Support, however this policy is essentially superfluous as it duplicates existing National and local policies and guidance in NPPF and PPG.	
	H3	The plan should set out specific proposals for affordable housing .This is a generic policy and has no real purpose not fulfilled by Local Plan policies. The criteria set out may cut across those of the housing Authority?	
	H4	Again an unnecessary policy given the adopted Plan and emerging Plan policies.	
	H5	It is not apparent how the evidence cited in the reasoned justification informs the detail of this policy? It contains unnecessary detail and over specifies a mix of affordable housing over a timescale that	

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		means it is inflexible.	
	H6	Without a clear understanding of the likely housing requirement at the strategic Level it is difficult to know if these sites will provide enough "buffer "as intended. The choice of these sites id opaque as with all the sites in the draft plan. Are these sites suitable, available or viable? There is much duplication here with existing National and local policies.	
	J1	It seems a missed opportunity not to put forward specific proposals for new jobs in the area. Kineton has a shortage of premises for small start-up businesses and high quality office accommodation. These proposals are generic and duplicate existing legislation and guidance.	
	D1	Totally superfluous and unnecessary as these matters are already dealt with at all levels of the Planning system.	
	D2	Again, while the sentiments are supported the absence of policies specific to Kineton means that this policy is superfluous and fulfils no function in the Plan.	
	D3	Duplication again?	
	D4	Superfluous again. Basic principles of development management would secure these objectives.	
	D7	Needs a bit more clarity of how to apply these general principles. Otherwise it is simply a 'catch all "policy that can be used to oppose development. For example the phrase, 'high levels of sustainability 'needs to be capable of measurement in order to apply the policy.	
	D8	Not compatible with advice in NPPF? This may indeed be incompatible with high quality design objectives in village locations.	
	D9	Support, but really unnecessary?	
	D10	Supported, but again isn't this covered by a plethora of guidance, legislation and policy administered by others?	
	E1	This is just a statement about the NPPF and existing National policy and cannot be regarded as a policy appropriate to the local level. Unnecessary.	
	E5	Unnecessary, as this is dealt with by a range of other policy and legislation.	

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	E6	Necessary?	
	E7	The basis for this policy is already contained in legislation some of it outside of land use planning. Not clear why it's needed.	
	E8	But change the heading it's not only Foul water. The words relate to Water supply as well.	
	IN1	Does not deal with development outside the Plan area that will affect the areas inside the draft Plan area, for example roads affected by new settlement at Gaydon.	
	IN3	But the KNP proposes development in Little Kineton that is poorly connected to Kineton by a single narrow footway that is poorly lit. The footway cannot let two people pass without stepping into the carriageway. It is a shame that the draft Plan does not contain proposals to rectify this dangerous situation.	
	IN4	Not sure how this policy can be implemented. Who will fund the enhancement of green spaces? Is this implementable?	
	IN5	Generic policy already dealt with in a range of policy and guidance. Unnecessary.	
	SSB1	There is no evidence or detailed appraisal to show how this site can be developed and what its real capacity is likely to be? How is the proposed link road to be delivered? Again no detail provided. Can the scheme support these numbers without the access to this site may be difficult given the topography and the bridge.	
	SSB2	It is not clear how this site can be developed.	
	SSB3	As set out in detailed submissions already made the site is not suitable to accommodate Sustainable development. Little Kineton has no shops, community facilities or high quality physical infrastructure. Access to schools requires the use of the motor car. Walking and cycling to facilities is not easy given the poor quality of the footway linkages. There is no bus service. The District council's own analysis in its local plan evidence has demonstrated that Little Kineton is not suitable for sustainable development. The adjacent Conservation Area and the battlefield site will require appropriate settings as set out in National guidance and this may severely limit the ability of this site to accommodate development. in summary Little Kineton has been unfairly singled out to accommodate growth most appropriately located in the main Village of Kineton.	
	SSB4	See comments on the previous site in Little Kineton.	

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KNP033	<p>H1</p> <p>H3</p> <p>H6</p> <p>IN4</p>	<p>These proposals will provide 311 dwellings rather than 'around 200 new dwellings' over the plan period, 100 dwellings as already permitted plus the 211 dwellings allocated in the NP. There is therefore no justification for the allocation of housing at Little Kineton and Policies SSB.3 and SSB.4 should be deleted. Furthermore, Kineton is identified as a Main Rural Centre in CS.15 of the Draft Core Strategy and should play its part in meeting housing needs; Little Kineton is not, rather it is seen as so unsustainable that no housing is allocated to it. The Core Strategy confirms that Little Kineton is a separate settlement, identified as a Local Service Village by Appendix 2 of the Core Strategy. The Core Strategy confirms it is not part of Kineton. As such it is not appropriate for land within or adjacent to it to be used to meet the needs of Kineton. It should not have a Settlement Boundary drawn around it as this indicates that further new housing will be acceptable within it, subject to other policies of the NP, when this is not the Policy of the Core Strategy. Subs (d) is therefore in conflict with the Core Strategy subs (c) conflicts with SSB.4, which requires all of the housing to be provided on this site to be affordable, not just the 35% required by CS.17 Contrary to subs (d), the development of land allocated in accordance with Policies SSB3 and SSB4 is not in accordance with Policy H2, since neither of these are brownfield sites. There are no 'exceptional circumstances' requiring their development as required by Policy H2, rather the opposite, given the status of Little Kineton and the proposed oversupply, and the sites should be deleted.</p> <p>It is important that any affordable housing is supported by the necessary creation of jobs and infrastructure to support such growth. Kineton and the surrounding areas already suffer from a high level of rural deprivation where lower economic groups find securing employment in the area difficult and unless able to drive the transport network make travelling to the larger settlements difficult and time consuming. Any affordable housing should be specifically targeted towards the local community and their families to enable children to remain in the village they grew up in and not economically ousted.</p> <p>Land identified under this policy should be released in preference to the allocation of sites in Little Kineton. Furthermore, Kineton is identified as a Main Rural Centre in CS.15 of the Draft Core Strategy and should play its part in meeting housing needs; Little Kineton is not, rather it is seen as so unsustainable that no housing is allocated to it. The Core Strategy confirms that Little Kineton is a separate settlement, identified as a Local Service Village by Appendix 2 of the Core Strategy. The Core Strategy confirms it is not part of Kineton. As such it is not appropriate for land within or adjacent to it to be used to meet the needs of Kineton.</p> <p>The KNDP identifies land between Kineton and Little Kineton as an Area of Landscape Significance; however the Core Strategy identifies land between Kineton and Little Kineton under Policy CS.13 as an</p>	Not indicated

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	SSB1 and SSB2	<p>Area of Restraint. The supporting justification to the policy states: "4.4.2 Areas of Restraint are not considered to be local landscape designations in that they do not relate primarily to the quality of the landscape itself. They apply to relatively small areas within or adjacent to settlements and their overriding purpose is to protect the inherently open nature of a particular area because of the valuable contribution it makes to the character and physical form of the settlement". The extent and title of the land in question should therefore match that of the Core Strategy.</p> <p>1). Kineton is identified as a Main Rural Centre in CS.15 of the Draft Core Strategy and should play its part in meeting housing needs; Little Kineton is not, rather it is seen as so unsustainable that no housing is allocated to it. The Core Strategy confirms that Little Kineton is a separate settlement, identified as a Local Service Village by Appendix 2 of the Core Strategy. The Core Strategy confirms it is not part of Kineton. As such it is not appropriate for land within or adjacent to it to be used to meet the needs of Kineton. 2). There is no requirement to allocate 211 dwellings to Kineton, especially if this means allocating a large number of dwellings to Little Kineton. Policy H1 states "a) The development and reuse of land and buildings within the Settlement Boundary as indicated on the Proposals Map will be supported to provide around 200 new dwellings in the plan period". If 211 houses is considered to meet the definition of "around 200 houses" so would 189. H1b) continues "Taking account of the number of homes already built in the village since 2011, together with those with extant planning permissions (100 dwellings as documented in the Proposed Submission Version Core Strategy published in June 2014), a further 100 homes will be required to assist in meeting the district's overall housing supply up to 2031". Why does the NP therefore allocate land for 211 homes, when only "a further 100 homes will be required"? This would allow the (in any case) unjustified inclusion of sites SSB3 and SSB4 within Little Kineton.</p>	
	SSB3 and SSB4	<p>Kineton is identified as a Main Rural Centre in CS.15 of the Draft Core Strategy and should play its part in meeting housing needs; Little Kineton is not, rather it is seen as so unsustainable that no housing is allocated to it. The Core Strategy confirms that Little Kineton is a separate settlement, identified as a Local Service Village by Appendix 2 of the Core Strategy. The Core Strategy confirms it is not part of Kineton. As such it is not appropriate for land within or adjacent to it to be used to meet the needs of Kineton.</p>	

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KNP034	H1	<p>These proposals will provide 311 dwellings rather than 'around 200 new dwellings' over the plan period, 100 dwellings as already permitted plus the 211 dwellings allocated in the NP. There is therefore no justification for the allocation of housing at Little Kineton and Policies SSB.3 and SSB.4 should be deleted. Furthermore, Kineton is identified as a Main Rural Centre in CS.15 of the Draft Core Strategy and should play its part in meeting housing needs; Little Kineton is not, rather it is seen as so unsustainable that no housing is allocated to it. The Core Strategy confirms that Little Kineton is a separate settlement, identified as a Local Service Village by Appendix 2 of the Core Strategy. The Core Strategy confirms it is not part of Kineton. As such it is not appropriate for land within or adjacent to it to be used to meet the needs of Kineton. It should not have a Settlement Boundary drawn around it as this indicates that further new housing will be acceptable within it, subject to other policies of the NP, when this is not the Policy of the Core Strategy. Subs (d) is therefore in conflict with the Core Strategy subs (c) conflicts with SSB.4, which requires all of the housing to be provided on this site to be affordable, not just the 35% required by CS.17 Contrary to subs (d), the development of land allocated in accordance with Policies SSB3 and SSB4 is not in accordance with Policy H2, since neither of these are brownfield sites. There are no 'exceptional circumstances' requiring their development as required by Policy H2, rather the opposite, given the status of Little Kineton and the proposed oversupply, and the sites should be deleted.</p>	Not indicated
	H6	<p>Land identified under this policy should be released if required in preference to the allocation of sites in Little Kineton. Furthermore, Kineton is identified as a Main Rural Centre in CS.15 of the Draft Core Strategy and should play its part in meeting housing needs; Little Kineton is not, rather it is seen as so unsustainable that no housing is allocated to it. The Core Strategy confirms that Little Kineton is a separate settlement, identified as a Local Service Village by Appendix 2 of the Core Strategy. The Core Strategy confirms it is not part of Kineton. As such it is not appropriate for land within or adjacent to it to be used to meet the needs of Kineton.</p>	
	E2	<p>Land either side of Tysoe Road between Kineton and Little Kineton is shown as having a designation of Green Fingers and Distant Peripheral Views as far as the extent of the site allocate as SSB3. There is no difference in view or landscape quality between the land allocated along Tyson Road as Green Fingers and Distant Peripheral Views and that which is not; if anything, the rural nature of the unallocated land compared to the manicured sports grounds to the north have a higher landscape quality. There therefore appears to be no justification for the exclusion of the land immediately adjacent Little Kineton other than the decision to allocate SSB3, particularly given the relationship of SSB3 between the road and the battlefield site. The extent of Green Fingers and Distant Peripherhal views should therefore be extended all the way to the edge of Little Kineton on both sides of Tysoe Road.</p>	
	IN4	<p>The KNDP identifies land between Kineton and Little Kineton as an Area of Landscape Significance;</p>	

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	SSB1 and SSB2	<p>however the Core Strategy identifies land between Kineton and Little Kineton under Policy CS.13 as an Area of Restraint. The supporting justification to the policy states: "4.4.2 Areas of Restraint are not considered to be local landscape designations in that they do not relate primarily to the quality of the landscape itself. They apply to relatively small areas within or adjacent to settlements and their overriding purpose is to protect the inherently open nature of a particular area because of the valuable contribution it makes to the character and physical form of the settlement." The extent and title of the land in question should therefore match that of the Core Strategy.</p> <p>Kineton is identified as a Main Rural Centre in CS.15 of the Draft Core Strategy and should play its part in meeting housing needs; Little Kineton is not, rather it is seen as so unsustainable that no housing is allocated to it. The Core Strategy confirms that Little Kineton is a separate settlement, identified as a Local Service Village by Appendix 2 of the Core Strategy. The Core Strategy confirms it is not part of Kineton. As such it is not appropriate for land within or adjacent to it to be used to meet the needs of Kineton. There is no requirement to allocate 211 dwellings to Kineton, especially if this means allocating a large number of dwellings to Little Kineton. Policy H1 states "a) The development and reuse of land and buildings within the Settlement Boundary as indicated on the Proposals Map will be supported to provide around 200 new dwellings in the plan period". If 211 houses is considered to meet the definition of "around 200 houses" so would 189. H1b) continues "Taking account of the number of homes already built in the village since 2011, together with those with extant planning permissions (100 dwellings as documented in the Proposed Submission Version Core Strategy published in June 2014), a further 100 homes will be required to assist in meeting the district's overall housing supply up to 2031". Why does the NP therefore allocate land for 211 homes, when only "a further 100 homes will be required"? This would allow the (in any case) unjustified inclusion of sites SSB3 and SSB4 within Little Kineton.</p>	
	SSB3 and SSB4	<p>Kineton is identified as a Main Rural Centre in CS.15 of the Draft Core Strategy and should play its part in meeting housing needs; Little Kineton is not, rather it is seen as so unsustainable that no housing is allocated to it. The Core Strategy confirms that Little Kineton is a separate settlement, identified as a Local Service Village by Appendix 2 of the Core Strategy. The Core Strategy confirms it is not part of Kineton. As such it is not appropriate for land within or adjacent to it to be used to meet the needs of Kineton.</p>	
KNP035	H1	<p>Whilst we acknowledge that the Plan has identified sites within Kineton to accommodate the level of housing growth which the Parish Council believes to be consistent with the level of growth that is to be directed to the village through the emerging development plan for the district of Stratford, we have two principal reservations; the first concerns the fact that the Inspector presiding over the Core Strategy Examination has raised concerns with the Council's evidence of its objectively assessed housing need (OAN) which has resulted in the District Council having to recalculate the OAN. Until the Inspector has reported his findings on the Core Strategy in respect of the housing requirement and</p>	Not indicated

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		<p>other policies including spatial distribution, it is not possible to conclude that the maximum number of houses that Kineton will be required to accommodate after taking existing commitments into account is 100 dwellings. Indeed it would seem fairly inevitable that Kineton, being a Main Rural Centre, will be a prime candidate to accommodate part of the additional housing requirement that Stratford will need to find and the Inspector has already alluded to this in his preliminary report. The second reservation concerns the disaggregation of sites that have been selected. Whilst the Plan identifies two sites within Kineton and two small sites within Little Kineton, we believe that there would be distinct benefits to the village if future growth was concentrated in the north of Kineton in a comprehensive way. This would allow for a coordinated approach to be taken to considerations such as roads, footpaths, open space and children's play facilities and to ensure that other community benefits can be maximised.</p>	
	H2	<p>Neighbourhood Plans have to be consistent with National Planning policies and with the Development Plan. Policy H2 is entirely inconsistent with policies in the NPPF which contain no presumption against the development of greenfield land as a matter of principle. Neither does the NPPF contain any requirement for the development of greenfield land to only be acceptable if exceptional circumstances can clearly be demonstrated. As such Policy H2 is inconsistent with the NPPF and must be deleted.</p>	
	H3	<p>Whilst the principle of Policy H3 is acceptable the NPPF allows variations to the levels of affordable housing being provided if circumstances such as viability concerns prove that lower levels of provision are justified. As such Policy H3 needs to be revised to reflect what National Planning policies and Development Plan policies say.</p>	
	H6	<p>We support the Plan's recognition that land referenced as H6a and H6b represents an acceptable location to focus housing growth. As previously stated under Policy H1, land to the west of Southam Road and to the east of Lighthorne Road should be brought forward as part of the comprehensive growth of the village to the north so that the benefits to the community can be maximized. Specific objection is raised to criterion (h) which adopts a phased approach to the release of the land subject to policy H6, as this is not justified by any sustainable reasoning. Furthermore the reference to the release of the land in the Plan period being dependent upon there being an identified local housing need is not supported by National Planning policies and should be deleted. Finally please note that the plan for safeguarded land is incorrect, as part of Area A is under Area B's ownership. A red line plan of Area B is attached and we would request that the error be corrected.</p>	
	E1	<p>This policy is inconsistent with relevant policies in the NPPF and should therefore be revised to accord to National planning policies for the protection of agricultural land.</p>	

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KNP036	Whole document	Supports all policies within the NDP – No additional comments entered.	Not indicated
KNP037	H5	In the light of problems of re housing people from 2 to 1 bedroom properties due to the bedroom tax. I hope that research allows sufficient small housing provision, is 5% sufficient!	Not indicated
	J2	Homeworking can be very isolating and requires 'hubs' where people can meet to share facilities and social interaction.	
	D7	All new homes should have solar roof panels.	
	E5	I would like to see the river/stream side enhanced for the use of local people as a park area.	
	E9	Farmers should take more responsibility for biodiversity e.g. not cut hedges whilst fruiting not wild flowers/plants before July.	
KNP038	H1	We don't have the infrastructure, the road, the parking, drainage etc to support all these homes.	Not indicated
	SSB2	Prone to massive flooding part of battlefield site. Needs archaeological exploration. Will affect battlefield views.	
KNP039	H1	Eight houses were approved by SDC at Orchard House Development Kineton earlier this year, none of which were "affordable housing".	Not indicated
	H3	Eight houses were approved by SDC at Orchard House Development Kineton earlier this year, none of which were "affordable housing".	
	H6	Traffic surveys indicate the majority of traffic leaving Kineton heads towards Stratford, Warwick, Leamington Spa, Jaguar/Landrover and the M40 motorway because these sites are north/east of Kineton the traffic through the centre of Kineton will be minimised. If the above sites are approved the developers should provide robust screening between the new houses and any existing houses.	
	D3	Should apply to all housing not just 10 dwellings or more.	
	D8	Four or five bedroom dwellings should include at least 3 off road parking spaces.	
	E6	The developers should not only be responsible for re planting trees and hedges but also responsible for their wellbeing in the initial years until the roots are established.	
	IN1	Four and five bedroom houses should make at least three off road parking spaces.	

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	IN5	A priority for Kineton is not to exacerbate the already chaotic traffic problems.	
	SSB1	Any new housing must be robustly screened from existing properties. These houses will have easy access to the primary school.	
	SSB2	Any new housing must be robustly screened from existing properties.	
	SSB3	Any new properties must be robustly screened from existing houses.	
	SSB4	Any new properties must be robustly screened from existing houses.	
KNP040	Whole document	Supports all policies within the NDP – No additional comments entered.	Not indicated
KNP041	H1	Until the parking problem is rectified no more dwellings are needed. Too much illegal parking on pavements etc. Any more land available should be for car park, why should workers come to village and park all day for free in conservation area.	Not indicated
	H2	No more until parking problem solved. Not enough thought is given to our elderly residents (you may all become old and find the difficulty of progressing around parked cars etc. on pavements going onto the highway and not finding a dropped curb). This also applies to young mothers with prams.	
	H3	Kineton cannot accept more houses thus more vehicles with nowhere to park.	
	H5	The obvious place to build more houses is near motorway junction to relieve all the extra traffic generated through Kineton.	
	H6	Any extra housing should be sited at a new town off the motorway. Thus relieving our country roads. We no longer have many services left in Kineton to support more dwellings. All the parked cars have killed shops etc relying on people being able to pop in. If a time limit was imposed for parking it will deter all day parking for free.	
	J1	All employees should provide off street parking for their employees.	
	D8	Visitors and workers coming into the village should be expected to pay for parking, which must not be in conservation area. A time limit for parking within conservation area.	
	E4	Do not wish to see any solar panels on farm land anywhere there are plenty of roofs available.	

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	<p data-bbox="331 272 387 296">IN3</p> <p data-bbox="331 403 387 427">IN5</p> <p data-bbox="320 501 398 525">SSB1</p> <p data-bbox="320 598 398 622">SSB2</p>	<p data-bbox="486 272 1832 363">Also think about elderly folk with mobility scooters. Already they are having to use road to ride on because of illegal parking o village pavements. They need more places to park when trying to get to shops etc.</p> <p data-bbox="486 403 1832 464">The obvious place for a pay and display car park would be the Warwick Road site, make a time limit for parking on streets. Employ a traffic warden.</p> <p data-bbox="486 501 1794 561">This is the obvious place for a pay and display car park which would relieve the centre of Kineton where presently it is used for all day free parking for non-residents.</p> <p data-bbox="486 598 1845 659">Another possible site for pay and display car park. Remember all employers should provide off street parking. Let them pay for parking permits.</p>	
KNP042	Para 3.17	<p data-bbox="486 675 1845 766">We own No 5 Castle Crescent Kineton and a parcel of land connected thereto. We have very recently been made aware that our land has been included in proposals as a designated 'area of restraint' in the Kineton Parish Neighbourhood Plan as a result of our planning application 15/02151/FUL.</p> <p data-bbox="486 802 1874 927">My wife and I have not received any correspondence or had any consultation that this was being proposed as an 'area of restraint' from any party. As landowners within these proposals we would have expected this to be the case. You may be aware that we applied for a dwelling to be built on the land ref 06/2136/out and the Parish had 'No objection in principal' at that time.</p> <p data-bbox="486 963 1868 1150">We would like to know how the area of my land was designated and what considerations have been undertaken when deciding to propose it as an area of restraint. The proposals may significantly reduce the value of my land. As previously mentioned we would have expected consultation and would have been more than willing to discuss this issue had it been raised with us and are willing to discuss this in the future should you so wish. We await your response but must strongly object to the proposals in its current form.</p>	Not indicated

Rep. No.	Policy	Representation	Reg.19 Request?
KNP043	General	<p>We remain extremely concerned by the lack of a robust evidence base to justify decisions made by the Qualifying Body in its drafting of the Neighbourhood Plan, and consider this is representative of a lack of transparency in the policy formation and site selection. The Neighbourhood Plan also contains policies which seek to constrain development and which are wholly inconsistent with national and Strategic policy at the District level. As such, the Neighbourhood Development Plan, if submitted as currently proposed, cannot meet the Basic Conditions and, if adopted, would be at risk of legal challenge. Having said this, it is our view that these issues can be overcome through additional work by the Qualifying Body and it should be possible to resolve them through a series of modifications and further consultation on a modified and complete Neighbourhood Plan. The Neighbourhood Plan should not proceed to examination unless/until these issues have been resolved.</p> <p>Under the Neighbourhood Planning Regulations, the examiner must ensure adequate examination of issues and to give a person a fair chance to put forward their case. It is therefore important that there is a Hearing session in due course to ensure issues are properly addressed before the Neighbourhood Plan is adopted. We request the opportunity to participate in that Hearing session, which should include consideration of the following matters:</p> <ol style="list-style-type: none"> 1. Site Assessment 2. Deliverability of allocations 3. Housing Policies 4. Strategic Environmental Assessment <p>Qualifying Bodies must be transparent in policy formation and site selection¹ and Neighbourhood Development Plans must be based upon proportionate, robust evidence that supports the choices made and the approach taken. This should include adequate, up to date and relevant evidence about the environmental, social and environmental characteristics and prospects for the area. We raised serious concerns in its previous representations that a full draft Neighbourhood Plan was being consulted upon without any published evidence to explain and justify how decisions had been reached. Within those representations, specific areas are highlighted where decisions do not appear to be justified and which are not consistent with either national policy and advice, or the District's own evidence base and strategic requirements. This includes locational choices made about site allocations and consideration of environmental issues, including landscape sensitivity.</p> <p>It is notable that the Consultation Statement references comments from Stratford-upon-Avon District Council, which states, "Whilst the Plan states that it is based on extensive research and robust engagement with the local community, there is little detail included in the way of published evidence or reference to details surrounding public consultation/ engagement throughout the process". It is therefore surprising that the Neighbourhood Plan has progressed to a formal Regulation 14 consultation without providing the evidence base for consideration and comment in respect of what</p>	Not indicated

Rep. No.	Policy	Representation	Reg. 19 Request?
	H1	<p>options have been considered, how those options have been assessed and, ultimately, how decisions have been reached.</p> <p>We also question whether an 'open-minded' approach has been taken when considering representations made by consultees, including villagers, landowners and the development industry. In particular, Paragraph 15(2) of the Neighbourhood Planning (General) Regulations 2012 makes clear that, to meet the Basic Conditions, the Consultation Statement must:</p> <p>(c) Summarise the main issues and concerns raised by the persons consulted; and (d) Describe how these issues and concerns have been considered and, where relevant, addressed in the proposed neighbourhood development plan.</p> <p>The NPPG is also specific in stating that landowners and the development industry should be involved in preparing a draft neighbourhood plan and we are concerned that the Qualifying Body has been selective in respect of which representations it has considered. As an example, and of particular concern, the Consultation Statement Appendices makes reference in the Qualifying Body's response to representations made by a landowner/developer concluding they were not relevant simply because they were promoting their own site.</p> <p>For a draft Neighbourhood Plan to progress to be submitted for examination, there must be clarity about the approach taken and an opportunity for others to make representations. The Neighbourhood Plan in its current form lacks transparency and is not supported by a robust evidence base. The Neighbourhood Plan should not be submitted until a sufficiently detailed evidence base is published and consulted upon, including details of options considered for policies and site allocations, what criteria has been used to assess those options and how the decisions made have been reached. Further clarity is required in respect of how issues and concerns raised through consultation have been addressed.</p> <p>This policy does not have appropriate regard to national policy and as drafted, seeks to constrain the delivery of important national policy objectives and development requirements at the district level. It also does not plan positively to support local development requirements. As such, the NDP does not meet the Basic Conditions. As drafted, Policy H1 seeks to constrain housing delivery, including by stating that development will be "controlled". This undermines the core NPPF objective of boosting significantly housing supply (para. 47) and could constrain delivery of housing needed to meet the District's housing requirements.</p> <p>As a further example, Policy H1 states that 200 homes will be delivered on sites within the settlement boundary, yet the evidence base makes clear that there are no identified deliverable sites within the settlement boundary; the Qualifying Body acknowledges this fact within the Consultation Statement</p>	

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		<p>and this is also confirmed by the District Council's Strategic Housing Land Availability Assessment. Whilst opportunities to reuse previously developed land should be encouraged in Policy, this should be considered an opportunity to boost housing supply in line with national planning policy and advice through windfall delivery. In light of the evidence available, it is unjustified and misleading to suggest at this time that any new homes will be delivered from such sites.</p> <p>It is particularly important that Kineton is a focus of housing growth in order to meet the District's strategic housing requirements in light of the Inspector's interim findings into the Core Strategy. Those findings also confirm that the settlement hierarchy and dispersal strategy for housing delivery and recommends that further housing growth required in the District should be directed to the most sustainable settlements, specifically including the Main Rural Centres (MRCs). Kineton is defined as a MRC and is one of the District's most sustainable settlements, which should be allocated for housing growth at a strategic scale to meet needs. It is evident that Kineton is one of the most sustainable settlements in the district; it has primary and high schools, a medical centre and good public transport services.</p> <p>It is also clear that Kineton is an important location for those working in the area, and we note that the Neighbourhood Plan highlights that a high proportion (31%) of parishioners living and working within the same ward. Indeed, ONS Census data shows that c.60% of the working population work within 5km of their home, which is higher than the average across the District, the West Midlands or England. This could increase if there is a level of housing growth that is proportionate to the planned employment growth, including at the Jaguar Land Rover site at Gaydon Lighthorne.</p> <p>It would appear that its proposed level of housing growth does not take account of the evidence base relating to employment provision, including the planned employment growth in the area. This will undermine the strategic objective of ensuring a sustainable pattern of development and the Neighbourhood Plan currently misses an important opportunity to encourage more sustainable transport options and reduce reliance on the private car by ensuring its housing provision is proportionate to the planned employment growth in the area.</p> <p>We strongly recommend that further consideration is given to this evidence and that the housing policy and strategy in the neighbourhood plan is modified accordingly. In addition to this, we submit that the Neighbourhood Plan plans for a disproportionately low amount of housing growth over the plan period when compared with the other Main Rural Centres. It is sufficiently sustainable and capable of accommodating a higher level of growth than this neighbourhood plan currently proposes in order to meet the housing requirements, as well as those which is likely to be required to meet unmet needs of neighbouring authorities. The District Council's assessment of housing growth over a 40 year period (1991-2031), including the planned growth of Main Rural Centres in the submitted version of</p>	

Rep. No.	Policy	Representation	Reg.19 Request?
		<p>the Core Strategy, will see the populations in Main Rural Centres of Southam and Shipston grow by over 40%, yet Kineton is only projected to grow by 8%. Coupled with this, it is notable that it has seen the least growth of all Main Rural Centres, with the exception of Henley-in-Arden, which is constrained by the Green Belt.</p> <p>Finally, it is important that the Qualifying Body is mindful that the need for flexibility and an increased housing requirement is particularly pertinent in light of the Local Plan Inspector's Initial Findings, which casts doubt on the achievability of the Core Strategy's housing trajectory, stressing that it will be extremely challenging to meet, even before any additional housing requirements are taken into consideration. Against this background, it is concerning that Policy H1 does not provide flexibility in its wording to enable further housing development in the village where it will help meet the housing requirements of the District.</p> <p>Therefore, Policy H1 must be modified in order to be consistent with national policy and advice, and strategic policies and objectives. The level of housing required must be directed to deliverable housing sites and be flexible, including to ensure it can provide additional housing that may be needed over the Plan period to meet the District's housing requirements, as well as the potential for those needed to help meet unmet needs from neighbouring authorities such as Coventry. Further consideration is also required to take into account the evidence relating to employment requirements and planned growth in the local area.</p> <p>Housing provision which we consider to be undeliverable is directed to sites within the settlement boundary, therefore, the identified safeguarded sites should be allocated so that their delivery earlier in the plan period is supported by Neighbourhood Plan policy. We submit that allocations should include:</p> <ul style="list-style-type: none"> • Land to the West of Southam Road, part of which is 'safeguarded', for at least 75 homes; and • Land to the east of Southam Road, for around 20 homes. We note this site has planning permission for development, as part of a residential-led scheme and evidence clearly demonstrates there is no reasonable prospect for employment use. <p>We propose the following modifications to Policy H1 (shown as track changes):</p> <p>"Further development in Kineton will be continuous but controlled in order to achieve steady and moderate growth. This will be accomplished by adhering to the following principles: Housing growth in Kineton will be delivered in accordance with the presumption in favour of sustainable development, in line with the following criteria:</p> <p>The development and reuse of land and buildings within the Settlement Boundary, as indicated on</p>	

Rep. No.	Policy	Representation	Reg.19 Request?
	H2	<p>the Proposals Map will be supported to provide around 200 new dwellings in the Plan period</p> <p><u>a) Opportunities to encourage the effective use of land by reusing previously developed land will be supported, provided that it is not of high environmental value.</u></p> <p>a) account of the number of homes already built in the village since 2011, together with those with extant planning permissions (100 dwellings as documented in the Proposed Submission Version Core Strategy published in June 2014), a further 100 homes will be required to assist in meeting the district's overall housing supply up to 2031</p> <p>b) A Housing Needs Survey carried out in 2013 identified a local need for affordable housing. Affordable housing will be required on all qualifying sites in accordance with the provisions of Policy CS.17 of the Core Strategy.</p> <p>c) Four <u>Six</u> sites within the Neighbourhood Area have been identified as being suitable for residential development. <u>At least 300 homes new homes (in addition to the 100 granted consent since 2011) should be constructed within Kineton during the period of the NP to help meet the local and District-Level housing requirements to meet more than is required in this policy.</u> Development on these sites will be in accordance <u>give consideration to</u> with Policies SSB1-SSB4, H6, as well as national planning policy and advice and other relevant policies of Stratford-upon-Avon District Council's this Plan <u>Local Development Plan, including this Neighbourhood Plan,</u> in particular with Policy H2.</p> <p>e) d) Additional housing development in the village will be supported which will help wider identified housing requirements in the District, including where consistent with strategic policies contained within the District Council's Local Development Plan, as well as up-to-date evidence on local housing needs. New housing located outside of the Settlement Boundary of the Neighbourhood Area will not be permitted unless it is supported by another policy in this plan.</p> <p>National planning policy seeks to encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value. As drafted, Policy H2 seeks to impose a requirement to demonstrate 'exceptional circumstances' before any greenfield land can be developed, akin to Green Belt policy. However, neither national nor local planning policy contains a general presumption against the development of greenfield land. Indeed, the development of greenfield land is required in order to meet the current and future housing requirements for the District and in Kineton.</p> <p>The attempt to constrain development is indicated where the Qualifying Body states in its response to SDC on this matter that "I can't see any reason why we cannot state clearly that development of greenfield land is not supported". Given that greenfield land is required to meet strategic development needs, this is further unjustified and must be deleted.</p> <p>This is inappropriate, unjustified and would have the effect of constraining sustainable development.</p>	

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	H6	<p>The following text must therefore be deleted from the wording of Policy H2:</p> <p>“Unless specifically allocated in this plan, there is a general presumption against the development of greenfield land. Proposals for development on greenfield land must clearly demonstrate exceptional circumstances before proposals will be looked upon favourably”.</p> <p>As set out above, additional allocations are needed to meet even the minimum level of housing the Neighbourhood Plan identifies as being required. The Neighbourhood Plan sensibly identifies suitable and deliverable sites elsewhere that it currently proposes to safeguard under Policy H6, which includes the land west of Southam Road, to the north of the village. We strongly recommend that these sites are allocated within the Neighbourhood Plan, such that delivery earlier in the Plan period is supported by policy.</p> <p>Turning to the wording of the proposed Policy H6, we object to the criteria requiring the allocated sites to be delivered before safeguarded land can be brought forward for development. This could constrain much needed housing delivery and is not consistent with national policy. We note below our concerns in respect of the deliverability of at least two of the proposed allocated sites and if those are allocated but are not ultimately delivered, it will be even more important to bring forward and support the delivery of other sustainable sites in Kineton in order to meet both local and District-level housing requirements.</p> <p>Furthermore, NPPG para 041 (Reference ID 41-041-20140306) provides advice on drafting neighbourhood plan policies, and 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”. The wording of Policy H6 does not provide sufficient clarity that would help a decision maker apply it with confidence when determining planning applications and we note the following as examples to highlight our concerns in that regard:</p> <ol style="list-style-type: none"> 1. The policy refers to ‘early release’ of land but does not include a trajectory for their release. 2. A requirement to provide evidence to demonstrate there is a local housing need for their ‘early release’. 3. The policy is not clear in providing information about in what circumstances the release of these sites would be acceptable. This includes a definition ‘early release’, particularly as the neighbourhood plan does not consider the housing trajectory at the District level or at the Parish level. 4. The requirement for the use of ‘up to date technologies in building construction and renewable energy technology’ is not specific, neither is it justified in the context of national policy and advice, and recent ministerial statements. The direct conflict with national policy and advice means this 	

Rep. No.	Policy	Representation	Reg.19 Request?
		<p>criterion cannot carry any material weight in the determination of a planning application. As per our comments in respect of Policy D3, this requirement will also likely to affect the viability of some sites, in particular smaller sites and brownfield sites where average construction costs are generally much higher than other sites.</p> <p>Finally, we note that the neighbourhood plan only identifies part of the land within Barwood’s control to the west of Southam Road. We submit to the qualifying body that allocating the wider site provides greater opportunities for complementary uses, which could include land for community uses and facilities, alongside housing development of at least 75 homes that will meet identified housing needs.</p> <p>We suggest this policy should be modified along the following lines:</p> <p>“This Plan supports the safeguarding of land at the following locations as shown on the Proposals Map, <u>which are suitable and deliverable</u> for potential future <u>residential-led</u> development: H6a – Land West of Southam Road H6b – Land east of Lighthorne Road</p> <p>The above sites will only be released during the Plan period if it can be demonstrated through the submission of evidence that there is an identified local housing need for their early release.</p> <p>Development on these sites will only be permitted providing the following requirements are met: should take the following criteria into consideration:</p> <ul style="list-style-type: none"> • A high quality design and use of materials that respects the local vernacular and unique character of Kineton utilising the most up to date technologies in building construction and renewable energy technology oneroud • An appropriate site layout which will facilitate a <u>potential</u> roadway linking both sites, with an intention to form a link road between Southam Road and Lighthorne Road, and onward through to Warwick Road • A high quality landscape led layout which takes account of the sensitive landscape within which the site is located • <u>An</u> external lighting scheme designed to minimise light pollution • Safe access and egress from the local highway network <p>Use of a high quality pallet of external materials which have regard to the sensitive rural Location</p>	

Rep. No.	Policy	Representation	Reg.19 Request?
	D3	<p>• Green travel measures are provided, which seeks to encourage walking, cycling and throughout the lifetime of the development including enhance links with existing public transport</p> <p>Policy D3 requires 'potential future development' to be taken account of when designing scheme. It is not possible to satisfy this criterion as it is impossible to predict what may happen in the future and so should be deleted. Whilst it is reasonable to expect adverse impacts of development to be mitigated, the requirement for impacts to be "ameliorated" is also unjustified.</p> <p>The requirement for masterplanning and technical assessments must be proportionate to the scale and nature of the development proposed. Detailed masterplans and technical assessments, such as a full transport assessment for all schemes of more than 10 homes, will place unnecessary additional burdens on local planning authorities when administering and determining planning applications. It could also risk the viability and deliverability of some sites, and smaller and brownfield sites in particular. Those sites are known to be affected by professional fees and construction costs that are as much as 20% higher than average and the effects will be felt by small-to-medium sized businesses the most. In turn, this will inevitably undermine the deliverability of policies and core objectives of the Neighbourhood Plan, including encouraging the delivery of previously developed land and buildings within the Parish.</p> <p>The requirement for masterplans/contextual plans having to take into account 'potential future development' should be deleted. We suggest the following amendment to the policy working is also required:</p> <p><u>"Planning applications should be supported by an appropriate level of information for the impacts of the proposed development to be considered, which shall be proportionate to the scale and nature of the proposed development, and will take account of the Local Planning Authority's validation requirements. The plan must include consideration of means to appropriate ameliorate mitigation measures for adverse impacts of the proposed development, including in respect of highways, the additional demand that the development would place on the highway system, through a Transport Assessment, and on services such as schools and medical facilities, as well as the need to provide public open space and environmental improvements".</u></p>	
	J1	<p>Policy J1 must be consistent with the NPPF and, specifically, paragraph 22 of the NPPF, which makes clear that "Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose." Our previous representations also provide reference to case law which make it clear that seeking to justify the long-term protection of sites where there is no evidence to demonstrate there is a reasonable prospect of those uses from coming forward is unlawful and leaves the Neighbourhood Plan subject to challenge if</p>	

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		<p>adopted.</p> <p>The land east of Southam Road, which the Neighbourhood Plan seeks to protect for employment uses, has been the subject of an independently reviewed marketing report which has been provided to the Qualifying Body. That review, undertaken by EHB commercial surveyors, confirms there is no reasonable prospect of the consented B-class uses being delivered.</p> <p>The wording of Policy J1 must be amended to include the following criteria, in accordance with Para 22 of the NPPF:</p> <ul style="list-style-type: none"> • "Proposals for the change of use or redevelopment of land or premises identified for, or currently in employment use, will be supported where there is no reasonable prospect of a site being used for the allocated employment use; and • Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings will be treated on their merits, having regard to market signals and the relative need for different land uses to support sustainable local communities." <p>Given the evidence demonstrating there is no reasonable prospect of delivery it would be unlawful to adopt policies that seek to protect land east of Southam Road for business units. All employment references and inclusion on the maps should therefore be deleted and it should instead be allocated for housing to help meet the identified current and future housing requirements in the area.</p>	
	IN1	<p>This policy places potentially onerous and undeliverable requirements on developers, including the requirement for at least two parking spaces for every new home. This is not necessary to deliver the objectives of the plan and could affect the viability and deliverability of some sites, including any brownfield sites that may become available in the future, where site configuration and size is often an issue. The requirement for two parking spaces for every home should be deleted and it should instead refer to satisfying adopted car parking standards.</p>	
	E1	<p>This policy should be deleted as it is not consistent with para. 112 of the NPPF. Similarly to our comments on Policy D2, there is no 'exceptional circumstances' test for development on agricultural land.</p>	
	E2	<p>Paragraph 041 (Ref. ID 41-041-20140306) requires neighbourhood plan policies to be drafted so that they are clear and unambiguous and with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications.</p> <p>This policy seeks to protect all 'prominent views of the landscape'. It is not at all clear what defines a</p>	

Rep. No.	Policy	Representation	Reg.19 Request?
	SSB1	<p>'prominent view'. As this policy cannot provide sufficient clarity that a decision maker can apply it consistent and with confidence when determining planning applications, this policy should be deleted.</p> <p>We assume (but cannot be certain) that this refers to the viewpoints shown on the 'Natural Environment' Map but there is no evidence to demonstrate how those views have been chosen, what criteria has been used to assess those views and what they mean for those designing development, or for decision makers determining applications.</p> <p>Unlike the land off Southam Road that can be accessed safely from the new roundabout on Southam Road, this allocation will need to take access from a single point of access, adjacent to the railway bridge and we question whether this is deliverable. In the absence of evidence demonstrating an acceptable access can be achieved, we question the suitability of the access into the site from Warwick Road, close to the railway bridge. We also question whether this development would increase traffic movements through the village, therefore conflicting with and undermining the Neighbourhood Plan's core objective of improving traffic movements in the village centre.</p> <p>Evidence must be published to justify the decision to allocate this site and to demonstrate its suitability and deliverability. In the absence of such evidence, Without further evidence demonstrating this is a suitable site for development, it must not be concluded a deliverable site and must be deleted as an allocation in the Neighbourhood Plan. Alternative allocations will be required and we submit that those allocations should include the deliverable sites to the east and west of Southam Road.</p>	
	SSB3 and SSB4	<p>Little Kineton is a Local Service Village (LSV), with a very limited range of services and facilities. On the Council's assessment of LSV's, it is in fact one of the least sustainable villages in the District, with a level of housing already disproportionate to its services provision. We question therefore whether additional housing development is sustainable and no evidence is provided with the Neighbourhood Plan to demonstrate these allocations will help to meet specific identified local housing needs.</p> <p>Both sites are poorly located to key services and facilities, which are located in Kineton; the village centre is more than 750m walking/cycling distance from the village centre and over 1km from the schools. Given the walking distance, it is unrealistic to assume occupiers of housing on either site would rely on walking or cycling. This is inconsistent with other Neighbourhood Plan policies, including Policy IN3 (Encouraging Safe Walking and Cycling) and D1 (Creating a Strong Sense of Plan), D2 (responding to Local Character) and D10 (Heritage Assets).</p> <p>With this in mind, we also question the internal conflict in the Neighbourhood Plan these allocations will cause; a main objective of the NP is to reduce traffic through the village centre, yet additional housing in this location is likely to increase traffic movements as the new residents travel to access the</p>	

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	<p data-bbox="282 632 439 695">Constraints Maps</p> <p data-bbox="282 858 427 890">Summary</p>	<p data-bbox="488 240 927 264">services and facilities in Kineton.</p> <p data-bbox="488 304 1861 592">It must also be highlighted the sites proposed for allocation are immediately adjacent to a Conservation Area and SSB3 (Site '3') is adjacent to the Battlefield Site designation, heritage assets which the neighbourhood plan seeks to protect. We question where the evidence is to demonstrate this allocation would not harm heritage assets. Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 makes clear that a draft order only meets the basic conditions if it has had special regard to the desirability of preserving or enhancing any heritage assets that it possesses. Further consideration / assessment of these sites is needed and, in the absence of evidence demonstrating there will not be an unacceptable impact, these allocations are not soundly based and should be deleted.</p> <p data-bbox="488 632 1861 823">The settlement boundary and proposals/constraints maps will need to be revised to take account of modifications required for the neighbourhood development plan to meet the Basic Conditions. Key views should be deleted from the landscape map on the basis there is no clarity over how these have been identified, and no evidence to support these and no clarity in respect of the purpose for identifying these within the Neighbourhood Development Plan. Viewpoints should be deleted given the lack of supporting evidence or concise and justified supporting policy.</p> <p data-bbox="488 863 1827 951">Schedule 4B, Paragraph 8(2) of the Town and Country Planning Act 19909 requires Neighbourhood Plans to meet seven following 'Basic Conditions'. These representations explain why, as drafted, the Neighbourhood Plan does not meet Basic Conditions.</p> <p data-bbox="488 991 1861 1214">We are particularly concerned by the lack of evidence base justifying decisions made in the draft Neighbourhood Plan. Policies, including those relating to housing supply, seek to constrain delivery of development that is important to meet identified local and strategic requirements of the district and, a number of policies are fundamentally inconsistent with national policy advice. There are also clear "internal" conflicts between policies and objectives of the Neighbourhood Plan, which should be addressed to provide a clear direction for residents, developers and those making decisions on planning applications in the Neighbourhood Plan area.</p> <p data-bbox="488 1254 853 1278">Particular concerns include:</p> <ol data-bbox="488 1286 1827 1469" style="list-style-type: none"> 1. The reliance on brownfield sites within the settlement boundary to meet identified housing needs despite it being accepted there are no deliverable sites; 2. Decisions made on specific site allocations, including those in Little Kineton, which are not sustainably located and with no evidence to justify their inclusion; 3. In the case of Policy J1 (Employment) seeks to place an unlawful protection on land east of Southam Road for employment uses notwithstanding the clear evidence that there is no reasonable 	

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		<p>prospect of the identified uses being delivered on that land;</p> <p>4. A policy presumption against development on greenfield land and agricultural land, which is akin to Green Belt policy, which is unjustified and could constrain delivery of local and strategic requirements for development, including housing;</p> <p>5. Onerous requirements for all applications, including for renewable technologies and technical assessments, which are in conflict with national policies and other draft Neighbourhood Plan policies and which will impact upon viability and delivery of smaller sites and of brownfield sites and buildings (if suitable sites become available in due course) in particular.</p> <p>While the issues we raise are significant, we do believe they can be rectified through modifications to the Neighbourhood Plan policies and additional work and consultation, including on additional housing allocations that are needed to help meet both current and future housing requirements in the District.</p> <p>We strongly recommend that the Neighbourhood Plan is not submitted for examination at this time. When it does proceed, it is essential that there is a hearing session to ensure adequate examination of issues and to give a person a fair chance to put their case. We request the opportunity to participate in that Hearing session. In the meantime, we trust these comments will help inform the next stages of work that are required in the preparation of the neighbourhood plan and we would welcome further discussion on any of the matters raised.</p>	
KNP044	H1	<p>A draft neighbourhood plan has to meet the basic conditions set out in paragraph 8(2) Schedule 4B of the Town and County Planning Act 1990. It is considered that the wording of the policy and the explanatory text do not meet basic conditions;</p> <p>(a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan,</p> <p>(d) the making of the plan contributes to the achievement of sustainable development,</p> <p>(e) the making of the 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),</p> <p>Policy H1 seeks to allocate land to meet the District Housing requirement apportioned to Kineton in the June 2014 Submission version of the Stratford on Avon District Core Strategy. This plan has been subject to examination and the inspector has issued his interim findings. Critically, he found that the submission plan was not sound because of flaws in the sustainability appraisal and because the housing target in that plan (10,800 dwellings in June but increased to 11,400 in December) did not represent the full objectively assessed housing needs of the district. This means that there are no strategic policies relating to housing supply in a development plan with which this Neighbour Plan can be in general conformity.</p>	Not indicated

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		<p>It is accepted that case law (BWD Trading Ltd v Cheshire West and Cheshire Borough Council; Gladman Development, R (on the application of) V Aylesbury District Council; Woodcock v SoS DCLG and Mid Sussex), has established that neighbourhood plans can allocate land for housing in the absence of any strategic housing supply policies in a development plan, and Kineton Parish Council is to be applauded for so doing. However, these allocations are not in general conformity with the strategic policies of the development plan because none exist and so the text of the policy needs to be clear that this is the case. This means that the policy cannot refer to meeting the District housing supply to 2031 as this is not known.</p> <p>More significantly, Policy H1 a) refers to supporting the development of land to provide around 200 dwellings. This policy places a limit on the amount of housing to be built. Similarly, the explanation to the policy also alludes that the figure in the June 2104 Submission Core Strategy as being a cap, particularly in paragraph 5.1.5 of the neighbourhood plan. The relevant part of the judgement in BWD is expertly summarised by Holgate J in Woodcock. At paragraph 61 he found;</p> <p>Supperstone J decided that the criticisms failed to appreciate the limited role of the examination of a neighbourhood plan, namely to consider whether the “basic conditions had been met. He held that the Examiner had been entitled to conclude that the draft plan had regard to the NPPF because the need to plan positively for growth was acknowledged and the relevant policy <i>did not place a limit</i> on the total amount of housing to be built (paragraph 33 and 81 of [BWD] judgement.</p> <p>The impact of Policy H1 and its supporting text is to limit growth in contrast to the Tattenhall Neighbourhood plan.</p> <p>The Adopted Local Plan and the submission Core Strategy identify Kineton as a Main Rural Centre. The Core Strategy Inspector noted that the 8 Main Rural Centres were highly sustainable locations for growth (paragraph 195 Inspector’s interim letter). That inspector considered that further growth could be allocated to the main rural centres (paragraph 206), a conclusion that he did not reach regarding local service villages. Therefore, the comments in paragraph 5.1.5 are misplaced. The submission Core Strategy conclusion that Kineton cannot accommodate larger numbers of dwellings was not supported by the Inspector. What is ‘more than moderate growth’ in the context of Kineton is not defined; however, it is a settlement with a good range of facilities, which include a secondary school. Directing growth to such a settlement is sustainable and does accord with the 3 aspects of sustainable development set out in paragraph 7 of the National Planning Policy Framework.</p> <p>The limit set by Policy H1 and the text and assertion set out in the explanation, the plan would not meet the basic condition of contributing to sustainable development nor would it be appropriate to</p>	

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	H5	<p>make the plan having regard to the policies in the Framework on sustainable development in rural areas and the need to plan positively for growth.</p> <p>Ironically, in promulgating policy H6 – Safeguarded land, the Neighbourhood plan implicitly accepts that more land will be required and that more development will be sustainable. Again, the Parish Council is to be applauded for acknowledging that Kineton might have to accommodate more growth in light of the Core Strategy Inspector’s Interim Conclusions. However, this is also an acknowledgement that the H1 allocations cannot be said to meet the District’s housing need as that is not known, nor what Kineton’s share is to be. It is also an acknowledgment that Kineton is able to accommodate more growth than that planned for under H1 in a sustainable fashion – otherwise policy H6 would not contribute to the achievement of sustainable development, nor would it be appropriate to make the order having regard to the policies on sustainable development in the Framework.</p> <p>A draft neighbourhood plan has to meet the basic conditions set out in paragraph 8(2) Schedule 4B of the Town and County Planning Act 1990. It is considered that the wording of the policy and the explanatory text do not meet basic conditions;</p> <p>(a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan,</p> <p>(d) the making of the plan contributes to the achievement of sustainable development,</p> <p>(e) the making of the 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),</p> <p>The policy sets out that the mix of dwellings, both affordable and private, should meet the requirements identified by up-to-date evidence such as the SHMA (Coventry and Warwickshire SHMA 2013) It then sets out an extremely prescriptive table (table 1). This table is based on the table found at policy CS18 of the Submission Core Strategy. During the examination the council undertook to modify the policy, setting out a range rather than a precise percentage to achieve. This policy was not adopted for interim planning policy purposes by the Council. Therefore, the only development plan strategic policy on housing mix is policy COM14 of the Stratford on Avon Local Plan Review. This Policy states that the proposal housing mix will be considered on a settlement by settlement basis, having regard to the diversity of the dwellings proposed, the physical characteristics of the site, the existing profile of dwellings and the findings of Parish Plan or other document adopted by the Council. Setting out such a precise housing mix does is not in general conformity with the strategic policy on housing mix contained in the development plan.</p> <p>National guidance issued by the Secretary of State in the form of the Planning Practice Guidance (PPG) warns that predicting future households is not an exact science, whereas Table 1 would suggest that it is. Moreover, the SHMA to which the policy refers notes at paragraphs 9.7–9.8 that it is not a simple</p>	

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	H6	<p>task to convert the net increase in households into a profile largely because of the way the market sector operates. The size of housing occupied by the market sector depends on the wealth and age of the purchaser rather than their need. The SHMA gives the example of a single person buying a four-bed home because they can afford it. In spite of this warning the SHMA suggests a range of household sizes to be planned for in Table 54 at paragraph 9.54. The SHMA sets a range but adds a caveat; it states, 'These figures can be used to inform policies regarding housing mix and as a monitoring tool to ensure future delivery is not unbalanced. They are not, however, intended to be prescriptively applied the every site given that some sites and location may be more appropriate for different types and densities of housing development.'</p> <p>The Framework, at paragraph 50 states that Local Authorities should plan for a mix of housing based on future and demographic trends, market trends, and the needs of different groups in the community. It also states that LPAs should identify the size type tenure and range of housing that is required in particular locations, reflecting local demand.</p> <p>Whilst no objection is made to defining a mix for affordable housing, setting out such a prescriptive mix for the market sector would not comply with paragraph 50 which clearly requires account to be taken of market trends and local demand. There is no scope within policy H5 for this. Accordingly, having regard to national policies and advice, it would not be appropriate to make the order. In addition, at paragraph 7 part of the definition of the social dimension is to support strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations. Therefore the making of the plan with policy H5 would not contribute to the achievement of sustainable development.</p> <p>A draft neighbourhood plan has to meet the basic conditions set out in paragraph 8(2) Schedule 4B of the Town and County Planning Act 1990. It is considered that the wording of the policy and the explanatory text do not meet basic conditions;</p> <p>(a) having regard to national policies and advice contained in guidance issued by the Secretary of state it would be appropriate to make the plan</p> <p>As the explanatory test sets out, there is no strategic housing policy in a development plan and the housing number that the development plan will allocated to Kineton is not known. It has been noted in representations to policy H1 that the June 2014 housing target for the District was increased to 11,800 in December 2014. Not only is it the case that the Inspector into the Core Strategy determined that this figure did not represent the full and objectively assessed need of the District, that figure did not account for any overspill from Birmingham or Coventry, nor any of the housing needs arising from the 100 ha of employment land allocated by the Core Strategy Inspector at Gaydon for Jaguar Land Rover (which is approximately 4 miles from Kineton). Clearly, the housing target for the District will increase</p>	

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		<p>and it may well be the case that Kineton is again asked to play a part in meeting that target.</p> <p>The Parish Council are to be applauded for attempting to plan for this potential extra growth by having a reserve of sites under the safeguarded land policy. However, restricting future development to two sites limits the number of dwellings that can be provided due to the size of those sites in a situation where there are no strategic housing policies in the development plan. It is accepted that case law (BWD Trading Ltd v Cheshire West and Cheshire Borough Council; Gladman Development, R (on the application of) V Aylesbury District Council; Woodcock v SoS DCLG and Mid Sussex), has established that neighbourhood plans can allocate land for housing in the absence of any strategic housing supply policies in a development plan, and no doubt this applied to reserves sites a well. The effect of the policy is to limit development, by virtue of the size of the site and it does not allow for additions sites should more be needed. The relevant part of the judgement in BWD is expertly summarised by Holgate J in Woodcock. At paragraph 61 he found;</p> <p>Supperstone J decided that the criticisms failed to appreciate the limited role of The examination of a neighbourhood plan, namely to consider whether the “basic conditions had been met. He held that the Examiner had been entitled to conclude that the draft plan had regard to the NPPF because the need to plan positively for growth was acknowledged and the relevant policy <i>did not place a limit</i> on the total amount of housing to be built (paragraph 33 and 81 of [BWD] judgement.</p> <p>The limiting effect of this policy in the absence of strategic policies on housing supply in the development plan means that it would not be appropriate to make the plan having regard to national policy in the NPPF on the need to plan positively for growth.</p> <p>This policy effectively removes the potential for other sites to be considered that were not available at the time of the Neighbourhood Plan consultation. In particular, the site at Brookhampton Lane was not considered as an option for growth because it was not put forward in time to be considered as part of the consultation exercise or the developers’ forum. The site has a number of advantages which were set out in a letter to the Neighbourhood Plan working group dated 14th May 2015, a copy of which is attached to these representations. In addition a masterplan has been prepared which is also attached to these representations. The format of the plan has been driven by landscape consideration with development proposed on the lower part of the site and open space at the higher part.</p> <p>The consequence of policy H5 is that should extra land be needed, a site that the community may have supported had it not been put forward late in the process, will not have the chance to be considered.</p>	

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	E1	<p>It is also the case that the text sets out that any sites included within this policy will only be released if there is an identified local housing need. 'Local' is not defined but this is assumed to be the Parish area. While there will be an element of local need, due to its status as a Main Rural Centre, with a secondary school, Kineton will play a role in meeting district housing requirements.</p> <p>A draft neighbourhood plan has to meet the basic conditions set out in paragraph 8(2) Schedule 4B of the Town and County Planning Act 1990. It is considered that the wording of the policy and the explanatory text do not meet basic condition; (a) having regard to national policies and advice contained in guidance issued by the Secretary of state it would be appropriate to make the plan</p> <p>Policy E1 prevents development on the best and most versatile agricultural land unless there are exceptional circumstances that outweigh the loss. However, paragraph 112 of the NPPF states that 'Local Planning Authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of higher quality.'</p> <p>In addition, the justification for the policy in the explanation is based on landscape and heritage considerations. Having regard to national policy in the NPPF, it would not be appropriate to make the plan with such a restrictive policy and a very different test from that found in the NPPF, particularly when the reasons for wanting to protect land are based on landscape and heritage considerations.</p>	

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KNP045	<p data-bbox="286 240 434 268">Objectives</p> <p data-bbox="338 1086 376 1114">H1</p> <p data-bbox="338 1283 376 1310">H2</p>	<p data-bbox="488 240 1874 400">Kineton is identified within the emerging Core Strategy as a 'Main Rural Centre' (Policy CS15 Distribution of Development). Kineton has a clear role to accommodate some of the housing needs of the District. The objective of the Neighbourhood Plan for the 'Delivery of a housing growth strategy tailored to the needs and within the context of Kineton Parish' is NOT aligned with the 'strategic needs and priorities of the wider local area.' (Paragraph 184 of the Framework).</p> <p data-bbox="488 437 1850 560">The statement at paragraph 2.2 'in [the Neighbourhood Plan] looks for the village to develop through steady but moderate growth, meeting the housing needs of the community while similarly demonstrating that the Neighbourhood Plan is not aligned with the distribution of development to meet the needs of the District.</p> <p data-bbox="488 596 1865 719">Paragraph 3.12: The sentence 'Any new developments should include pedestrian and cycle links to the schools and shops' is inconsistent with the Framework Section 4. The sentence should more appropriately state 'Any new developments should consider the pedestrian and cycle links to the schools and shops.'</p> <p data-bbox="488 756 1859 911">Paragraph 3.14: This paragraph is a sweeping generalisation, and does not support the statement: '<i>These constraints make development to the south and south-east unsuitable allowing a green space to be retained</i>'. The NP may more appropriately state: '<i>The impact of any development proposals on the landscape and the Battle of Edgehill Historic battlefield should be considered in the context of any development proposals to the south and south east of the village.</i>'</p> <p data-bbox="488 948 1874 1038">Paragraph 5.1.1. The Strategic Objective is inconsistent with the Core Strategy, in making reference to 'meet... needs of the village', and the provision of Policy H1 – Housing Supply which recognises that Kineton should contribute to the housing needs of the District.</p> <p data-bbox="488 1086 1859 1241">The final paragraph of the Policy makes no reference to the Core Strategy and District Housing needs. This part of the Policy is inappropriately written in a protectionist format to restrict growth to the housing needs of Kineton – and in so doing fails to accord with the role of Kineton within the Core Strategy. This part of the policy does not embrace the cost/benefit approach towards sustainable development, and seeks to impose a blanket ban on new housing outside the settlement boundary.</p> <p data-bbox="488 1283 1874 1437">While the Framework encourages the re-use of brownfield land, national planning policy and the Core Strategy does not contain a general presumption against the development of greenfield land. It is inappropriate – and similarly inconsistent with national planning policy and the Framework – to impose a test requiring 'exceptional circumstances' to be demonstrated before housing on greenfield land will be considered favourable.</p>	<p data-bbox="1921 240 2040 300">Not indicated</p>

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		Paragraph 5.1.7 – The first sentence of the ‘Explanation’ again illustrates the conflict of the approach between this NP and the strategic policies of the Core Strategy. Both national planning policy and the Core Strategy do not impose a ‘sequential test’ on the development of greenfield land.	
	D3	It cannot sensibly be argued that a development of 10 or more dwellings amounts to large scale development which has to be accompanied by a master plan. Furthermore, rarely can a development proposal take account of ‘potential future development’ – for the very reason that future development is likely to be unknown. This Policy imposes an inappropriate policy burden – that is inconsistent with a fundamental objective of the planning system to simplify the planning process. The requirement for a Transport Assessment for proposals in excess of 10 dwellings is inconsistent with the Framework.	
	D10	This Policy is inconsistent with the cost benefit approach of the Framework.	
	E1	This Policy is inconsistent with the cost benefit approach of the Framework.	
	E2	An objection is submitted to paragraph 5.4.10, which seeks to prescriptively preclude development on land to the north of Banbury Road. The content of paragraph 5.4.10 is not justified by the Landscape Sensitivity Study 2011 and is inconsistent with the approach taken within the Core Strategy and the Framework. Paragraph 5.4.10 may reasonably make reference to the requirement of new development in this general location, paying due to the impact of new built form on the edge of the settlement.	
	IN1	This Policy is inappropriate and imposes an unduly onerous policy burden upon applications for small scale development. Furthermore, the Policy imposes burdens upon an applicant that may be beyond the means of delivery, e.g. connection to fibre optic broadband. Criterion f) is inconsistent with Policy D8 – Parking Provision. There is no justification for imposing a requirement for ‘off road parking for at least 2 cars’ for a small dwelling. Indeed there may be situations such as infill development where it is impracticable to provide off street car parking – which in itself may be harmful to the character and appearance of the area.	
	IN5	This Policy is inconsistent with the Framework. Parking provision is referred to Policy D8 illustrating further conflict with Policy IN1 – Infrastructure Criteria.	
	SSB3	The identification of this site for housing development is internally inconsistent with the policies in the NP, particularly in the context of the provisions of: Policy IN3 – Encouraging safe walking and cycling and Policy D1 – Creating a strong sense of place.	
	SSB4	The identification of these two sites is inconsistent with the Framework in terms of protecting heritage	

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	Whole Document	<p>assets such as conservation areas and internally inconsistent with Policy D2 – Responding to Local Character and Policy D10 – Heritage Assets.</p> <p>The criticism raised above in the context of Policy SSB3 equally applies to this site. Both sites are poorly located to facilities in Kineton, particularly schools. It is unrealistic to envisage that occupiers of housing on either site would rely upon walking and cycling to access facilities in Kineton, such as schools.</p> <p>The Neighbourhood Plan identifies land to the northwest of Kineton for housing development which has been identified in the SDC Landscape Sensitivity Assessment Study (2011) as being of high/medium sensitivity to housing development. It is a fundamental Core Planning Principle in the Framework that ‘allocations of land for development should prefer land of lesser environment value where consistent with other policies in this Framework.’ The Neighbourhood Plan provides no evidential basis to make a rational allocation of land to the northwest of Kineton which is more sensitive in landscape terms to land to the east.</p> <p>It is submitted that the Neighbourhood Plan should identify land off Banbury Road, Kineton for the provision of 33 dwellings. The location of this site is shown edged red on the attached version of the plan identifying ‘potential housing sites.’ This area lies within land regarded as being of medium landscape sensitivity to housing development.</p> <p>It is submitted that the Consultation Draft Neighbourhood Plan is flawed when considered against the provisions of the Framework; Planning Practice Guidance and the submitted Core Strategy. To illustrate some of the inconsistencies:</p> <ol style="list-style-type: none"> 1) The Framework requires that the sites and the scale of development identified in a plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened (PPG paragraph 005 1D41-005-20140306). 2) A policy in a Neighbourhood Plan should be clear and unambiguous (Paragraph 41 1D 41-041-20140306). 3) Proportionate robust evidence should support the choices made and the approach taken (paragraph 040 1D 41-040-20140306). 4) A qualifying body should carry out an appraisal of options and assessment of individual sites against clearly identified criteria (paragraph 042 -1D 41-042-20140306). 	

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		<p>5) National planning policy states that it (NP) should support the strategic development needs set out in the Local Plan, plan positively to support local development and should not promote development less than set out in the Local Plan or undermine the strategic policies (paragraph 044 1D 41-044-20140306).</p> <p>With respect to the Parish Council, it is understood that local communities are generally resistant to change and consider that the production of a Neighbourhood Plan is an opportunity to limit development to that which it is considered is 'needed' by the local community. Kineton, as one of Main Rural Centres in the District is required to meet strategic development needs of the District – as indeed identified in the emerging Core Strategy. This NP is 'peppered' with policies that impose a more restrictive planning regime on new development than the provisions of national planning policy or the emerging Core Strategy. The policies are not supported by compelling evidence.</p> <p>It is submitted that the Neighbourhood Plan should be reconsidered at this stage in the plan-making process to be consistent with national planning policy and the strategic policies of the emerging Core Strategy.</p>	
KNP046	<p>Context</p> <p>Land north of Warwick Road (SSB1)</p> <p>National</p>	<p>We are generally supportive of the Parish Council's policies and objectives contained in the submission version of the KNP. We note paragraph 041 of the PPG (Reference ID: 41-041-20140306) which makes clear that policies in a Neighbourhood Plan should be clear and unambiguous. The Plan 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. We have sought to use our experience as a user of the planning system to make constructive representations, setting out a number of minor modifications to enable the policies to be fairly and consistently applied in future decision making. With these minor modifications, we consider the KNP can be found in conformity with national planning policy and guidance and the Neighbourhood Plan Basic Conditions.</p> <p>As the Parish Council are aware, we have land interests in Kineton at land to the north of Warwick Road. We support the positive approach taken through Policy SSB1 which seeks to allocate this land for residential development. We have recently submitted an outline planning application for 81 dwellings on this site. This application is supported by a considered number of background evidence and reports, which prove the sustainability, suitability and deliverability of housing on this site. These documents are already before the Council and are publically available on the Council's application website. Given this, a copy of these documents has not been included with these representations. However, these should be considered to form the primary evidence base supporting the representations.</p> <p>The National Planning Policy Framework (the Framework) set out the Government's planning policies</p>	Not indicated

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	Planning Policy	<p>for England and how these are expected to be applied. In doing so it sets out the requirements for the preparation of neighbourhood plans and the role they must play in meeting the development needs of the local area in which they control. The requirements set out in the Framework have now been supplemented by the Neighbourhood Planning Chapter set out in Planning Practice Guidance (PPG).</p> <p>Paragraph 16 of the Framework specifically sets out the positive role that Neighbourhood Plans should play in meeting the development needs of the local area. It states that:</p> <p><i>'The application of the Presumption (in Favour of Sustainable Development, set out in paragraph 14 of the Framework) will have implications for how communities engage in neighbourhood planning. Critically it will mean that neighbourhoods should:</i></p> <ul style="list-style-type: none"> - <i>Develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development;</i> - <i>Plan positively to support local development, shaping and directing development in their area that is outside of the strategic elements of the Local Plan.'</i> <p>Further guidance is set out in paragraph 184 of the Framework which highlights the importance of the relationship between neighbourhood plans and the strategic policy requirements for the wider area set out in a Council's Local Plan, paragraph 184 states;</p> <p><i>'The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the local area. Neighbourhood Plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date plan is in place as quickly as possible. Neighbourhood Plans should reflect these policies and neighbourhoods should plan positively to support them.'</i></p> <p>Before a neighbourhood plan can proceed to referendum it must be tested against a set of Neighbourhood Plan Basic Conditions, set out in paragraph 8 (2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended by section 38a of the Planning and Compulsory Purchase Act 2004). This is also underpinned in PPG at paragraph 065 of the Neighbourhood Planning Chapter.</p> <p>It is clear from the above requirements as set out by both the Framework and PPG that Neighbourhood Plans must conform to both national planning policy and the up-to-date strategic policy requirements set out in the relevant Authorities adopted Local Plans.</p> <p>The KNP has clearly set out to take a positive approach to facilitate new development, consistent with the objectives set out above. Our representations propose minor modifications to ensure that the KNP</p>	

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	<p data-bbox="277 858 439 916">Visions and Aims</p> <p data-bbox="277 959 439 983">KNP Policies</p> <p data-bbox="338 1414 378 1437">H1</p>	<p data-bbox="486 240 577 264">sound.</p> <p data-bbox="486 304 1868 400">The Local Plan Review does identify Kineton as a 'Main Rural Centre', a second tier settlement. It is considered that proposing additional residential growth in the KNP does therefore generally conform to the strategic hierarchy of the extant development plan.</p> <p data-bbox="486 435 1850 595">The KNP has been prepared alongside the preparation of the emerging development plan and the community have sought to align the policies to the requirements within the emerging plan. Whilst we recognise the desire for local communities to progress with neighbourhood plans, particularly in circumstances where the development plan has been extensively delayed, this is of course not a matter to be considered in the assessment against the Basic Conditions.</p> <p data-bbox="486 630 1845 821">Given the Core Strategy is not yet adopted, there is of course some chance that the final strategic policies related to Kineton will be different from those current proposed. In such a future circumstances the KNP might no longer conform to the strategic approach in the then adopted Core Strategy. Such a circumstance might require the preparation of new KNP. However the allocation of substantial level of residential growth (in particular through Policy SSB1) and the proposed allocation of Safeguarded Land (Policy H6) represent a positive approach which is supported.</p> <p data-bbox="486 857 1834 920">We approve of the KNP's vision which sets out a positive strategy and seeks to address a number of matters within the Kineton community.</p> <p data-bbox="486 956 1834 1051">We have reviewed the suite of policies proposed through the submission version of the KNP and find them to be largely positive and consistent with the requirements of the Framework. We therefore commend the Parish Council on the work that has been undertaken so far.</p> <p data-bbox="486 1086 1861 1246">It is clear that the Parish Council have taken positive steps in allocating land for the development needs for Kineton, and in the event further housing is required, practical safeguarding measures have been put in place for the further release of land for residential development. In particular, we support the Parish Council's recognition of the sustainable development opportunity that land at Warwick Road has to offer which has been identified by Policy SSB1 for residential development.</p> <p data-bbox="486 1281 1856 1377">As set out in the introduction, we have sought to use our experience as a user of the planning system to make constructive representations, setting out a number of minor modifications to enable the policies to be fairly and consistently applied in future decision making. These are as follows:</p> <p data-bbox="486 1412 1783 1476">We are supportive of the policy approach to ensure Kineton continues to grow and prosper, the acknowledgement that this will involve the careful development of some greenfield sites and the</p>	

Rep. No.	Policy	Representation	Reg.19 Request?
	H2	<p>identification of specific sites (including SSB1) to achieve this.</p> <p>We recognise the importance of planning policies to ensure the effective use of land through re-using brownfield sites and the inclusion of Policy H2 seeks to achieve this. Given this is a housing policy, for clarity, it is suggested that the opening sentence is reworded to read:</p> <p>“Any proposals for the redevelopment of brownfield land <u>to create new homes</u> will be supported subject to the following criteria:”</p> <p>It is however questioned whether the final paragraph is necessary to achieve the objectives of the plan. The allocation of sites and the policy wording within H1 (related to development proposals outside the settlement boundary) would in any event render other greenfield sites contrary to this element of the development plan, meaning the primary statutory planning balance in s38(6) of the 2004 Act will apply. Further the requirement for “exceptional circumstances” to be demonstrated could be variously interpreted in decision making, and again, the fact s38(6) balance (that the proposal should be determined in accordance with the development plan unless material considerations indicate otherwise) would fully apply, appears sufficient to achieve the policy outcome which the KNP seeks.</p>	
	H3	<p>We acknowledge the importance of securing the affordable housing needs of Kineton and do not object to the aims or substance of this policy. However, given it seeks to duplicate a policy from a higher level of the development plan, it is queried whether this is necessary.</p> <p>Further, if retained, amending the wording to remove the direct reference to Policy CS.17 (and instead referring to the “affordable housing requirements in the Core Strategy) may be sensible; to avoid any confusion should the emerging policies be renumbered.</p> <p>If retained, the second paragraph should be reworded to recognise that Affordable Housing can (and often is) secured by an appropriately wording planning condition:</p> <p>“Appropriate affordable housing tenures will be secured in perpetuity through a Section 106 legal agreement <u>or an appropriately worded condition.</u>”</p>	
	H5	<p>Whilst not objecting to the principle of this policy, at present it appears a little ambiguous, given it places reliance upon a range of sources of data, including potential future evidence, requirements within the emerging core strategy and the requirement of a changing demographic mix.</p> <p>It is considered the policy could be reworded to ensure it is made clearer how an applicant can ensure their proposal is in conformity with it. A suitable approach may be to require development to conform</p>	

Rep. No.	Policy	Representation	Reg. 19 Request?
	H6	<p>to a specified mix, <i>"unless more up-to-date evidence indicates an alternative mix is appropriate"</i>.</p> <p>The inclusion of areas of safeguarded land to provide flexibility and future certainty within the plan is supported.</p> <p>It is considered the wording of criteria (b) should be amended to remove any confusion as to how the term 'link road' might be interpreted. The suggested amended policy would read:</p> <p>"An appropriate site layout which will facilitate a roadway linking both sites, with an intention to form a route between Southam Road and Lighthorne Road, and onward through to Warwick Road;"</p>	
	J2	<p>We recognise the importance of home working and support the inclusion of such a policy. However, we question the necessity of the final element the first sentence (the requirement to incorporate caballing to support broadband) given that the majority of in-home connections are now made through Wi-Fi enabled devices.</p> <p>We also consider that as Policy J2 essentially addresses two separate matters, the second paragraph and criteria a-g are moved into a separate Policy J3 entitled <i>"Live/Work Developments"</i>.</p>	
	D1	<p>We recognise the benefits that high quality design can have in the delivery of future sustainable growth. New development can often contribute to the local character through the effective use of design. However, it is questioned whether <i>"will be resisted"</i> is the correct policy test. We make the following suggestions to ensure Policy D1 is consistent with Section 7 of the Framework 'Requiring Good Design':</p> <ul style="list-style-type: none"> • An alternative approach would be to establish a positive evidential requirement, along the lines that: 'Development proposals must demonstrate how development has taken account of the local character through the effective design measures.' • This could also be accompanied by wording replicating the policy at NPPF §64. <p>However, given this suggested approach closely reflects with the requirements of Policy D2, it may be appropriate to combine D1 and D2 into a single policy.</p>	
	D2	<p>This policy states that all development proposals must demonstrate how local character has been taking into account during the conception and evolution of a design. This policy sets a number of criteria which we support in principle.</p> <p>As presently drafted, it is considered principle (f) which states <i>'Have regard to the impact on</i></p>	

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		<p><i>tranquillity, including dark skies'</i> may prove difficult for applicants to evidence compliance with, and for decision makers to interpret, given what 'tranquillity' means is not easily defined. It may be more appropriate instead to replicate the wording already within KNP at Policy H6 (d) (related to sensitive external lighting).</p>	
	D3	<p>Whilst design codes are not always a necessary solution for sites of the scale proposed within KNP, this policy correctly points to its use when appropriate, as opposed to making it a requirement. The information requirements to support applications set out in the policy are entirely appropriate. Our current application is accompanied by all such information, including a detailed Design and Access Statement and Development Framework plan.</p>	
	D9	<p>We have no objection to the requirement for proposals to make effective and efficient use of land. However it is questioned whether Policy D9 is necessary, as it is considered the policy requirements it contains are either already included within other policies or are better incorporated within other policies:</p> <ul style="list-style-type: none"> • Criteria (a) concerns appropriate density. This is already covered within Policy D2 (b) • Criteria (b) gives priority to PDL land, something which Policy H2 addresses. • Criteria (c) is not something which requires planning permission; whilst something which is strongly supported it is not a matter which the KNP policy can secure. • The final paragraph relating to the transition with the Countryside is again something which appears to be addressed by the detail of Policy D2. 	
	E1	<p>The various qualities and constraints of sites have been considered as part of the allocation process. Given this policy is intended for sites which are not allocated, for clarity, it is considered this policy should have additional wording to make this clear: "Development proposals <u>on unallocated sites</u> which would result..."</p>	
	E6	<p>This policy states that all new development will be expected to protect mature healthy trees and hedges. We support the approach taken within this policy, as it allows for sufficiently flexibility and makes clear the mitigation required where trees or hedges are required to be removed (e.g. to enable access).</p>	
	E8	<p>Whilst we understand the importance of this policy, we consider it goes over and above the remit of Neighbourhood Planning. This policy states that all development proposals must demonstrate that there are or will be adequate water supply and water treatment facilities in places to serve the whole development.</p>	

Rep. No.	Policy	Representation	Reg.19 Request?
	<p data-bbox="333 564 383 592">IN1</p> <p data-bbox="333 1054 383 1082">IN4</p> <p data-bbox="333 1187 383 1214">IN5</p> <p data-bbox="322 1347 394 1374">SSB1</p>	<p data-bbox="479 237 1883 400">Although we sympathise with the issues which have led the Parish Council to include this draft policy, it is the responsibility of the sewerage undertaker to manage the capacity of these facilities. This matter is governed by the provisions of the Water Industry Act 1991 and the relevant responsibilities have been clarified by the Supreme Court in the case of Barratt Homes Ltd v Welsh Water [2009 UKSC 13].</p> <p data-bbox="479 437 1883 528">Whilst there is no question that all homes must be connected to mains water and serviced by suitable foul drainage, the KNP should not seek to place responsibilities upon developers which statute makes the responsibility of the statutory undertaker.</p> <p data-bbox="479 564 1883 687">This policy states that all new developments within the neighbourhood area, must not adversely impact existing infrastructure. This policy sets out 6 criteria which new development of 5 dwellings or more must demonstrate. We support the principles set out in the above policy, but consider that for clarity the following amendments should be made:</p> <ul data-bbox="533 724 1861 1018" style="list-style-type: none"> • The principle in the second paragraph that "<i>development must be... where practical self-sufficient</i>" is not defined and it is unclear how this will be assessed when determining decisions. It is considered the aims of the plan would not be harmed by the deletion of this element, especially given the steps to achieve this are set out elsewhere within the KNP, principally within the design and environment policies. • For the reasons set out in the representations on Policy E8 above, the requirements under (b) are already covered by statute and are not therefore required. • The requirement of criteria (e) is already addressed in Policy D8 and does not need to be repeated. <p data-bbox="479 1054 1883 1145">It is unclear from the policy wording whether Local Green Space designations are expected to come forward at a later stage, or whether all those shown on the Development Constraints map will be subject to this designation. The KNP would benefit from an amendment to clarify this matter.</p> <p data-bbox="479 1187 1883 1310">The pursuit of a road around the north of the settlement is noted as a policy aim, and discussed in more detail in our comments of Policy SSB1 below. Again for consistency, as per the comments at H6 above and SSB1 below, it is suggested that the phrase "...a route linking..." is used in place of the phrase "...a link road...".</p> <p data-bbox="479 1347 1883 1465">This policy identifies land to the north of Warwick Road for residential development of up to 78 dwellings subject to meeting three requirements attached to this policy. We support the Parish Council in its identification of land north of Warwick Road as a suitable and sustainable location for future residential growth.</p>	

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		<p>The suitability, deliverability and sustainability of this site is fully evidence within the outline planning application which has now been submitted. The delivery of the site will offer significant benefits to the local community, including:</p> <ul style="list-style-type: none"> • The provision of new homes to sustain the vitality and viability of key facilities and essential services. • Delivery of 35% affordable housing. • Significant net gain in public open space for the benefit of both new residents and the existing local community. • Enhanced permeability with the local area, including a pedestrian link between Warwick Road and Lighthorne Road, creating a new circulate route for existing residents. • Economic benefits associated with the development of the site during the construction phase and increased footfall to existing businesses within Kineton. This will ensure their operational capacity of essential facilities will continue to meet the needs of the community, ensuring their longevity. <p>Given the extensive additional and detailed work undertaken by Gladman, we consider a few amendments to this Policy would improve the implementation of KNP aims:</p> <p><u>Quantum</u> As the Parish Council will be aware we have submitted an outline application for residential development of 81 dwellings. The technical work undertaken evidences that 81 dwellings is the level of development which will make best use of this allocated site. Given this detailed evidence, we consider a proposal for 3 more dwellings than the 78 dwellings maximum proposed within SSB1 is a sensible and sustainable proposal and does not cause an adverse impact. We therefore suggest that either the upper limit is marginally increased to 81, or a degree of flexibility is added to the policy by amending the wording of “up to 78 dwellings” is amended to “around 78 dwellings”.</p> <p><u>Site Boundary</u> In order to gain the access off Warwick Road, a small area of additional land (shown edged in blue on the Plan at Appendix 1) will be required. This area will be sympathetically designed and will not have an impact on the surrounding landscape.</p> <p>Whilst as drafted, this policy does not prohibit this area being used for this purpose, consideration should be given to amending the allocation boundary to include this additional land, to ensure the allocation is deliverable. A sensible approach may be to show this area with a different notation (hatched for example) to make clear this additional area is only for access/landscaping and no dwellings shall be constructed in this area.</p>	

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		<p>Criteria (a): Is fully supported.</p> <p>Criteria (b): The principle of this policy is fully supported. However, a rigid interpretation of the policy would prevent the very limited removal of hedges for access and internal circulation. It is suggested that this criteria replicates the positive approach taken by Policy E6, with the wording shown underlined below added:</p> <p><u>“The retention and long term preservation of the mature tree/s and hedgerow/s within the allocated site. <u>Where this is not possible (for example to enable access) new trees and hedges should be planted to replace those lost”.</u></u></p> <p>Criteria (c): We fully appreciate the aim and objective of creating a new route around the north of the settlement. The KNP sees this new road coming forward over the lifetime of the plan, or a longer period, as this site, and the two Safeguarded sites are developed. At a recent meeting with the Parish Council, local representatives made clear the policy has arisen out of a desire to future proof the development of Kineton, and to ensure the road system is capable of expanding as the population grows.</p> <p>We note that this requirement emerged within the final version of the KNP, and given much of the technical preparation for the planning application had been completed in advance of this; our initial application submission does not make provision for a road as required by SSB1. However, the application at present evidences is that the 81 dwellings can be appropriately and safely accessed from a single point on Warwick Road. This evidence is important to underline the deliverability of the proposed allocation, especially given that, as Safeguarded Land, the KNP envisages that it may not be necessary for the sites further east (and therefore the full route of the new roads) to be developed until after 2031.</p> <p>Following the meeting with the Parish Council, we have committed to undertake further technical work and to make amendments to the planning application submission to recognise the aspirations and requirements of the KNP. Alongside this, it is considered that the wording of Criteria (c) should be amended as follows:</p> <p>As currently drafted, a scheme which did not build (and presumably open) a road between Warwick Road and Lighthorne Road would be in conflict with SSB1. However, Lighthorne Road at present (especially taking into account the narrow railway bridge and its confined junction with Southam Road) is not appropriate to form a secondary access to this site. This would change when a route was built linking onto Southam Road (which might also in future lead to Lighthorne Road being closed to</p>	

Rep. No.	Policy	Representation	Reg.19 Request?
	<p data-bbox="309 632 412 655">SA/SEA</p> <p data-bbox="293 1283 427 1342">Basic Conditions</p>	<p data-bbox="488 240 1111 264">through traffic, perhaps at the railway bridge).</p> <p data-bbox="488 304 1868 392">To ensure clarity, without retracting from the clear objectives of the plan (as set out at the end of Policy IN5) it is suggested that the wording of this criteria of SSB1 mirrors the wording of Policy H6, to read:</p> <p data-bbox="488 432 1850 496">"An appropriate site layout which will facilitate a roadway linking Warwick Road and Lighthorne Road, to enable a future onward route through to Southam Road;"</p> <p data-bbox="488 536 1805 592">As per our comments regarding Policy H6, it is considered the wording 'a roadway linking' is more appropriate than the wording 'a link road'.</p> <p data-bbox="488 632 1816 751">Whilst there is no legal requirement for a Neighbourhood Plan to have a supporting sustainability appraisal, PPG suggests that it may provide a useful approach to assess whether a neighbourhood plan will meet all basic conditions required by section 38 of the Planning and Compulsory Purchase Act 2004.</p> <p data-bbox="488 791 1854 887">The adequacy of a Strategic Environmental Assessment/Sustainability Appraisal (SEA/SA) goes to the core compliance of basic condition (f) which requires strict adherence to the requirements of the Strategic Environmental Assessment Directive and the implementing UK regulations.</p> <p data-bbox="488 927 1872 1078">We note that the SEA Screening Report states that the KNP will be in conformity with the strategic influence of the Stratford-on-Avon Core Strategy, and an SEA is therefore not required and the Council have agreed with this stance. It is however noted that given the Core Strategy is yet to be found sound, there is the potential that a party unhappy with the outcome of the neighbourhood plan could seek to challenge the outcome on this basis.</p> <p data-bbox="488 1118 1872 1238">It is in the interests of all stakeholders that the KNP is based on a robust and deliverable strategy, and once 'made' is not open to challenge. Given there remains uncertainties regarding the emerging SACS, there may be some merit in an SA/SEA of the KNP being undertaken, to ensure that the plan is able to demonstrate its ability to deliver sustainable development.</p> <p data-bbox="488 1278 1861 1437">We recognise the role of Neighbourhood Plans acting as a tool for local people to shape the development needs of their area. Through these representations, we have examined the soundness and deliverability of the policies proposed by the submission version of the KNP and its ability to meet the basic conditions as required by paragraph 8 (2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended by section 38a of the Planning and Compulsory Purchase Act 2004).</p>	

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		<p>In principle, we support the KNP's vision, objectives and its suite of policies as submitted. We have sought to make constructive suggestions for amendments and clarifications to ensure the full delivery of the plan's economic, social and environmental objectives.</p> <p>We support the identification of land at Warwick Road for residential development. This site is able to deliver at a slightly greater quantum than that proposed by Policy SSB1, evidenced by the work produced on behalf of Gladman. This detailed work by specialist consultants demonstrates that the most effective use of land would be a development of up to 81 dwellings.</p> <p>Subject to the consideration of these minor modifications, we consider the KNP is capable of meeting the Basic Conditions.</p>	
KNP047	Whole document	<p>We welcome the preparation of the Plan and commend the approaches taken to its' compilation. We consider that the Neighbourhood Plan gives a good overview of the historic environment and heritage assets of the area. We welcome the coverage of both designated and non-designated heritage assets including archaeological remains (including as earthworks) key views and green spaces as well as the wider consideration of the character of the area as informed by the policy focus on design issues. We do have a number of suggestions for your consideration:</p> <p>The whole range of heritage assets in the Parish including information on Historic Landscape Characterisation (HLC) or more detailed Historic Environment Character Assessments will be recorded in the Warwickshire County Council Historic Environment Record (HER). Whilst the good coverage of heritage assets in the Plan suggests that this source has been consulted it is not specifically referenced and to do this would be helpful so as to document this as a positive aspect of your evidence base. Ben Wallace the County HER Manager is the relevant Officer in relation to all this and I have copied him into the e-mail that accompanies this letter. We strongly urge you to speak to him about your Draft Plan if you have not already done so.</p> <p>Historic farmsteads appear to be a feature of the Neighbourhood Plan area and are referenced in the rubric of Policy D6. The Plan might, therefore, usefully include a policy requirement for applicants for planning permission affecting historic farmsteads to demonstrate that they have made positive use of the information below (The County Council HER Manager can advise further on this). This would assist in ensuring sensitive proposals are put forward that are capable of conserving the buildings historic significance whilst at the same time maintaining farmstead character and thus local distinctiveness.</p> <p>In the government's view a core planning principle of the National Planning Policy Framework (NPPF) is that all heritage assets should be conserved "in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of this and future generations". This is</p>	Not indicated

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		<p>acknowledged in Policy D2 but it is notable that Policy D10 focuses purely on designated Heritage Assets (i.e. conservation areas, listed buildings and scheduled monuments). This is not necessarily inappropriate but for the sake of clarity (and cognizant of the wider scope of Policy D2) it may be helpful for the avoidance of any doubt to be specific and to entitle Policy D10 "Designated Heritage Assets".</p> <p>Overall Historic England commends and endorses the approaches taken to the identification and protection of the historic environment in the Kineton Neighbourhood Plan but we hope you find these comments helpful.</p>	
KNP048	SSB3	<p>We own the land proposed for residential development in Policy SSB3, land to the north east of Little Kineton, shown as Site 3 on the Proposals Map. We confirm the land is available for development and that the site is suitable for the erection of up to 15 dwellings with associated works.</p> <p>The land in question has previously been promoted to Stratford-on-Avon District Council for development through the SHLAA process. The submissions concluded that such a development would be sustainable. There are no known impediments which would affect the delivery of development on the site.</p> <p>We believe the allocation of Site 3 would contribute to the achievement of sustainable development, that it would be in generally conformity with the strategic policies of the emerging Core Strategy and have appropriate regard to national policies.</p>	Not indicated
KNP049	General Conformity with Policy	<p>In general terms, the NPPF advocates a strong 'presumption in favour of sustainable development' in all planning related matters and places a responsibility on Local Authorities to encourage and support sustainable growth and to plan positively for new development.</p> <p>Importantly, paragraph 1 of the NPPF states that it 'provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.</p> <p>Paragraph 16 of the NPPF states 'the application of the presumption will have implications for how communities engage in neighbourhood planning. Critically, it will mean that neighbourhoods should develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development'.</p> <p>In this respect, Neighbourhood Plans (like Local Plans) must be found on a robust and credible evidence base to ensure they are 'sound' (our emphasis).</p> <p>To be considered sound, Para 182 of the NPPF requires that a plan is:</p>	Not indicated

Rep. No.	Policy	Representation	Reg.19 Request?
		<ul style="list-style-type: none"> • Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development; • Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence; • Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and: • Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the NPPF. <p>The NPPF (paragraphs 183 – 185) supports the principle of local communities preparing Neighbourhood Plans to deliver a shared vision and support sustainable development. Importantly, para 183 confirms that ‘neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them’. The KNDP must therefore be in general conformity with the SDC SCS as well as the principles set out in the NPPF particularly relating to sustainability.</p> <p>Unfortunately in this instance, whilst we support the principle of a Neighbourhood Plan, in this case it is clear that the KNDP is not in general conformity in respect of several fundamental areas with the NPPF or its supporting guidance in the NPPG, nor the emerging SCS or its evidence base. For this reason, we do not consider that the plan can progress as drafted and a thorough re-draft is required. Sharba Homes have, on each occasion that they have responded to the Plan, offered to meet with the Parish Council to discuss their concerns. To date, no response has been received to either the concerns of Sharba Homes or the offer of a meeting.</p> <p>As a starting point, only a draft neighbourhood Plan or Order that meets each of a set of basic conditions can be put to a referendum and be made. The basic conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The basic conditions (as relevant to this submission) are:</p> <ul style="list-style-type: none"> • Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan). • The making of the order (or neighbourhood plan) contributes to the achievement of sustainable development. 	

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	<p data-bbox="293 564 421 592">Section 1</p> <p data-bbox="293 987 421 1015">Section 2</p>	<ul data-bbox="488 240 1850 300" style="list-style-type: none"> • The making of the order (or neighbourhood 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). <p data-bbox="488 336 1839 528">In order to demonstrate how the basic conditions have been met, the NPPG (ID 41:066-20140306) recommends that a draft 'basic conditions statement' be included in the Plan so that it is clear in the way that these conditions have been met. The KNDP is supported by a Basic Conditions Statement (June 2015). However, for the reasons which we outline below, we do not consider that the basic conditions have been met. On this basis, we propose to carry out a detailed review of the KNDP and then summarise its compliance with the relevant legislation.</p> <p data-bbox="488 564 1861 624">The submission draft KNDP does not cover the correct period. The SCS covers the period 2011 – 2031 not 2015 – 2031 as stated in the draft KNDP. The document therefore requires a review on this basis.</p> <p data-bbox="488 660 1861 951">The NPPG (para. ID 41: 072-20140306) clearly states that sufficient and proportionate evidence should be produced to draft the Neighbourhood Plan. Paragraph ID 41:041-20140306 also states that policies in a Neighbourhood Plan should be supported by appropriate evidence. In this case, scant evidence has been produced to support any policies, which is of particular importance when the conclusions reached run counter to the only published evidence (the District Council evidence base). The NPPG goes on to state that there is no requirement for the production of a Sustainability Appraisal (SA) to accompany the draft Plan but that its production may assist in formulating the evidence base and draft Plan. We are not aware that any SA has been produced to guide the process and thus there is no way of assessing the way in which any decisions within the KNDP have been reached.</p> <p data-bbox="488 987 1861 1246">Section 2 within the draft KNDP makes reference to the use of the District Council's Landscape Sensitivity Study (2011) (LSS) however for reasons which we set out below, the draft KNDP is fundamentally at odds with both the detail and conclusions of that study and as such the study has clearly not been used correctly. The draft KNDP reaches conclusions in respect of site suitability which are at odds with the District Council's own evidence base and for which no counter evidence has been published to justify including such sites in the KNDP which the Local Authority had assessed and ruled out. Neither is there any evidence published to explain why sites that the District Council did consider suitable have been ruled out by this Plan with any formal or informal published assessment.</p> <p data-bbox="488 1283 1861 1469">Conclusions are reached in respect of transport, flooding, and foul drainage however none of this work is supported by any evidence published with the KNDP. Indeed, whilst the settlement boundary has been amended to allow for proposed development within the village envelope, such extensions run completely contrary to the evidence provided within the District Council's LSS. The LSS specifically states no development north of the railway cutting. This is similar in its wording to the statements in respect of development north of Walton Farm and the former is on more landscape sensitive land. It is</p>	

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	Section 3 – History and Future	<p>therefore highly selective (and totally unjustified) to use this as a justification for the selection of the preferred sites when the evidence base does not fit.</p> <p>It is noted that in publishing the consultation responses received to date in respect of the plan, these include comments from the District Council on the soundness of the KNDP. The District Council comments make this very point – the only evidence which is referenced is the SCS evidence base, however the draft KNDP then ‘flies in the face’ of that sole source of evidence. They also highlight that there is no evidence demonstrating how conclusions in respect of site selection have been reached and why some sites have been preferred over others. Furthermore, a question is also raised as to why more sensitive landscape sites have been preferred and whether Warwickshire County Council have been consulted (in highway terms) in respect of the preferred sites. With regard to the latter, the County Council confirmed in July 2015 (i.e. post the publication of the draft KNDP) that they have not been consulted and have significant concerns in respect of some of the preferred sites. These comments have also been made on several occasions by Sharba Homes and yet no comprehensive response to their comments has been published.</p> <p>The NPPG (ID: 41-069-20140306) states that Neighbourhood Plans must not constrain the delivery of important national policy objectives and also that a plan should be prepared positively to support local development that is outside the strategic elements of the local plan (ID: 41-070-20140306). It is well documented that the NPPF is a ‘pro-growth’ document with a presumption in favour of sustainable development. This is not however reflected in the KNDP. Furthermore, the relationship between the KNDP and the Development Plan is set out on page 6. We do not consider it correct to state that ‘in law’ the plan must be used to determine planning applications. The KNDP will, when it is completed and ratified by referendum and found sound by the Planning Inspectorate, form part of the Development Plan, however as with any aspect of the Development Plan, Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that ‘if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise’. This is a different test to that which is set out in the KNDP and the draft Plan should therefore be amended accordingly to correctly reflect actual planning legislation.</p> <p>Section 3 seeks to downplay the sustainability of Kineton by saying it has only a relatively limited range of shops and facilities. We have enclosed a ‘Facilities Plan’ with this submission which demonstrates the relatively high level of local shops and services available. Kineton is identified within the emerging Core Strategy as one of 8 Main Rural Centres (MRC’s) which are the second tier service centres after Stratford town itself. Within the emerging SCS, the Main Rural Centres are identified as locations which are suitable for growth and which serve as hubs for the wider rural hinterland. Importantly there is no ranking of the MRC’s, and therefore they are all considered to be of equal</p>	

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	<p data-bbox="271 1182 450 1310">Section 3: Future Development Issues</p>	<p data-bbox="488 240 1874 331">sustainability value as a category of settlement. This was confirmed in the conclusions of the Inspector to the SCS. To downplay this role is to seek to correspondingly downplay the role which Kineton must play in accommodating future development in the District and runs directly contrary to the SCS.</p> <p data-bbox="488 368 1874 691">This section (paragraph 6) also shows the relative sustainability of Kineton in terms of travel to work with 31% (i.e. just under one third) of residents working within the ward. This is attributed to the Jaguar Land Rover (JLR) Plant at Gaydon which is a major employer and which falls within the Ward. The draft SCS proposes significant expansion of the JLR site as part of wider development in the area known as Gaydon Lighthorne Heath (GLH) as part of the SCS. We are aware that at the Examination in Public (EiP), JLR indicated that the expansion of their site is of national importance and that without this the future of the company within the UK was at risk. At the same EiP, JLR also advised the Inspector that their general travel to work patters show that workers do not live 'on-site' i.e. that their workforce (either new or existing) would be unlikely to all live on the proposed 'new settlement' immediately adjoining the site.</p> <p data-bbox="488 727 1874 919">Given the existing travel to work patterns in Kineton as demonstrated in the draft KNDP, it is reasonable therefore to assume that a proportion of the new employees will choose to live beyond the new settlement and in the surrounding villages with the closest MRC being Kineton. There surely remains the question as to whether Kineton should therefore be accommodating a significant proportion of the numbers currently identified for the Main Rural Centres as this would represent a highly sustainable solution by minimising travel to work.</p> <p data-bbox="488 956 1874 1147">The application for the residential element of the development of GLH has now been submitted to the District Council for consideration and comprises 2,000 dwellings with accompanying ancillary development including a new village centre. Whilst the Inspector reduced the numbers proposed for this site (to 2,300 dwellings within the plan period down from 2,500), he did however endorse the principle of development and it is reasonable to assume that this development will go ahead, it is simply a matter of timing. Furthermore, the District Council remain committed to its delivery.</p> <p data-bbox="488 1184 1874 1375">Foul sewage capacity is a recurrent theme throughout the draft KNDP. Under Section 106 of the Water Industry Act, a landowner/property owner/developer has the right to connect into the existing system. The question is not one of whether there is currently spare capacity available to allow development as all connections have to be permitted; the question is what works are required to upgrade the system to create sufficient capacity for the new houses, given that the developer will be required to fund this. This matter will be discussed further in our response to Policy IN1 (Infrastructure Criteria).</p> <p data-bbox="488 1412 1874 1469">The capacity of transport infrastructure is discussed along with on street parking and HGV traffic. Both of these are however matters that should be assessed by the County Highways Department as part of</p>	

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		<p>any proposed plan, however no evidence has been provided in the KNDP to demonstrate that such a problem exists. Should there be illegal parking and/or HGV traffic, then this is a Police enforcement matter which cannot be used to constrain development. To assist, we would recommend reviewing the findings of the Transport Statement (TS) accompanying the planning application 14/03602/OUT (Appendix 2) which demonstrates that the highway network in Kineton has approximately 50% spare capacity given traffic volumes, settlement type/size, and highway configurations including on street parking.</p> <p>The TS clearly sets out the characteristics of the conditions of the busy high street model within the national design standard TA 79/99 "Traffic Capacity of Urban Roads", against which the road capacity is assessed at paragraphs 8.4 to 8.7. Specifically, paragraphs 8.4 and 8.5 of the TS state:</p> <p>"The UAP4 route is described as "Busy high street carrying predominantly local traffic with frontage activity including loading and unloading". They are subject to 30 mph speed limits with more than 2 side roads per kilometre and unlimited access to houses, shops and businesses. Parking and loading is unrestricted; frequent pedestrian crossings are provided at-grade (i.e. at carriageway level) and bus stops are provided at the kerbside".</p> <p>"When taking into account the unrestricted parking, kerbside bus stops with unrestricted parking and loading within a high street environment, it is clear that the potential for one or both sides of the carriageway to be obstructed to through movement by stationary vehicles is significant. The main difference between the type UAP4 route and those within Kineton is the existence of frequent at-grade pedestrian crossings on the former, which are absent from the routes within Kineton. As a result, there is less potential for delay within Kineton than on a UAP4 route, because drivers would not be required to stop in order to facilitate the movement of pedestrian across the carriageway at zebra, pelican or toucan crossings."</p> <p>The TS also expressly states at paragraph 2.7:</p> <p>"Based on guidance contained in Manual for Streets, a width of 4.1m is sufficient for two cars travelling in opposite directions to pass each other. However, observations on site reveal drivers tend to give-way to one another, rather than squeeze past, as traffic flows appeared to be relatively low and therefore the delays associated with stopping to give-way to opposing traffic are minimal."</p> <p>In terms of comparing Kineton to an urban environment, in respect of highway design, the routes fall with an urban categorisation, as the roads are subject to either a 30 or 40 mph speed limit and are within a predominantly built-up area with pedestrian footways and typical urban street furniture. Provided there is sufficient residual width for an agricultural vehicle to negotiate the parked vehicles,</p>	

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		<p>the implications for single lane working accommodating two-way traffic are no different to a high street environment where buses, coaches, service vehicles including HGVs and other road users interact with each other.</p> <p>It is clear that it is the opinion of the Kineton community is that the village centre cannot accommodate any increase in traffic because the roads cannot cope. This is apparently underpinned by their concern that they may have to physically slow down or stop to pass other vehicles travelling in the opposite direction. The use of road narrowing is a recognised form of traffic calming. Such pinch points serve a useful purpose in terms of controlling vehicle speeds and movement, and represent a normal position in settlements across the country.</p> <p>The draft KNDP states that opportunities should be taken to introduce traffic management and that all new developments should provide footpath and cycle links. However, whilst such aims are admirable and opportunities that can arise from new development should be positively supported by the KNDP, such matters are governed and maintained by the Highway Authority (in this case Warwickshire County Council) and therefore we would guard against including these as mandatory elements as they are beyond the control of the Parish Council, District Council, local residents or developer to enforce.</p> <p>There is a fundamental flaw in the way that the information is set out on page 9 (para. 3.15) in relation to landscape sensitivity and a flaw which has run through into the draft allocations such that the draft KNDP housing allocations now run counter to the policies contained in the draft KNDP. Kineton is described as being highly sensitive to commercial development which is confirmed in the Council's LSS. However it is then stated that "Areas of High Landscape sensitivity bound the majority of the village to the north, south and east." Indeed, given that the draft KNDP proposes no employment allocations, it could be argued that there is little to be gained by referencing sensitivity to employment development.</p> <p>The focus should instead be on the residential side; after all, this is one of the only documents which the draft KNDP has purportedly used to guide development. In respect of residential development, the LSS shows the south being of high sensitivity; the west/north west being of high/medium sensitivity and the east/north east being of only medium sensitivity (<u>i.e. the least sensitive in landscape terms</u>). The KNDP has not provided any evidence to contradict the LSS and in fact cites it as one of its few evidence base documents but has still chosen not to mention or utilise its key assessments in terms of sensitivity to housing development.</p> <p>The draft KNDP seeks to propose allocations in the higher sensitivity locations to the NW and around Little Kineton, contrary to these documents on sensitivity to housing development. This runs counter to the NPPF and NPPG guidance, as well the SCS and indeed the draft KNDP which has a golden thread</p>	

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	<p>Section 4 - Vision Statement: Housing</p> <p>Vision Statement: Conservation</p> <p>H1</p>	<p>of protecting landscapes and referencing the LSS as a core document upon which is purported to have been based. This view appears to be supported by the District Council also in their published response to the draft KNDP. This will be dealt with in more detail overleaf.</p> <p>It is not clear what the bullet points in pages 9 and 10 are intended to do – they appear to be acting as a quasi-policy and in which case, it would be best served if they were formulated into policy. The objectives here are supported, particularly the social ones where it is stated that there is support for the improvement of access for school transport and the delivery of new play areas and the creation of circular walks to the north of Kineton.</p> <p>We support the draft KNDP aims for new housing development to be of an appropriate density with a mix of housing that is compatible with the economic and diverse social needs of Kineton and the surrounding area.</p> <p>Matters relating to Conservation Areas are defined in statute as set out in the Planning (Listed Buildings and Conservation Areas) Act 1990. This provides explicit guidance in respect of the ‘tests’ for any new development and the consideration of heritage assets. The impact on such assets must therefore be considered against the Act and not against this Vision which cannot re-write or overrule this Act.</p> <p>Policy H1 is not in accordance with the NPPF. The reference to the control of development is out of sync with the NPPF. It is our expectation that the numbers to be delivered within the District will need to increase in line with the evidence base and that Kineton is ideally placed to accommodate additional growth. Furthermore, the SCS currently proposes 720 dwellings to be delivered in Stratford Town and the MRC’s on unallocated sites. We consider these sites should be identified and allocated, with a strong focus on Kineton for the reasons set out above and below. The District Council, in their response to the draft Plan, also advise that the numbers should not be set out in the KNDP as they are not yet settled.</p> <p>The draft KNDP explains that four allocations for housing will be included within the Plan, to meet more than the required 100 units, which are of course not yet confirmed in policy. There is concern over the suitability and sustainability of each of the four proposed allocations. For reference, these are explained, in the later relevant policy section. However we have already stated earlier that we consider that were the expansion of JLR to progress then there may be a need for additional housing in the village. In addition however, the table below shows that Kineton has accommodated relatively little growth compared to the other MRC’s (all of which are awarded the same status) and that therefore a sustainable growth option would be to increase provision on suitable additional sites within the village.</p>	

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		<p>Kineton has not seen anywhere near the same level of growth as other MRC's, despite its agreed sustainability.</p> <p>In the District Councils Proposed Modifications (August 2015), the Council sets out the way in which the 3,900 homes will be split between the Main Rural Centres. This includes a total of 109 units at Kineton. However, 720 units remain unallocated (across the MRC's and Stratford Upon Avon (which will be expected to come forward over the plan period). Given the historic low growth in Kineton and the fact that Kineton is currently proposed to provide the third lowest number of units out of the Main Rural Centres, and the lowest of those that are not constrained by Green Belt, it should be expected that a significant proportion of the unallocated sites will come forward in Kineton. This is especially pertinent when the Core Strategy Inspector has already commented that some of the MRC's have already taken significant growth.</p> <p>It should also be noted that since the submission draft KNDP has been published for consultation, the District Council has already increased in their target housing figure again to 14,485 dwellings in proposed modifications to the Core Strategy and as such, the draft KNDP is already out of kilter with the latest draft CS position. We would recommend that, as overall targeted numbers for Kineton are not in the control of the KNDP, further potential areas for sustainable future growth will need to be identified that can accommodate this changing need in order for the KNDP to be found sound.</p> <p>Item (d), we respond separately on this matter.</p> <p>H2 Policy H2 advocates a sequential approach to site selection within the supporting text and indeed states that it would be contrary to the principles of sustainable development to release greenfield sites to meet identified housing need beyond that arising in the Neighbourhood Plan. Again, this fails to reflect a District wide need to ensure a continuous five year supply of deliverable housing sites and runs counter to the NPPF which has a starting point of a presumption in favour of sustainable development.</p> <p>This policy runs counter to the NPPF in that there is a requirement to demonstrate exceptional circumstances for development on greenfield land, which within the NPPF, is only applicable to areas of high landscape value such as National Parks and AONB's. Furthermore, the policy sets out an express presumption against greenfield development when the NPPF provides completely opposing policy. Draft Policy H2 is fundamentally unsound.</p> <p>H5 The KNDP commentary on Policy H5 is supported in that the generalised mix proposed by the latest district wide SHMA "does not deal with the detailed level" for the parish. As such, it is recommended that local capacity and requirements should be the subject of individual assessment/agreement at the</p>	

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	J2	<p>time of a planning application submission. However it should be noted the need to provide an appropriate mix of housing relates to a wider District need, as such development is not just purely for “local needs housing” so would need to be agreed at District level rather than what the village may be ‘prepared’ to accommodate.</p> <p>Whilst the principle of providing sufficient space for home working is supported, the current wording of Policy J2 is imprecise. There is no evidence base to support this policy and no assessment as to whether this and could lead to uneconomic expectations on housing developments.</p> <p>Firstly, the policy does not specify exactly how much ‘space’ would be required within new dwellings to accommodate home-working. Indeed, properties which are 2-bed or larger, could have a room adapted into a home office if required by the occupier.</p> <p>Secondly, the requirement for all dwellings to include space for home working would suggest that the Neighbourhood Plan is anticipating all incoming residents to work from home. If this is the case, the Policy would need to be supported by empirical evidence to outline the anticipated number of incoming residents who would be expected to work from home. Otherwise, it is recommended that the first sentence from Policy J2 is deleted.</p>	
	D2	<p>With regard to items (g) and (h), these are covered by alternative legislation and do not therefore need to be reflected in this policy.</p>	
	D3	<p>The use of Design Codes for developments in excess of 10 dwellings is wholly disproportionate. Design Codes are used on larger scale sites where, for example, there may be different character areas, to ensure cohesion. This is not applicable to such small sites and could equally be secured through a high quality Design and Access Statement which would remain proportional to the quantum of development. Furthermore, it is not feasible or reasonable for such documents to take account of potential future development as clearly this is an unknown factor and not relevant to the consideration of the scheme in question.</p>	
	E1	<p>With regard to agricultural land, paragraph 112 of the NPPF states that ‘Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality’.</p> <p>This is very different to the test in draft Policy E1 which requires demonstration of exceptional circumstances. This policy is clearly out of sync with the NPPF and is unsound.</p>	

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	E2	<p>In drafting the KNDP, there has been some significant misinterpretation of the District Council LSS. The supporting text to Policy E2 advises that the study concludes that 'under no circumstances should there be any development north of the new housing estate (Walton Field) to ensure that the settlement edge is stepped and well below the minor ridge top'. However, more fundamentally, the land in this area is in fact identified as being that which is least sensitive around the village to future residential development, and is actually and logically identified as both a Broad Location and a Site with Future Potential for housing development. Clearly with a need to increase numbers set against a desire to ensure suitable landscape protection for the most valuable areas, the solution is to extend into the least sensitive areas, as the District has already permitted to the west, and not to seek development in higher landscape sensitive areas. The LSS is abundantly clear that the ridgeline to north of Walton Fields is of lower landscape sensitivity than any of the areas in which the authors of the KNDP are proposing to place development.</p> <p>The development of land north of Banbury Road should be read in conjunction with and in the context of the existing village developments, both adjacent to the site in the form of the floodlit sports facilities to the NW of the SHLAA site KIN901 (planning application 14/03602/OUT), and the recently consented Bloor development further to the NW. A decision which was ratified by the professional Officers at the District Council when recommending that planning permission be granted for the development of Land North of Banbury Road (Appendix 4). A restriction on development to a rear building line with Walton Fields would not be consistent with the SHLAA's more detailed appraisal and recommendations. Furthermore, no evidence has been put forward to substantiate a position completely contrary to the only cited evidence base and the view of the Council' professional officers.</p>	
	E7	<p>These aspects of policy are covered by alternative legislation and it is therefore totally unnecessary to replicate these within this plan.</p>	
	E9	<p>The aims of Policy E9 are supported in that where development proposals involve a loss of biodiversity habitat, appropriate habitat should be created in mitigation – according with paragraph 109 of the Framework.</p>	
	IN1	<p>We review each of the bullet points in turn:</p> <p>a) This matter is covered by alternative legislation and thus its inclusion is not required.</p> <p>b) It is clear that Severn Trent Water have not been consulted in the production of this draft Plan. It is not efficient or possible to build indefinite future capacity into a sewage system and as such where a system is at/nearing capacity, further capacity will be made planned, facilitated and funded by new</p>	

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	<p data-bbox="331 596 383 624">IN4</p> <p data-bbox="331 695 383 722">IN5</p>	<p data-bbox="488 240 1839 331">developments, as and when required. In this case, a requirement to ensure sufficient capacity is available prior to applications being submitted is neither appropriate nor feasible as the capacity will be created upon the grant of planning permission and funded by the developers as necessary.</p> <p data-bbox="488 368 1865 432">c) Connection to fibre optic broadband is beyond the control of developer and is a matter between individual plot purchasers and any provider of that service. It also falls outside of the planning system.</p> <p data-bbox="488 469 1827 560">d) The Ministerial Statement (April 2015) confirms that energy efficiency measures will be incorporated into Building Regulations legislation. As such, reference to energy efficiency within this plan is not required.</p> <p data-bbox="488 596 1861 660">Existing green spaces are not defined on any of the plans therefore it is unclear as to what spaces are sought to be protected by this policy.</p> <p data-bbox="488 695 1778 786">This matter is dealt with by the Highway Authority and again is therefore covered by alternative legislation. We highlight that the purpose of a Neighbourhood Plan is not to reiterate policies/legislation covered elsewhere.</p> <p data-bbox="488 823 1872 1114">As a final point, page 39 refers to ‘serious vehicular congestion’ and yet this has not been borne out of any survey work undertaken by developers to date and is not supported by any Parish or District published evidence base. Such anecdotal conjecture is not a basis for formal statements or planning policies at any level. As noted above, detailed work on this has been undertaken in support of application 14/03602/OUT which, as the only survey work available suggests, there is currently a full 50% capacity in the highway network. Whilst we acknowledge that the application was refused, it is highlighted that this was against the advice of Officers and is therefore the subject of an appeal. More importantly in respect of this item, the decision was against the advice of the County Council Highways Department also, who accepted the survey works and its conclusions.</p> <p data-bbox="488 1150 1048 1182">Paragraph 5.5.21 of the draft Plan states:</p> <p data-bbox="488 1219 1854 1342">“One unique major problem faced by Kineton is the number of school coaches from Kineton High School which pass through the centre of the village twice a day throughout the school term with each bus undertaking four passages through the village daily. When this is multiplied by the average number of coaches (12) the impact of the coaches is substantial and creates major congestion”.</p> <p data-bbox="488 1378 1816 1469">The solution to congestion in the village centre is then identified as being a link road from Warwick Road to Southam Road. However the High School is located on Banbury Road and therefore this proposed link road would do nothing to ease what is anecdotally considered to be ‘substantial’ and</p>	

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	SSB1	<p>'major congestion' (no evidence is produced to substantiate this). Indeed, with the likely development of the Gaydon Lighthorne Heath development (the secondary age pupils will attend Kineton High School), it can only be the case that school traffic will further increase.</p> <p>The only way to resolve the perceived problem of school traffic (in particular school buses) which will inevitably increase through the village centre is to form a link road from Southam Road to Banbury Road. We have previously referenced the Bloors development along Southam Road and highlight that both the Design Code and the Reserved Matters approval for this site show safeguarded land to form the first part of a link road connecting these two roads.</p> <p>Land North of Banbury Road, Kineton (under the control of Sharba Homes) is the only site capable of completing that link and is the only site capable of reducing the quantum of High School traffic through the village (which is soon to increase substantially). As currently drafted however the objectives and solutions of the proposed plan are at odds.</p> <p>It is noted that the allocation is located beyond the built-form of Kineton to the northwest. This is an area which was discounted for future development within the SHLAA Review 2012 given the impact it would have on the surrounding landscape. Indeed, the site does not form a natural boundary to the edge of Kineton being beyond the natural and structural green edge of the former railway cutting and could lead to future piecemeal development alongside the boundaries. In addition, the Proposals Map identifies part of this site as an Area of Landscape Significance.</p> <p>The land is identified in the LSS as high/medium sensitivity, and to quote:</p> <p>"There are strong hedgerow boundaries creating an enclosed area which opens up to the north. The zone is divorced visually from settlement by the well treed dismantled railway line which forms a strong boundary. The area feels part of the unspoilt and fairly tranquil wider hill and valley landscape to the north of the settlement. This combined with its intrinsic sensitivity as permanent pasture means the area is sensitive and housing development would adversely affect the area's character and would clearly visually extend the settlement northwards"</p> <p>This clearly sets out how the site is physically and visually divorced and unsuitable for development, especially in the context of more suitable sites in less sensitive locations. The KNDP does not provide any evidence for countering the LPA's contradictory and more detailed evidence based assessment of the low development potential of this site.</p> <p>The KNDP, without giving any explanation or evidence, refers to the same dismantled railway line as "remaining as a landscaped buffer zone in order to preserve the setting of this sensitive aspect of the</p>	

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		<p>site and assist in assimilating the development into the natural environment". It is agreed that the railway line is a significant landscape asset however the LSS seeks to integrate housing into the village of Kineton while it appears that the objective of the KNHP is to integrate housing into the wider landscape, irrespective of the harm to the landscape described by the LSS as being the "unspoilt and fairly tranquil wider hill and valley landscape to the north of the settlement". Once again, the aims of the KNDP and LSS (and the KNDP's quoted evidence base) are contradictory with no explanation as to how or why these differences have arisen.</p> <p>Furthermore, there remain unresolved objections in relation to whether a suitable site access can be provided as part of the proposed allocation as detailed below.</p> <p>The identified site connects to Warwick Road at its western end where the frontage to the highway appears to extend only approximately 12m between boundaries. To the south of the frontage there is a parapet wall to the bridge over the railway, which is approximately 1.45m high and set back just 1.2m from the edge of the carriageway. This not only restricts the width of the footway for pedestrian movement but significantly restricts visibility to just 14m to the nearside carriageway edge to the left from the desirable 2.4m set-back distance at the centreline of the available frontage. The comparable visibility to the right was measured to extend 12m to the near edge to the right as a result of the existing boundary fence.</p> <p>Given the proximity of these boundaries and limited site frontage available, it is clear that appropriate visibility splays of at least 43m based upon the posted 30 mph speed limit could not be achieved. Similarly, the limited road frontage also restricts the ability to create an acceptable bellmouth at the access position. A typical residential estate road is 5.5m wide and normally a minimum kerb radius of 6m is required, resulting in a total width of 17.5m.</p> <p>Even if it were possible to extend the radii and tangent points of the curves along Warwick Road in either direction from the access frontage, this arrangement would further reduce the width of the already limited footway both along the highway and also to/from the site. We do not believe it would be possible to create a vehicular access with acceptable radii whilst maintaining a continuous footway for pedestrians around the bellmouth radii. This would therefore be to the detriment of pedestrian safety, which is likely to discourage pedestrian activity and increase car use when travelling to/from the site.</p> <p>We also considered the potential for accessing the site from Lighthorne Road to the east. Whilst we believe a standard bellmouth could be created to Lighthorne Road, the pedestrian route and highway link into Kineton are restricted at the bridge over the former railway line.</p>	

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		<p>To the north of the bridge the carriageway reduces to a minimum width of approximately 4.3m from 4.9m on the bridge itself. The footway on the bridge is restricted to 0.9m at the southern end of the parapet wall on the east side of the carriageway and there is just 0.7m on the opposite side. As a result of these constraints, pedestrian links are significantly constrained with little prospect of improvement without the acquisition of additional third party land and modification of the bridge structure.</p> <p>However, even if these constraints could be overcome, Lighthorne Road connects to Southam Road on a sharp bend. Due to the carriageway alignment, the forward visibility towards a vehicle waiting to turn right into Lighthorne Road is restricted to approximately 36m, which is significantly below the 43m stopping distance required from the posted 30 mph speed limit.</p> <p>In addition, the narrow footway on Lighthorne Road is located on the east side of the carriageway, whilst the footway on Southam Road is on the south side. As a result of this arrangement, the visibility for pedestrians towards oncoming traffic when crossing from the south side of Southam Road to Lighthorne Road is severely restricted. Due to the built development around the junction, the alignment and width of the two roads, there is no real prospect of improving the footways at this location.</p> <p>In conclusion, we consider there are significant physical constraints related to Site SSB1 which may ultimately prevent development of the site for residential use due to the inability to achieve safe access.</p> <p>The third stated aim of this site is to provide "a link road between Warwick Road and Lighthorne Road". This compounds the site access problem as it suggests a higher standard of route would be required to accommodate through-traffic movement in addition to that generated by the development. No explanation of evidence of a need for such a link road is submitted and we question how exactly how such a link road would benefit the village of Kineton and why it is required. Whilst it is a stated aim of the KNHP to reduce traffic through the village centre where possible, it seems highly unlikely that any significant amounts of traffic enter the village on one of these two roads and then exits on the other as both roads come from broadly the same west/northwest direction, crossing the nearby Fosse Way at points approximately 2km apart. In addition, such a link road could not facilitate any high school traffic alleviation (the stated cause of the alleged problem) as any traffic entering Kineton on either of these roads, or indeed emanating from an housing development on this site, would still need to pass through the centre of Kineton. Also, this link road will not alleviate the known future high school traffic that will emanate from the GLH development travelling to Kineton high school.</p> <p>Even assuming a proportion of traffic would travel from the link to/from Southam Road via Lighthorne</p>	

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		<p>Road, the increase in turning movements would increase the potential for conflict at the sub-standard junction beyond that resulting from the dwellings themselves. As a result of these constraints, even if development were implemented with the existing infrastructure retained, for the reasons given above we suspect pedestrian movement would be discouraged to/from the facilities within Kineton, resulting in increased traffic flows, even without considering potential travel distances from this peripheral site.</p> <p>Stratford on Avon District Council commented in response to the draft Neighbourhood Plan with respect to site Policy SSB1/Site 1 (see Appendix JPH-D):</p> <p>“In terms of criteria c (access), has the suitability of the existing field access off Warwick Road been assessed by WCC? If not, I would strongly recommend getting some advice on this issue as a matter of urgency. If it transpires the access cannot be brought up to standard to serve a development of this size, given there is no alternative access location, the site will need to be removed from the NP.”</p> <p>Based upon our initial assessment of the site, we strongly suspect this site will ultimately be discounted due to the significant issues surrounding delivery of an acceptable, safe access. Clearly, without this site, the remaining capacity within the remaining three sites of up to 33 dwellings falls significantly below the requirement for Kineton.</p> <p>SSB2 Whilst it is appreciated that the allocation is within a broadly sustainable location, there are concerns that the land could be subject to flooding as a result of its proximity to the River Dene. It is also in a location identified by the LSS as being of high/medium landscape sensitivity. Furthermore, it was not considered as a suitable location for growth as part of the SHLAA 2012 Review. The draft KNDP does not provide any evidence for countering the LPA's contradictory and more detailed evidence based assessment of the low development potential of this site.</p> <p>SSB3 There are concerns with the KNDP's approach to proposing the allocation of any sites for residential development within Little Kineton. Whilst we anticipate that a vehicular access could be created, it would be necessary for pedestrians to cross the road in order to access the village, as there is only one footway on the opposite side of the carriageway.</p> <p>The footway heads northeast into Kineton and narrows to just 1.1m as it passes the bridge parapet at the bottom of the dip on the bend. This width is insufficient for two pushchairs to pass and quite tight for pedestrians, resulting in a high likelihood that pedestrians will need to step onto the live carriageway on the bend should the meet in this location.</p> <p>The most direct route for pedestrians into the village is via Manor Lane. Whilst a footway is provided along one side or the other, its width is significantly restricted in places and much of its surface is</p>	

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		<p>cobbled, which is not ideal for pushchair use, even where it is wide enough to accommodate them. Notwithstanding the additional travel distance of approximately 230 – 250m beyond Site 3 from Kineton village and its facilities the absence of pedestrian footways between both ends of the site and the existing route into Kineton clearly presents a disincentive to walking and a corresponding increase in the likelihood of car trips to access the services and facilities within Kineton. Given the route into Kineton passes through the areas of concern highlighted by the Parish Council, the acceptability of the Little Kineton sites as a matter of principle must be questioned. It is not clear whether or not land is available to remedy the absence of connecting footway links.</p> <p>It also appears that there is an over-riding constraint at the northeast corner of the site imposed by the proximity of the neighbouring dwelling to the road edge, which limits the ability to create a footway on the south side. Similarly the opposing verge is also of limited width to the fence line (assuming it is adopted highway, which is not confirmed) and it is also elevated above the carriageway surface, imposing a further constraint. These features may also restrict the ability to achieve satisfactory visibility at the access for turning drivers, noting that the speed limit increases from 30 mph to the national limit of 60 mph at the northwest corner of the site.</p> <p>At the opposite end of the site and to the north of it, the existing nature pond represents a constraint in terms of footway provision, as the land slopes away from the carriageway into it. It would therefore be necessary to support a footway either by infilling or a structure, both of which are likely to have an adverse impact on the pond, assuming there is sufficient highway verge to accommodate a footway, which has not been demonstrated.</p> <p>The Tysoe Road frontage to the site extends approximately 65m. The extent of the highway verge would need to be checked to confirm whether acceptable visibility splays could be established, particularly when taking into account the speed limit change from 30 mph to the national limit of 60 mph within the length of the road frontage of the site.</p> <p>A more suitable approach would be to locate development close to the services within the main settlement. This proposal is therefore unsustainable and against the thrust of both the SCS and the NPPF.</p> <p>Whilst the LSS did not assess this area, presumably because Little Kineton was not considered to be part of the main area of Kineton in its role as a MRC, given the surrounding designations and adjacent battlefield it would be expected to be of high or high/medium sensitivity and this would then be a further constraint to suitability. Again, the KNDP does not provide any evidence for countering the LPA's contradictory and more detailed evidence based assessment of the most appropriate development locations within Kineton.</p>	

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	<p data-bbox="322 272 398 300">SSB4</p> <p data-bbox="264 1414 456 1441">Proposals Map</p>	<p data-bbox="488 272 1868 395">Similarly to Policy SSB3, there is concern that development is being focused towards Little Kineton, an area which is significantly less sustainable than the main settlement. This site is even further from services being located on the far side of the village, and therefore even more unsustainable than SSB3.</p> <p data-bbox="488 437 1854 528">The pedestrian accessibility problems at Site SSB4 Land adjacent to Walnut House, Little Kineton, are compounded as there are no footway links between it and the continuation of the footway described above, which is opposite Site 3.</p> <p data-bbox="488 568 1868 986">Notwithstanding the lack of any evidence base to justify the decision to allocate the above sites, particularly against the substantive concerns expressed above about their suitability, there is no evidence of any assessment of alternative sites having been undertaken, particularly those assessed in the SHLAA. The NPPG (ID: 41-042-20140306) requires that in allocating sites, the qualifying body should appraise options and assess against clearly identified criteria. There are no identified criteria for site selection and no assessment of alternatives. This is of particular importance when sites to the east/north east of Kineton have been discounted or ignored (with no justification) when these are identified within the District Council's LSS as being the least sensitive to residential development and indeed are marked with both a blue 'star' as a potential broad location for development and outlined in blue as sites with future development potential based on the Local Plan's extensive evidence base studies. This is particularly puzzling when one of the key aspirations of the draft KNDP is to protect the existing landscape, which would surely be better achieved by such allocations in these least sensitive and more sustainable areas.</p> <p data-bbox="488 1026 1816 1147">The proposed allocations are therefore not deduced from proper evidence based assessments of all alternatives, have not addressed material concerns raised as to their suitability, and are therefore materially unsound both individually and in terms of their ability to meet the proposed housing numbers let alone the necessary additional headroom.</p> <p data-bbox="488 1187 1868 1374">Furthermore it is noted that the KNDP concludes with a general statement at the end of each section criteria of the above four sites that "proposals which fail to demonstrate compliance with the above criteria or conflict with other policies within this plan will not be permitted". We have set out already how the draft KNDP contradicts itself and it is self-evident that due to the drafting, the proposed allocations fall foul of other proposed policies contained therein. This simply confirms the view that the draft KNDP requires substantial revisions in order to be found sound.</p> <p data-bbox="488 1414 1861 1469">The Proposals Map identifies 'Green Fingers' around all areas of the existing village boundaries bar the draft allocations which have effectively been incorporated into the village in advance and the 'Green</p>	

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	Land North of Banbury Road, Kineton	<p>Fingers' placed on the outer edges. However there is no reference within the plan to what the intention of this designation is or how it has been derived. Furthermore, there is no explanation of the criteria used to identify sites and why some sites (the draft allocated sites) have been excluded as green fingers with no assessment to show how this decision was derived. It is noted that the designation extends to the identified reserved sites. We consider that in the absence of any reference to this designation within the plan and its clear retro-fitting around proposed (unsound and unjustified) allocations, it should be deleted from the Proposals Map.</p> <p>In order to assist in the future consideration of alternative sites which is a fundamental component of any Neighbourhood Plan, we set out further details of my Clients site at Land North of Banbury Road and review its compliance first with the emerging SCS.</p> <p>The site at Land North of Banbury Road has been subject to the submission of an outline planning application in December 2014. The application was recommended for approval by Officers subject to the signing of a Section 106 Agreement and imposition of planning conditions. The Officers Report concluded that the development proposals were sustainable and considered that the benefits of the scheme would outweigh any potential harm. The application was subsequently refused against Officer recommendation and with no support from the relevant statutory consultees for the decision of the Members. An appeal against this decision is in progress.</p> <p>We start with a review of the benefits which can be delivered by the scheme:</p> <p><u>An economic role/economic gains</u></p> <ul style="list-style-type: none"> • The construction of the Proposed Development would support construction jobs directly related to the development. • The provision of 90 dwellings will generate additional convenience, comparison and leisure services expenditure in the local area. • The Council will gain a direct contribution through the New Homes Bonus, provided by the Department for Communities and Local Government. • Stratford-on-Avon District Council will gain additional income from the proposed development through additional Council Tax payments. <p><u>A social role/social gains</u></p> <ul style="list-style-type: none"> • The provision of 90 new homes will support the creation of strong, vibrant and healthy communities. • The provision of 35% affordable housing will increase the District's supply of affordable homes 	

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		<p>and help to reduce inequalities, amounting to 31 dwellings of the proposed 90 dwellings being delivered as affordable housing.</p> <ul style="list-style-type: none"> • The provision of appropriate planning contributions to ensure the on-going provision of services and facilities. • The development of the Site for residential uses would significantly contribute towards the Council's shortfall in the five year supply of deliverable housing land, in a sustainable location. • The Proposed Development incorporates formal and informal open spaces which are within easy walking distances of the new homes and will encourage the development of healthy communities as well as ensuring positive linkages with the existing community in Kineton. • The Site is in an accessible location with connections to pedestrian routes, which link to the key services and facilities located within Kineton. • Development provides the opportunity to strengthen the hedgerow along the Kineton High School boundary – improving security of the facility. • Development could provide bus service improvements that upgrade regular hourly services to both Leamington and Stratford, improving sustainability for both existing and future residents. <p><u>An environmental role/environmental gains</u></p> <ul style="list-style-type: none"> • Development on a site which has the least landscape sensitivity within Kineton and is relatively unconstrained. • The Proposed Development includes retention of existing ecological assets and the enhancement of biodiversity including the areas of planting and trees across the Application Site and the provision of new green infrastructure in accordance with the landscape strategy. • A parcel of land located within the Site can potentially be provided as an Ecological Enhancement Area to increase biodiversity and provide a net gain to the natural environment. • Ability to create additional recreational footpaths with the possibility of linking through to the adjoining scheme on Land at Southam Road which will assist the Council in delivering wider Core Strategy objectives in relation to the strategic allocation at Gaydon Lighthorne Heath. • The site adjoins the existing built up boundary of Kineton, which has been identified as a Main Rural Centre as part of the emerging Core Strategy. As such a number of shops and services are located either within walking distance or via existing bus routes thus reducing the use of the private car. For example Kineton High School adjoins the Site and is therefore within a short walking distance. • The Site is partly contained by existing built-form ensuring that the impact on the surrounding landscape is minimised. • Provision of Sustainable Urban Drainage Systems (SUDs) including onsite attenuation ponds and no adverse impact on flood risk. • A commitment to sustainable waste management and construction during development and 	

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		<p>occupation.</p> <p>It is noted that the Site has been identified within the SHLAA Review 2012 as a broad location for growth within Kineton. As such, the Site has been regarded within the Council's own evidence base as one of the most suitable locations to deliver additional growth within Kineton, which has seen the least growth of any of the MRC's over the last 20 years yet has the potential to accommodate and contribute significantly to such growth in the future.</p> <p>Landscape Setting</p> <p>Policy PR.1 of the Local Plan highlights that development proposals should respect and, where possible, enhance the quality and landscape character of the area. Further guidance is provided at Policy DEV.2 which sets out the landscape aspects of a development proposal which will be sought by the local authority.</p> <p>It is noted that the District Councils LSS (2012) identifies the subject site as lying within a landscape of only medium sensitivity compared to the remainder of the village periphery that lies within areas of either high or high/medium sensitivity, and/or development restraint. This lower sensitivity, along with its high sustainability credentials, has been intrinsic to the District Councils identification of the subject site as a Broad Location for future housing development.</p> <p>With this in mind, a Landscape and Visual impact Assessment has been prepared in support of the development proposals, in accordance with the GLVIA3 (Guidelines for Landscape and Visual Impact Assessment 3 Edition).</p> <p>The LVIA outlines that the proposed development seeks to promote a sensitive and considered scheme, which relates to the existing urban grain and character of Kineton – as required by Policy DEV.1 of the Local Plan. Consideration has been given to the scale and layout of the proposals, with the proposed landscape structure and provision of open space seeking to promote a strong green infrastructure, all in an appropriately low density scheme.</p> <p>This green infrastructure and considered development layout, ensures that the proposals can be integrated into the site and its immediate setting, whilst promoting an appropriate transition between the wider countryside setting and the village of Kineton.</p> <p>Furthermore, it is considered that the application site and receiving environment have the capacity to accommodate the proposals. Evidence supporting the development proposals by Mr. Wright of Aspect Landscape Planning highlighted that the proposals will not result in significant harm to the landscape</p>	

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		<p>character or visual environment and, as such, it is considered that the proposed development can be successfully integrated in this location. Indeed, the Councils own Conservation Officer commented in response to the scheme, noting that he had no objection to the scheme and that any harm (to landscape and heritage assets) would be negligible.</p> <p>As such, the scheme is considered to accord with relevant national and local policy, namely Policy PR.1, DEV.1 and DEV.2 of the Local Plan. The development uses land which is least sensitive to residential development and as such is in accordance with the general thrust of the plan insofar as it relates to landscape protection.</p> <p>Transport</p> <p>Policy DEV.4 of the Local Plan provides detailed requirements for new or improved access arrangements as part of development proposals.</p> <p>Based on the provision of 90 dwellings, a detailed Transport Statement demonstrates that the proposed development would generate an additional 46 vehicle movements during the AM peak hour and 55 additional movements during the PM peak hour, which would be distributed around the local highway network.</p> <p>During a public consultation exercise, concern was expressed regarding the likelihood of additional development traffic rat-running through residential streets. However, a review of the local road network, traffic flows and the potential for delays to be experienced on the alternative routes led to the conclusion that rat-running was unlikely to occur to any significant degree.</p> <p>Traffic surveys were undertaken to establish baseline traffic flows on the network and the distribution of traffic through, to and from Kineton following consultation with the local Highway Authority, Warwickshire County Council.</p> <p>The traffic associated with the proposed development was compared with the observed baseline flows and was found to fall within the existing, observed range of day to day variations within the study area. Furthermore, committed development traffic flows and further movements associated with as yet undetermined planning applications were taken into consideration as part of the traffic modelling. The resulting traffic flows demonstrated that there remained substantial capacity within the network.</p> <p>The site is within reasonable walking and cycling distances of the good range of services and facilities within Kineton. The site is also within acceptable walking distance of the bus services providing connections to Royal Leamington Spa and Banbury where a wider range of services and connections to</p>	

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		<p>the national rail network are available.</p> <p>In terms of the access, it is noted that the existing entrance from Banbury Road will be utilised to serve the development. The access currently provides visibility splays extending 2.4m x 120m, which are acceptable on a trunk road subject to a 40 mph speed limit, with appropriate radii and width to accommodate the proposed development traffic and existing, occasional agricultural vehicles. The final design of the access and its construction will be subject to a S278 agreement between the developer and Highway Authority.</p> <p>The proposed access has been subject to a review by the Highway Authority and an Independent Stage 1 Road Safety Audit to confirm its accessibility in terms of its geometric layout. The design provides appropriate and acceptable visibility provision to ensure a safe means of access and incorporates a shared footway/cycleway to create a safe and attractive environment to promote walking and cycling. The proposed access was considered acceptable by the Highway Authority.</p> <p>Overall, it is concluded that all current proposed development operates within just 50% of the network capacity. In light of the above, it is considered that the proposed access accords with the requirements of DEV.4 of the Local Plan. Furthermore, the cumulative impacts of the development should not be regarded as anywhere near the 'severe' test as defined by paragraph 32 of the Framework. Indeed, safe and suitable access can be provided for a development which is within a sustainable location and allows for travel movements other than by the private car. Traffic generated from this development would be no greater or less than from any other development within Kineton, and would indeed be unique in not generating any school drop offs to the adjacent High School. All developments would however, generate traffic to the primary school. Our proposal accords with the vision of the KNDP in this respect.</p> <p>Ecology</p> <p>In accordance with paragraph 109 of the Framework, it is noted that Local Authorities should look to minimise impacts on biodiversity and provide net gains in biodiversity wherever possible.</p> <p>With this in mind, an Ecological Appraisal has been commissioned which concluded no overriding ecological constraints to development proposals. In addition, the Ecological Appraisal outlines a number of enhancements for the benefit of biodiversity which are available under the proposals. Such measures aim to maximise opportunities for wildlife and compensate habitat losses as far as possible within the survey area. In particular, the proposals include the creation of a dedicated ecological enhancement area, to include habitats such as ponds, scattered trees and scrub, an embankment and wildflower and marshy grassland. Additionally the hedgerows throughout the site will be enhanced and</p>	

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		<p>new hedgerow planting proposed. On this basis, the proposals provide the potential to deliver a number of significant enhancements for the benefit of biodiversity. Specific recommendations are also made in respect of bats, hedgehog, birds, reptiles and invertebrates.</p> <p>Due to the large areas of open space provided on site, particularly the ecological area to the north, the scheme will deliver a net bio-diversity gain and will have a net benefit in terms of wildlife and habitats. The ecological enhancement is then carried through to the submitted landscape strategy for the site which also has the creation of high quality landscaping and habitat at its heart. Existing tree and hedgerow planting is confined primarily to existing boundary planting. This will be maintained and indeed, with particular reference to the ecological area, there will be net enhancement.</p> <p>It can be seen that this is very much a landscape and ecology led development. As such, the scheme is considered to comply with and be positively supported by paragraph's 7, 109 and 118 of the NPPF.</p> <p>Flooding</p> <p>As highlighted above, the Site is located wholly within Flood Zone 1. In accordance with national and local planning policy, a Flood Risk Assessment (FRA) has been prepared in support of the proposals given that the site area is above 1Ha.</p> <p>It is noted that the FRA has considered the flood risk posed to the site from all sources of flooding as defined by the Framework. The report confirms that the Site is within Flood Zone 1 and therefore at a low risk from both fluvial and tidal flooding. The Site has also been concluded to be at a low risk from all other assessed sources of flooding.</p> <p>Owing to the fact that no sources of flood risk were identified, no specific measures are considered necessary for the proposed development. Nevertheless, the FRA recommends that an approved SUDS scheme is employed as part of the proposed scheme.</p> <p>Whilst the details of such a SUDS scheme will form part of the reserved matters stage, the submitted illustrative layout and FRA together with a Drainage Strategy demonstrates how appropriate storm water storage and an attenuation basin can be incorporated into the Site in accordance with current EA Policy and guidance.</p> <p>Layout, Scale and Appearance of Residential units</p> <p>An Illustrative Layout demonstrates how up to 90 residential dwellings could be suitably accommodated within the Site at a relatively low density and taking on board all relevant constraints</p>	

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		<p>and opportunities.</p> <p>In doing so and in accordance with national (paragraph 50 of the Framework and the Design chapter of the PPG) and local (Policy COM.14 of the Local Plan) planning policy, a mixture of different property sizes have been provided within the development within the Illustrative Layout – including an appropriate mix of 2, 3 and 4 bedroom properties.</p> <p>A Design and Access Statement explains how the proposed development will have regard to the character and quality of the local area through the layout and design of new buildings. A local character study has been provided as part of the Design and Access Statement to ensure that the proposed development will integrate with its context and provide a high quality development. Subject to the granting of outline planning permission, these design principles will form the basis of a subsequent reserved matters application.</p> <p>Furthermore, the LVIA supporting development proposals considered the site to relate more readily to the existing urban edge, than to the wider countryside setting to the east. Overall it is considered that the Site is demonstrated to be an appropriate location for residential development. Therefore development proposals will follow the characteristics of the locality in terms of built form and integrate into the existing settlement of Kineton.</p> <p>The layout will also take account of matters relating to lighting from the floodlights at Kineton High School. A Lighting Assessment has been prepared to assess the impact of any light spillage. The open space in the north western corner provides a suitable buffer between the development and the floodlights such that there will be no harm to future residential amenity. The finalised layout design for the development will accommodate this buffer in accordance with the recommendations of the assessment.</p> <p>With regard to open space, the layout includes an area of public open space within the centre of the Appeal Site creating a village green as the focal point of the development, allowing for a key view on approach from Banbury Road.</p> <p>The layout would provide a total of 2.43ha of open space within the proposed development, provided as central public space area including play provision and potential allotment land to the north-west (0.43ha); open space including attenuation pond (0.13ha) and an ecological enhancement area to the north (1.87ha). For reference, the Case Officers report for the application submitted in December confirmed that the scheme would only need to provide 0.19ha of informal Public Open Space to meet local guidelines.</p>	

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		<p>In light of the above, it is considered that the proposed development accords with the design principles provided within Policy DEV.1 of the adopted Local Plan.</p> <p>Heritage</p> <p>A Heritage Statement outlines that given the Site has been in agricultural use since at least the medieval period, there is likely to be no previous impact to any potential archaeology beyond that caused by medieval and later agricultural practices including disturbance into the subsoil by ploughing.</p> <p>Furthermore, the setting of all designated heritage assets within a minimum of 1km of the Site has initially been scoped. The Heritage Statement identifies that the Conservation Area of Kineton and Little Kineton, the Scheduled Monument of St John’s Castle and the Listed Buildings of Myrtle, Sunny and Spring Cottages do not share any visibility or direct association context with the Site. As such, the important elements of their setting will not be altered and their significance will remain unharmed by the proposals.</p> <p>As part of the scoping exercise, the Registered Battlefield of Edgehill does share a visual and associative landscape connection with the Site. However, the Site does not form part of the essential setting of the battlefield in terms of establishing its significance. Development of the Site will, therefore, not harm the significance of the battlefield through the minor change that it will cause to the battlefield’s setting.</p> <p>With regard to the Battlefield, evidence from Aspect Landscape supporting development proposals on the Site highlight that residential development will have a negligible impact upon the elements of significant of the Battlefield. Furthermore, Historic England, the Council’s Archaeological Officer and Conservation Officer and Battlefield Trust have raised no objections to proposals for residential development on this Site. In addition, evidence from Aspect Landscape acknowledged that proposed development will respond to the scale and character of the local area.</p> <p>In light of the above, it is considered that the proposed development does not conflict with national or local planning policy relating to the preservation and conservation of heritage assets. Furthermore, no further archaeological investigations will be required to allow determination of the proposals.</p> <p>Agricultural Land Classification</p> <p>The site comprises Grade 3b Agricultural Land and is not therefore considered to represent Best and Most Versatile Land (BMVL). Paragraph 112 of the NPPF encourages the use of poorer quality agricultural land such as this site (i.e. land which is not BMVL) where significant Greenfield release is</p>	

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		<p>required. This is wholly applicable to the consideration of this application.</p> <p>Furthermore, it is considered that development proposals on the site would be consistent with the environmental dimension sustainable development through the delivery of:</p> <ul style="list-style-type: none"> • A net benefit in biodiversity; • A sustainable form of development on a site with no landscape or heritage designations; • Sensitive treatment on a site of least sensitivity in a sustainable village that has significantly underprovided housing when compared against other Main Rural Centres, many of which are more heavily constrained; • Negligible impacts on the landscape; and • Negligible impact on the setting of the Registered Battlefield. <p>Other Matters</p> <p>Reports have also been commissioned covering matters relating to ground investigation and service provision. With regard to the former, as a greenfield site, no matters arise. In respect of the latter, we are aware that there is no gas within Kineton however this has not prevented development to date in the village and neither should it. Alternative means of fuel supply will be investigated at a later date, and the lack of availability of the carbon-based fuel of gas is not determinate to a sustainable development when there are many other more sustainable methods of providing heat within the home.</p> <p>There are existing overhead pylons which are subject to a terminable wayleave in the usual way. Best options for grounding will be considered at a later date.</p> <p>Finally, we are aware that the draft KNDP expresses some concern regarding the capacity of the foul drainage system to accommodate further development. Clearly existing legislation requires the facilitation of a connection for any consented development. If work is required to upgrade the system to accommodate new development (we highlight that new developments are not required to repair existing deficiencies to a system as this is the responsibility of the Water Authority), then the cost of this will be borne by the new development. In this case an appropriate Developer Inquiry has been submitted to Severn Trent. Any capacity issues affect Kineton as a whole and not specific sites, and are not in any case reasons for refusal but are matters for building control.</p> <p>Planning Obligations</p> <p>The proposed development will give rise to the need for planning contributions made necessary by the development. In particular, the Council will seek 35% affordable housing from residential</p>	

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		<p>developments.</p> <p>Furthermore, in accordance with Policy DEV.3 of the Local Plan, two areas of public recreational open space have been provided within the residential development, equating to a total provision of 2.43ha. The Council's policy relating to open space provision is dependent upon the housing mix which is clearly not fixed at this stage. It is therefore proposed that this element be flexible for the purpose of this submission and discussions will be held with the Council during the life of the application in respect of the most appropriate form of provision.</p> <p>All additional contributions which are sought by the Council will need to be justified in accordance with the three requirements of regulation 122(2) of the Community Infrastructure Levy (CIL) Regulations 2010 (reflected by paragraph 204 of the NPPF), being:</p> <ul style="list-style-type: none"> • Necessary to make the development acceptable in planning terms; • Directly related to the development; and • Fairly and reasonably related in scale and kind to the development. <p>With this in mind, the contents of any S106 agreement will be the subject of more detailed negotiation and discussion as part of the planning application process.</p> <p>Compliance with the Emerging Neighbourhood Plan</p> <p>Notwithstanding the above criticisms of certain aspects of the KNDP, it is considered that the development proposals accord with many of its principals set out below.</p> <p>The KNDP seeks to allocate approximately 100 residential homes, toward which the scheme could potentially make a substantial and positive contribution. These would also be provided in a manner which is sustainable, has limited impact on the surrounding landscape in the area of least sensitivity, and on a site that has been assessed in more detail by the District Council as the only remaining suitable "broad location" for future housing in Kineton.</p> <p>Furthermore, these proposals underline the key community benefits which such a scheme provides. For example, new areas of public open space will be provided which are accessible to new and existing residents of Kineton – a benefit which smaller schemes would not be required to provide on-site, or at least at a practical or useable scale.</p> <p>It is noted that the scheme would also accord with the requirement for 'lower' densities of 25-30 dwellings per hectare and have regard to the surrounding context by including a 'stepped development' to account for the adjoining floodlit sports pitch. Furthermore, the scheme allows for</p>	

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		<p>footpath links around the north of the village which could potentially link with a nearby housing development, built by Bloor Homes.</p> <p>It should be noted that this site is not an uninterrupted green finger view to the skyline or beyond a structural green edge (such as SSB1), but rather it sits in a gap in the existing built form, with significant manmade influences in the intervening landscape, such as the adjacent housing and school buildings, floodlit sports pitch, overhead cables and Gaydon commercial buildings on the skyline. This puts the site very much in the lower end of the medium landscape sensitivity and focusing the necessary development here would very much support the KNDP policy of least harm to the landscape, as well as constituting the most sustainable development being next to the school and footpath links to the village services and facilities.</p> <p>An Area of Ecological Enhancement will also be provided which will have added wildlife and recreational benefits. A route through this area could potentially also be linked with the development at Land off Southam Road to provide a circular route to the north of the village in accordance with the stated aim in the KNDP. Such benefits could not be provided on the sites identified in the draft plan.</p> <p>Lastly, one of the key issues raised as part of the public consultation was the matter of traffic within Kineton. Whilst falling outside the scope of these development proposals, the Applicant is committed to deliver a new link road in the future which could divert school traffic away from the centre of Kineton.</p> <p>In light of the above, whilst the scheme is not currently proposed to be allocated for development within the draft KNDP, it is anticipated that Kineton has the location, services and capacity for and historic lack of growth suited to a substantially greater number of new homes to be accommodated to assist in rectifying the District Plan shortfall in sites to address its housing need and this site represents more sustainable development than the current 4 proposals within the KNDP as supported by both the district Council and the only evidence base that the KNDP has referred to.</p> <p>To address another local concern, the Application site is being submitted some 2½ years after the submission of the Barwood/Bloor scheme, and will require a similar lead in period prior to commencement of development, which has only just begun on the latter. With less than a year's production on that latter site, the subject proposed development will not commence for nearly two years after that scheme has completed enabling the village ample time to absorb the impact of the Bloor development prior to the commencement of this development. However clearly to raise concerns about scale on this site whilst at the same time supporting a proposal for a development in excess of 78 dwellings on proposed site SSB1 shows a marked inconsistency in approach and severely limits the weight which can be attributed to any such statement.</p>	

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	Summary and Conclusions	<p>Turning back to Section 1.0 of this submission, it is clear that the draft KNDP does not yet meet the 'basic conditions' required by the NPPF and NPPG for a Neighbourhood Plan to be found sound and to be able progress, for the following key reasons:</p> <ul style="list-style-type: none"> • The plan runs counter to the NPPF requirements and policies in many areas. • The plan is not in accordance with the emerging Core Strategy. • No evidence has been produced to support the KNDP which runs counter to the only available evidence base which has been produced in some detail by the District Council. • The plan does not set out any assessment or justification for the selection of the preferred development sites – indeed it does not even guarantee compliance with the aims and objectives of the plan itself, thereby casting doubt on the deliverability of these sites at all. • The plan does not include any assessment of alternative sites, in particular those assessed as suitable by the District Council. Furthermore, the KNDP, as we have highlighted contradicts itself in many areas. Indeed with an SA retro-fitted to the KNDP, it would appear that the KNDP has been prepared without due consideration to any alternatives beyond that which the authors appear to have pre-determined. <p>There is a lack of any evidence base, a fundamental misquotation of the LSS, predetermination of unsustainable sites for housing allocation given a lack of any proper assessment of those sites, and lack of assessment or justification for ruling out or ignoring the District Council's preferred sites.</p> <p>Sharba Homes continues to support the production of the KNDP for Kineton Parish and consider that their site, North of Banbury Road, meets the aims and objectives of the plan more suitably than the sites proposed in the draft KNDP.</p> <p>We therefore consider that the KNDP is unsound and request that it be completely revisited for all the reasons set out above, and that in the new draft, proposed allocations should include a full and proper assessment of all sites not just those which have been pre-determined for inclusion (without any justification for doing so). Furthermore, either the authors produce their own legitimate independent evidence base or they utilise the District Councils evidence based assessments correctly. As we have clearly shown, the latter option (upon which the KNDP is currently based) directs development towards Land North of Banbury Road deeming it to be the least landscape sensitivity; having the only proven acceptable highway access and only acceptable landscape and/or heritage impact; the greatest sustainability credentials, provision of enhanced open spaces, biodiversity opportunities and footpath links, and future proofing the final link for a potential relief road for the village.</p> <p>As it stands however the draft KNDP is fundamentally flawed and unsound and we therefore consider it</p>	

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		should be withdrawn.	
KNP050	General	<p>Natural England has previously commented on this proposed plan in relation to Strategic Environmental Assessment and Habitats Regulation Assessment Screening and made comments in our letter to the Parish Council dated 15 June 2015 (156648). Natural England has also provided general advice to Stratford District Council’s under Regulation 18 Consultation for a Site Allocations Plan under the Intention to Prepare a Local Plan.</p> <p>Natural England generally welcomes the draft neighbourhood plan which sets out policies that will guide the future sustainable development of Kineton. It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests are concerned (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.</p> <p>We note the following policies (and have provided advice where appropriate):</p>	Not indicated
	D7	<p>We suggest consideration is given to including a reference within the supporting text for the policy to the Town and Country Planning Association’s ‘By Design’ series of guidance for sustainable communities, Climate Change Adaptation by Design and Biodiversity by Design are particularly relevant.</p>	
	E9 and SSB1	<p>We welcome the development of a Neighbourhood Biodiversity Action Plan. This is in line with Paragraph 109 of the National Planning Policy Framework (NPPF), which states that: “The planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures”.</p> <p>It is noted from Policy SSB1 that development is proposed that will both directly and indirectly impact on a locally designated site. It is our understanding that this includes an area of Priority Habitat.</p> <p>We advise that the proposed Biodiversity Action Plan make reference to the outlined criteria proposed in Policy SSB1. In addition, to ensure new development on this site is guided to enhancing biodiversity we advise that policy SBB1 be altered and include wording to minimise impacts on the biodiversity ‘habitat on site should be retained and enhanced where possible’ with the supporting text amended accordingly. This will ensure new development is guided as per the duties placed upon (LPA) under the Natural Environment and Rural Communities Act 2006 and the National Planning Policy Framework</p>	

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		(paragraph 118).	
KNP051	Whole document	An assessment has been carried out with respect to National Grid’s electricity and gas transmission apparatus which includes high voltage electricity assets and high pressure gas pipelines, and also National Grid Gas Distribution’s Intermediate and High Pressure apparatus. National Grid has identified that it has no record of such apparatus within the Neighbourhood Plan area.	Not indicated
KNP052	Whole document	Having reviewed your document, I confirm that we have no specific comments to make on it at this stage.	Not indicated
KNP053	<p data-bbox="286 561 434 619">Vision Statement</p> <p data-bbox="338 691 383 715">D7</p> <p data-bbox="338 786 383 810">E3</p> <p data-bbox="338 914 383 938">E7</p> <p data-bbox="338 1281 383 1305">E8</p> <p data-bbox="286 1377 434 1401">Section 5.5</p>	<p data-bbox="488 561 1874 651">Paragraph 4.17 – This paragraph refers to the separation of highway and foul drainage. It would be of greater benefit to Kineton if reference to the separation of surface water and highway drainage from the foul system were included here.</p> <p data-bbox="488 691 1874 748">Paragraph 5.3.21 – Should the second sentence of this paragraph ‘All parking and driveway...’ be point 5.3.21, as it is a separate issue to noise pollution?</p> <p data-bbox="488 786 1874 882">An additional paragraph could be included to reference using SuDs ‘treatment trains’ designed into developments to reduce flood risk and the pollution discharged to watercourses? Rather than simply adding attenuation ponds in the corner of a site?</p> <p data-bbox="488 914 1874 1042">We recommend the removal of the end of the first sentence of the second paragraph of the Policy “...where site conditions are favourable”. This could be taken to suggest that if the site conditions were only adequate SuDs would not be required? We also recommend changing the words ‘unfavourable or unfeasible’ in the second sentence to ‘unsuitable’.</p> <p data-bbox="488 1082 1874 1233">Paragraph 5.4.22 - Increasing the capacity of the River Dene at this location will have impacts for the communities downstream of Kineton. If the reference to increasing the capacity is to be included, there should be reference made to modelling of the downstream impacts of any such proposal. Any planning application which ‘passes the problem of flooding’ on to another site will be objected to by WCC FRM.</p> <p data-bbox="488 1281 1874 1339">Replace ‘in’ in the first sentence of the third paragraph of the Policy with ‘and its separation from the surface water / highway drainage systems within’</p> <p data-bbox="488 1377 1874 1441">Paragraph 5.5.1 - This paragraph should make reference to ‘surface water’, as well as foul and land drainage. Sewerage and foul water is the same thing.</p>	Not indicated

Rep. No.	Policy	Representation	Reg.19 Request?
	<p data-bbox="331 240 383 264">IN1</p> <p data-bbox="331 533 383 557">IN2</p> <p data-bbox="322 632 392 655">SSB1</p> <p data-bbox="322 699 392 722">SSB2</p> <p data-bbox="322 766 392 790">SSB4</p> <p data-bbox="282 833 432 857">Appendix 3</p>	<p data-bbox="486 240 1877 300">Sub-section a) Instead of the word 'adopted' 'incorporated within the design' Should be used. 'Adopted' has another meaning associated with it in relation to SUDS.</p> <p data-bbox="486 339 1850 399">Paragraph 5.5.3 - The words 'containment ponds' at the end of this paragraph could be replaced with 'appropriate SuDs features'. Containment ponds are a solution not the solution.</p> <p data-bbox="486 438 1765 497">Paragraph 5.5.4 - Remove 'as set out by SUDS Approval Bodies (SABs)' since this is factually incorrect. SABs were never created as the relevant parts of the legislation were never enacted.</p> <p data-bbox="486 537 1771 596">Paragraph 5.5.8 - 'or replacement' could be removed from the end of the paragraph. Why draw attention to the fact that you'd accept replacement, rather than betterment?</p> <p data-bbox="486 636 1357 660">This site is potentially heavily affected by surface water flooding.</p> <p data-bbox="486 700 1357 724">This site is potentially heavily affected by surface water flooding.</p> <p data-bbox="486 764 1357 788">This site is potentially heavily affected by surface water flooding.</p> <p data-bbox="486 828 1861 1310">Remove this heading and paragraphs: 'Sustainable Urban Drainage Approval Body (SABs) What is the SUDS Approval Body? The SUDS Approval Body or SAB will be an organisation within County Councils and Unitary Authorities specifically established to deal with the design, approval and adoption of sustainable urban drainage systems (SUDS) within any new development consisting of two or more properties. What will the SAB be responsible for? The SAB will be required to approve drainage systems for managing SUDS before construction begins. The SAB will be responsible for producing design guidance documents and approval/adoption procedures. The SAB must adopt and maintain approved SUDS that serve more than one property where the SUDS function/structure is built in accordance with the approved detail. The Sewerage Undertakers, Environment Agencies, Internal Drainage Boards, British Waterways and Highway Authorities will all be statutory consultees to the SAB. What else is happening? The Secretary of State must publish national standards for the design, construction, adoption and maintenance of SUDS. The Water Act 1991 is to be amended to make the right to connect surface water runoff into sewers conditional on the drainage system being approved by the SAB.' This is factually incorrect SABs were never created as the relevant parts of the legislation were never enacted.</p> <p data-bbox="486 1350 1839 1441">The Foot Note could remain but with the end of the sentence (on the top of page 52) 'and from this year 2013 for approving SUDs' omitted, as this is factually incorrect SABs were never created as the relevant parts of the legislation were never enacted.</p>	

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KNP054	Site Allocations	<p>The Trustees of the Warwickshire Hunt Properties would like to submit the following representation in connection with the property (some of which is Grade II Listed) owned by them at Little Kineton, Warwickshire, CV35 ODW (the "Premises" or the "Kennels").</p> <p>The Premises at Kineton amount to some 6.7 hectares and comprise the following elements:</p> <ul style="list-style-type: none"> • A main building complex consisting of the Hunt's kennels and stables plus ancillary buildings and four dwellings in the northern part of the site – an area of approximately 0.81 hectares (the "Buildings"); • No's 1 & 2 Kennel Cottages – an area of approximately 0.19 hectares (the "Cottages"); • Two paddocks to the south of the main building complex – an area of approximately 2.1 hectares (the "Paddocks"); and • A field to the west of the main buildings – an area of approximately 3.6 hectares (the "West Field"). <p>In October 2006, the Trustees of the Kennels' premises took advice from a firm of planning consultants on the possibilities of various developments on the Kennels' premises. These could be revisited and reviewed in the future in consultation with Stratford District Council and Kineton Parish Council.</p> <p>The Trustees' representation is therefore that the property should be considered for inclusion for future residential housing in the LDP. If such an inclusion was made then this would:</p> <p>(a) Achieve a planning gain; and (b) Have the possibility of contributing houses to a part of Little Kineton which is now primarily residential (having regard to the Norton Estate which is in close proximity) and which may assist Stratford-on-Avon Council in finding housing numbers from additional locations.</p>	Not indicated
KNP055	Whole document	<p>As per our initial response to the Consultation Draft of this document, as a statutory consultee in respect of planning/highway matters it is perhaps not appropriate for us to offer comment at this stage, as to do so may jeopardise any future formal consultation process if our views are sought in the future by the Planning or Highway Authority.</p> <p>While there is nothing in the document that we would specifically object to, there are no details of any individual planning projects or applications. We would ask that any scheme having an impact on the highway network be referred to Warwickshire County Council in their capacity as highway authority, and they will consult with Warwickshire Police if they feel it necessary to do so.</p>	Not indicated
KNP056	Whole document	<p>Planning Policy in the National Planning Policy Framework identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal</p>	Not indicated

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		<p>recreation and formal sport plays an important part in this process and providing enough sports facilities of the right quality and type and in the right places is vital to achieving this aim. This means positive planning for sport, protection from unnecessary loss of sports facilities and an integrated approach to providing new housing and employment land and community facilities provision is important.</p> <p>It is important therefore that the Neighbourhood Plan reflects national policy for sport as set out in the above document with particular reference to Pars 73 and 74 to ensure proposals comply with National Planning Policy. It is also important to be aware of Sport England's role in protecting playing fields and the presumption against the loss of playing fields (see link below), as set out in our national guide, 'A Sporting Future for the Playing Fields of England – Planning Policy Statement'. http://www.sportengland.org/facilities-planning/planning-for-sport/development-management/planning-applications/playing-field-land/</p> <p>Sport England provides guidance on developing policy for sport and further information can be found following the link below: http://www.sportengland.org/facilities-planning/planning-for-sport/forward-planning/</p> <p>Sport England works with Local Authorities to ensure Local Plan policy is underpinned by robust and up to date assessments and strategies for indoor and outdoor sports delivery. If local authorities have prepared a Playing Pitch Strategy or other indoor/outdoor sports strategy it will be important that the Neighbourhood Plan reflects the recommendations set out in that document and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support the delivery of those recommendations. http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/</p> <p>If new sports facilities are being proposed Sport England recommend you ensure such facilities are fit for purpose and designed in accordance with our design guidance notes. http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/</p>	
KNP057	General Background	<p>This submission is made in response to the above consultation and is supplementary to the comments made on the standardised Consultation format issued with the draft Plan. This format doesn't allow for general comments and concerns relating to the draft Plan.</p> <p>The draft Kineton Neighbourhood Plan (KNP) fails the requirements set out in legislation and planning policy guidance in relation to the purpose and preparation of neighbourhood plans (NP). Its focus is excessively narrow concentrating on the allocation of a number of new sites for housing development; these are allocated with no supporting evidence base. The plan does contain an additional range of</p>	Not indicated

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		<p>general policies but these are almost totally non-site specific and generic and represent a rehash of existing policies that would apply to the NP area. Overall the draft plan is a missed opportunity that deals with a single matter and fails to set out Kineton related policies for the long-term development of the community.</p> <p>The flaws in the preparation of the Plan have resulted in a Plan that fails to achieve at least two of the so-called "Basic Conditions "specified in the Localism Act.</p> <p>NPs are meant to be positively prepared documents setting out local choices for sustainable development .The KNP is not positively prepared and fails the test of a Neighbourhood Plan, as required by legislation and guidance. It should be withdrawn.</p> <p>The range of concerns was set out in earlier representations made on the previous consultation documents (which have been set aside and rejected by the Plan makers.). In these representations we objected strongly to the choice of development sites in Little Kineton, as opposed to the main settlement of Kineton.</p> <p>These representations have a more general focus. The main weaknesses identified include-</p> <ol style="list-style-type: none"> 1. Contrary to the view in the Basic Conditions statement, the draft NP is not in conformity with either existing adopted or emerging draft Local Plan policies of the Local plan. 2. Not promoting Sustainable development. The draft Plan is not a comprehensive land use planning document. It fails to provide a n overall policy framework addressing a range of issues that affect the village. Instead it has the narrow focus of new housing development on poorly documented sites in Kineton and Little Kineton. 3. Most of the policy framework in the draft does not contain policies specific to Kineton. Much of the draft Plan is rehash of generic existing policies which are already framed at the National or Local level and therefore unnecessary. 4. It has no transparent evidence base setting out the basis for its specific choice of the draft housing proposals. It is impossible to work how the sites were selected when compared with other possible sites or whether the chosen sites are even capable of sustainable development as assumed by the draft Plan. 5. It appears that the preparation of the draft KNP has been hurried in advance of the draft Stratford District local Plan in an attempt to pre-empt that Plan and predetermine choices. 6. Consultation: The consultation process has not been focussed on taking into account the people of Little Kineton. It fails to recognise or acknowledge the separate and unique characteristics of Little Kineton. Moreover the resulting document shows little or no evidence of the effective coordination and liaison between the NP working group and the District Council that NP guidance requires. 	

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	<p data-bbox="286 272 439 331">Conformity Issues</p> <p data-bbox="286 1281 450 1340">Sustainable development</p>	<p data-bbox="483 272 1861 432">In the adopted and emerging draft District Plan the settlements of Kineton and Little Kineton are identified as separate settlements and enjoy separate and distinct policies that reflect their different characteristics and suitability to accommodate development. This is reflected in the supporting evidence base (see Section on Local Service Villages and Appendix 2 where Little Kineton is evaluated as a separate settlement).</p> <p data-bbox="483 469 1861 660">The Kineton Neighbourhood Plan ignores and sets these important policy distinctions and lumps together the two settlements in a single policy umbrella. In doing so it presents Little Kineton as possessing the qualities as a location suitable as a focus for sustainable development. This is patently incorrect, as the hamlet of Little Kineton has no shops, local facilities or public transport. Little Kineton is poorly connected to Kineton in terms of footpath and cycling opportunities-indeed the current footpath route is potentially dangerous.</p> <p data-bbox="483 697 1839 1048">The issue of the policy distinction has been raised with the neighbourhood plan working party, parish council and District council officers in e mail correspondence. In summary these concerns have been dismissed and or ignored for a variety of reasons in responses to myself and other objectors highlighting the matter. We suggest that to set aside this issue as irrelevant to the NP is a fundamental error. The relevant policy framework is long established at both the existing and emerging policy levels and is consistent in drawing a clear distinction between the separate settlements of Little Kineton and Kineton principally relating to their ability to accommodate "sustainable development". To set this aside and treat both settlements as equally suitable for accommodating development is a major error in the formulation of the plan. It also undermines the relevance of District wide policy and contributes to a draft NP that does not conform with the Local Plan framework and its settlement hierarchy.</p> <p data-bbox="483 1085 1839 1244">The residents of Little Kineton have a reasonable expectation that they can rely on a robust and well established policy framework to guide limited development in the settlement. This has been undermined by the combined stance of the District Council and the Kineton Parish Council who seem intent on setting aside proper consideration of their own policy. In this sense the draft Plan is fundamentally flawed and should not proceed in its current form.</p> <p data-bbox="483 1281 1861 1441">The legislation and guidance requires all Neighbourhood plans to promote sustainable development. It is not clear how the draft KNP does this? The proposed allocations ignore site characteristics and allocate sites without a proper assessment of their constraints and characteristics. For example the range of practical, legal and commercial constraints that apply to the Little Kineton site have been highlighted in previous representations but then set aside and ignored.</p>	

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	<p data-bbox="302 694 414 790">Non site specific policies</p> <p data-bbox="264 981 459 1045">Lack of evidence base</p> <p data-bbox="273 1244 450 1372">Pre-emption of Strategic District wide Policies</p>	<p data-bbox="488 237 1870 494">First, the draft Plan only focuses on the promotion of a narrow range of housing development sites. As set out below. Major issues specific to the village and associated with the provision of "sustainable growth" are not addressed. These, for example, include protecting the character of the Village centre, road safety, traffic management, maintaining a thriving commercial and retail centre, and the promotion of specific employment and commercial development. In addition the Plan fails to examine crucial issues relating to the future of the village in the period to 2031 – these would include the development of the nearby Lighthorne new settlement, the expansion of Jaguar /Land Rover and the provision of Secondary education for the new growth in the centre of Kineton village.</p> <p data-bbox="488 534 1870 662">These strategic development issues are vital matters that will critically influence the area of the KNP particularly in terms of traffic and quality of life. In addition it is proposed that the secondary school at Kineton will provide capacity for the new settlement. This functional relationship will have an important impact on the KVP area. However this is not acknowledged or considered.</p> <p data-bbox="488 694 1870 949">While it is difficult to argue against the sentiments and objectives of many of the general policies in the draft Plan, as is shown in the accompanying representation on the specific policies we consider many of the policies in the draft Plan are unnecessary and superfluous to a Neighbourhood plan document. Many of the policies simply duplicate existing local Plan, NPPF based policies or local or national guidance. The result is that the plan contains much unnecessary "padding". As a useable document this may lead to confusion and potential difficulty for development management purposes. It is perhaps surprising that the District Council has not highlighted this flaw given that it already has a range of draft and adopted policies that already fulfil the function of many of the draft policies.</p> <p data-bbox="488 981 1870 1109">The background to the choice and selection of development sites in the draft plan is not clear. The Plan preparation process is not transparent. This in itself means the draft plan is deficient, as a proper professionally prepared draft Plan. It appears that the Plan making body has relied solely on submissions from a group of landowners about the availability of sites in Kineton and Little Kineton.</p> <p data-bbox="488 1141 1870 1204">There is no published site survey work or evidence of how the selected sites were evaluated alongside other choices that are clearly available within and adjoining the KNP policy area.</p> <p data-bbox="488 1236 1870 1469">The Kineton NP has been produced ahead of the Stratford District Plan. It is clear from PPG that a neighbourhood plan can be prepared and brought forward in advance of a local plan (ref 2014036). However guidance makes it clear 'The ambition of a NP should be aligned with the strategic needs and priorities of the wider area (para 184, NPPF). The NPPF goes on to stress that the evidence and reasoning informing a Local plan process may be relevant to the basic conditions that a neighbourhood Plan is tested. It follows that it is good practise for the NP to have regard to the evidence base of the Local Plan.</p>	

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	<p>Consultation process</p>	<p>There has been considerable overlap between the two processes .In theory this would facilitate a cross fertilisation of the two processes and lead to a draft NP that is closely aligned to strategic policies in the District Plan.</p> <p>The resulting draft plan is inward looking and bears all the hallmarks of a document produced in isolation from its strategic context. In the period up to 2031 it is regrettable that a wider range of site-specific policies are not set out that address the challenges Kineton will face in the future.</p> <p>The level of housing growth proposed for the district remains uncertain and subject to further scrutiny. However plenty of evidence is available from the Council and much of this has implications for the level of growth that should be appropriate to Kineton. Discussions with the Local authority should have led to an informed view of the level of growth likely to be appropriate to Kineton which in policy terms remain a likely focal point for additional growth in the district.</p> <p>In practise the draft Plan proposals and its background material contain no evidence that the draft NP has taken any account of the wider local and District context. No discussions between the District and the NP committee appear to have taken place. Instead the draft NP has (randomly?) settled on a level of housing growth without any reference to wider evidence and Objectively Defined Need. It has belatedly sought to recognise that the numbers for Kineton will rise but again without reference to evidence has settled on a reserve site proposal of a finite level that appears based on site capacity rather than housing needs.</p> <p>In a separate representation of May 2015, we wrote to the Neighbourhood plan body suggesting that in view of the imminent production of new housing figures for the District the local plan and a published timetable for the release of the further evidence it would be productive to await the release of figures to inform the draft Plan .No response to this submission was received and again the overall impression is the determination of the plan makers to press on before the District Plan catches up.</p> <p>Contrary to the NP Consultation Statement, the process of Plan preparation has not been clear to residents of Little Kineton. Moreover no attempt has been made to engage Little Kineton residents on their separate concerns perhaps to avoid acknowledging that Little Kineton is a separate community that enjoys its own distinctive characteristics. We also believe that consultation letters and flyers produced by the Parish Council publicising the original notice to designate the KVP boundaries and the recent launch of the consultation on this draft pan were not distributed in the settlement and consequently residents of Little Kineton have been prejudiced from proper engagement in the plan process.</p>	

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	<p data-bbox="286 368 434 459">Basic Conditions Statement</p> <p data-bbox="277 1182 443 1209">Conclusions</p>	<p data-bbox="486 240 1868 331">Certainly when the draft plan is examined by an appointed inspector we request that evidence that these consultations were carried out in Little Kineton to the same degree as conducted in the village of Kineton.</p> <p data-bbox="486 368 1823 560">The Basic Conditions Statement prepared by Avon Planning Services is flawed. It appears a perfunctory exercise seeking to set out the conformity of the draft Plan with relevant National and local guidance. In its attempts to justify compliance of the draft Plan with the legislative tests it contains a number of errors and assertions that are not supported by evidence or reality. The conclusions seem to be distorted in order to ensure compliance. For example ,the statement makes the following assertions;</p> <p data-bbox="486 596 1839 756"><i>"The KNDP is a positive plan which seeks to promote an appropriate level of development in suitable sustainable locations. It recognises the role of the village has to play in assisting housing and economic growth in the district."</i>(page5, no2). There is no evidence of linkages to housing or employment policies outside or cross references to the current District local Plan policies. The KNP contains no coherent employment policies.</p> <p data-bbox="486 793 1868 852"><i>"...any uplift in housing numbers would be accommodated in Policy H1: Safeguarded land"</i>. This could only be true if the level of growth allocated to Kineton was within the capacity of the safeguarded land.</p> <p data-bbox="486 888 1868 1016"><i>"The scale of development likely to be required does not lend itself to genuinely mixed use developments...should the employment not be forthcoming then alternative community facilities will be required"</i>. It seems odd that as an alternative to jobs the plan promotes community facilities. Where is the reasoned justification for this?</p> <p data-bbox="486 1053 1733 1149"><i>"The KNP has been produced to be in conformity with the spatial and sustainable community objectives of the emerging CS"</i> (page 11). See comments on the distinction between the two settlements. Failure to even recognise this undermines this contention.</p> <p data-bbox="486 1185 1861 1345">Quite apart from concerns about site-specific proposals set out in the draft KNP, the basis of the plan preparation and its fundamental assumption that Kineton and Little Kineton should be treated as a single uniform policy area is the root cause of a series of major flaws in the draft KNP. The absence of meaningful, evidence based, site specific policies to support the draft proposals is also a major shortcoming.</p> <p data-bbox="486 1382 1839 1469">We recognise and acknowledge all the hard work that has been put in by the working party and the Parish Council but a blinkered Vision based on a on apparent desire to pre-empt the proposals for Kineton in the emerging District local Plan and its evidence base has resulted in a draft plan that it is</p>	

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		<p>both narrow in focus and unfair to various sections of the community located in the plan area.</p> <p>It is disappointing that the District Council has seemingly chosen to sit on the side-lines during the crucial stages of Plan formulation. Consequently there has been not attempt to rectify some of the major flaws in the evidence base, the consultation process, the duplication of many development management policies and the application of policies in the approved and draft Plan.</p> <p>We believe that aspects of the draft KNP fail the basic Conditions test. This must be a focus of the proposed Examination. Certainly the plan seems like a big missed opportunity to produce a document that both settlements can hold up as a framework for guiding future sustainable development and helping to meet the challenges of the future.</p>	