

Wilmcote and Pathlow Neighbourhood Development Plan

Regulation 16 Representations: By Contributor

Rep. No.	Policy	Representation	Reg.19 Request?
WPNP01	WP3	<p>Thank you for the invitation to comment on the Draft Neighbourhood Plan. Our comments remain substantively the same as those expressed in our earlier correspondence (01 April 2016) in relation to the regulation 14 consultation that is:</p> <p><i>"We are supportive of the content of the document and particularly commend its' recognition of the importance of the local historic environment and the contribution this makes to the sense of place and well-being of the community. The emphasis on the conservation of local distinctiveness and the protection of locally significant buildings and landscape character including important views is equally to be applauded. The recognition in the Plan of the importance of good design and the principles of constructive conservation being applied everywhere, not just in conservation areas, is also commendable and a view strongly supported by Historic England".</i></p> <p>However, we now note and find it regrettable that this iteration of the Plan has omitted reference to those local non-designated heritage assets previously individually listed in the Plan. In relation to Policy WP3 these were said to have "special local resonance". WP3 now only seems to cover heritage assets generally and we feel this represents somewhat of a lost opportunity.</p> <p>The inclusion as previously of a form of "local heritage list" in our view elevated those assets listed to a status beyond that of the general norm as they had been specifically identified as being of great significance by the local community after extensive consultation. This goes beyond the general direction in the NPPF that all heritage assets should be conserved in a manner appropriate to their significance by affording a high degree of significance to locally valued assets at the outset. When considering development proposals that might affect such assets the heritage list thus also affords the community and LPA a strong policy platform from which to negotiate which would otherwise be lacking.</p> <p>In conclusion, whilst Historic England highly commends the approaches taken in the Plan to the conservation of the historic environment and considers the Wilmcote and Paplow Neighbourhood Plan to be a well-considered, concise and fit for purpose document we recommend that Policy WP3 is revisited and revised such that it serves the original intention of highlighting the significance of locally important heritage assets.</p>	Not indicated

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WPNP02	Whole Document	Natural England does not have any specific comments on this draft neighbourhood plan.	Not indicated
WPNP03	General Comments	<p>Context of our response:</p> <p>The County Council welcomes communities proposing Neighbourhood Plans that shape and direct future development. The main responsibilities of the County Council are highways and public transport, education, social services, libraries and museums, recycling/ waste sites and environment. The County Council's role is to deliver the services and facilities as efficiently.</p> <p>Financial implications of Neighbourhood Plans:</p> <p>We would like to state at the outset that the County Council cannot commit to any financial implications from any proposals emanating from Neighbourhood Plans. Therefore, Neighbourhood Plans should not identify capital or revenue schemes that rely of funding from the Council. However, we will assist communities in delivering infrastructure providing they receive any funding that may arise from S106 agreements, Community Infrastructure Levy or any other sources.</p> <p>We note the responses to the questionnaire sent out by the parish Council and in particular note the responses relating to transport matters</p> <p><i>"Over three quarters (77%) stated that there is a problem with speeding through Wilmcote & Pathlow. When asked if respondents would support traffic calming measures in the parish, 70% responded yes. When asked if respondents consider sustainable development to be important within the context of housing, business, amenities and infrastructure, 66% stated yes"</i></p> <p>In this regard we have the following comments to make as a guide any amendments prior to formal submission of the Plan.</p> <p>Comments on transport matters:</p> <p>Speed limit compliance:-</p> <p>Warwickshire Police have the following general remarks regarding introduction of speed limits and their enforcement; these comments should be borne in mind when requesting new or changes to existing speed limits:-</p> <p><i>"Speed enforcement is time and resource intensive and competes with other important policing</i></p>	Not indicated

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	<p>Para 1.2</p> <p>Paras 5.14 and 5.15</p> <p>WP4</p>	<p><i>priorities of equal public concern. It is not the responsibility of the police to make inappropriate speed limits work. Prevention should rely on public support and compliance by the majority.</i></p> <p><i>Any speed enforcement activity should be proportionate, targeted, consistent and transparent. Where there is alleged non-compliance the road should be investigated to identify whether this is happening and, if this is the case, the likely reasons why this undesirable condition is arising.</i></p> <p><i>When a road looks and feels like the speed limit many will comply and where possible there will be a level of routine enforcement. However, when the limit is confusing or unclear it will not be routinely enforced. Therefore, speed restrictions must be appropriate, clear and with the need for compliance obvious to all road users, as this will result in the majority habitually complying.</i></p> <p><i>Mass defiance identifies unsuccessful limits which may be inappropriate. In such circumstances the limit should be reviewed to determine if additional engineering, signing, or even different speed limits are required to achieve compliance by the majority."</i></p> <p>It is these principles that inform any police decision to carry out enforcement, routine or targeted.</p> <p>Sustainable transport matters:</p> <p>Warwickshire County Council supports the emphasis has been placed on increasing public footpaths and cycle routes. However, any funding would have to come from S106 agreements or the Community Infrastructure levy. We would recommend that projects such as car share schemes or car clubs be considered for further investigation in order to reduce car usage in the area covered by the Neighbourhood Plan.</p> <p>Minerals and wasters matters:</p> <p>There are no issues arising from minerals and waste planning matters.</p> <p>The sentence ending 'Stratford-upon-Avon' (about the midpoint of the paragraph) has both a comma and a full stop at the end of it.</p> <p>These paragraphs (as elsewhere in the report) contain the word 'also' a number of times when it is not required.</p> <ul style="list-style-type: none"> • The County Council supports that emphasis has been placed on expanding the green infrastructure network which exists in the area. 	

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	<p>WP9 criterion d) and e)</p> <p>WP13</p> <p>Para 3.1</p> <p>WP4</p> <p>WP4 Background</p> <p>WP7 Background</p> <p>WP9</p> <p>WP11</p>	<ul style="list-style-type: none"> • We would require further information on any schemes before commenting on any details. • The County Council along with many other parts of the country has sought to control the amount of parking provision within new developments in recent years. The generally low provision is to make sure that new developments are: sustainable and make best use of the land available; they do not encourage additional car trips; and trips that are to be made are done so through non-car based modes where possible. Warwickshire supports new developments providing adequate amounts of parking subject to the criteria set out in the Local Transport Plan (2011-2026). • We note that parking standards contained within neighbourhood plans are subject to those set by district councils, in this case Stratford-on-Avon District. Therefore, the parking standards set out in the Wilmcote and Pathlow Neighbourhood Development Plan will be subject to those set out by the Stratford-on-Avon District Council's Supplementary Planning Document. • The County Council is satisfied that the Neighbourhood Plan encourages sustainable modes of travel. • Any new developments are subject to Warwickshire County Council's approval which includes any impact to the existing transport network. <p>Flood Risk Management Comments:</p> <p>Contains two dates as '[to be inserted]', they should be inserted?</p> <p>Could 'water management' be added between 'tourism' and 'and ecological' in the third line of this paragraph?</p> <p>Could the 'Background / Justification' section refer to 'blue-green infrastructure'? Whilst Green Infrastructure is a planning term (and should be the title of the policy) blue-green infrastructure is a term which includes for making space for water within developments. This can be critical in locations where there is a risk from flooding (specifically surface water) in that over land and exceedance flow roots are considered during design.</p> <p>Should 'church' be added into the final sentence as it is listed as a community elsewhere in the NDP but not in this sentence?</p> <p>Could a point 'g)' be added to the effect 'It utilises Sustainable Drainage System (SuDS) principles in the management of its surface water and does not increase flooding to neighbouring properties.'?</p> <p>Could 'utilises SuDs principals in managing its surface water' be added before the ';'?</p>	

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	<p>Criterion e)</p> <p>Paras 9.1, 9.2 and 9.4</p> <p>End of Appendix 2</p>	<p>These paragraphs contain dates as '[to be inserted]', they should be inserted?</p> <p>May need to add a blank page here? As the current back page of the document displays on the inside of the last page when printing double sided, as there are an odd number of pages in the document.</p>	
WPNP04	Whole Document	<p>Thank you for consulting Sport England on the above Neighbourhood Consultation.</p> <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 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>	Not indicated

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		<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.</p> <p>http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/</p>	
WPNP05	Whole Document	No comments to pass regarding traffic management matters for this development plan.	Not indicated
WPNP06	Whole Document	Having reviewed your document, I confirm that we have no specific comments to make on it.	Not indicated
WPNP07	<p>WP4</p> <p>WP13</p>	<p>The Canal & River Trust welcome the support of the Neighbourhood Plan in recognising not only the multi-functional nature of the Stratford Canal but also in recognising the benefits it can bring to the area. We would however suggest a slight amendment to the proposed wording of policy WP4 to read 'restoring and improving existing green infrastructure.' This is suggested in order to provide policy support for mitigation measures to ensure that development does not result in the degradation of the existing asset as a result of increased usage. There may be occasions when the asset should be upgraded as a result of development, and funded by the developer by means of a S106 agreement, in order to cope with additional usage. Additional usage can result in degradation which would result in a disbenefit to existing users as well as to future users.</p> <p>New development should wherever possible link into and, if necessary, improve existing off road sustainable transport routes.</p>	Not indicated
WPNP08	<p>WP4</p> <p>WP5</p> <p>WP6</p> <p>WP9</p>	<p>This is an important Policy to safeguard Wilmcote and preserve the most important features.</p> <p>This Neighbourhood Plan seeks to impose a planning Policy without any factual or objective assessment of the landscape quality of Wilmcote village or its surroundings. A Policy proposed for confirmation without a supportive and directed Character Assessment from which to judge proposals cannot be correct in planning law and certainly be effectual when judging proposals. The Plan should not be Adopted without a factual and objective Assessment of the landscape of the village and its surrounds.</p> <p>Whilst it is important to list prominent views in a Neighbourhood Plan there needs to be a text with it whereby development proposals can be judged objectively against any negative impact that they might have on a particular view. Interestingly, there is no ranking of the views in that they are all given the same weight and that cannot be correct because some views are clearly more important than others and there should therefore be a justification for their inclusion and they should be ranked.</p> <p>We raise a fundamental objection to this Policy WP9. Without a proper village plan boundary for the settlement it will not be reasonably possible in planning terms to judge firstly, whether a proposal is within or without the village. The village plan boundary needs to be properly researched and</p>	Not indicated

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	WP11	<p>objectively established for the Plan Period. Whilst it is accepted, unfortunately, that this settlement is within "washed-over" Green Belt, the future form and extent of the village is vitally important in economic and housing terms and the public/developers are unable to properly judge how to proceed without such a plan. In addition, the Neighbourhood Plan should properly judge whether it wishes to extend or vary the village boundary to take account of any future growth in the settlement as required by the soon to be Adopted Stratford Local Plan. That Assessment has not taken place. Reasonable and proper growth options have not been considered which clearly should have happened if you are producing an objective Neighbourhood Plan under existing planning rules and Policies. We have a fundamental objection to the third paragraph of this Policy which seeks to limit occupancy as well as future occupancy. This is not a requirement of the Stratford Local Plan and not a reasonable requirement for this Neighbourhood Plan. In addition, in terms of the first paragraph, there is no proper and reasonable limitation for new housing development within existing residential gardens. That cannot be reasonable or consistent with the NPPF but will simply promote unrestricted development in those parts of the village where there are long gardens that might not be appropriate for comprehensive development. Finally, to be able to enforce paragraph 2 above, you have to have a definitive village boundary line.</p> <p>If this Policy implicitly seeks to provide proper design controls for new housing then that must be explicitly for housing within the existing confines of the village. It is unreasonable and unacceptable for that proposed housing development to comply with requirement m) above, relating to the Green Belt. To be objective m) should only relate to development outside the village boundary and in any event Green Belt policy and the NPPF already contain those safeguards. We would submit that Policy requirement m) above should be deleted.</p>	
WPNP09	<p>Introduction</p> <p>Para 3.1</p> <p>Figure 5</p> <p>Para 5.10</p> <p>Para 5.12</p>	<p>It is a surprise there is no mention of the Pathlow gypsy caravan site. Its existence should be acknowledged even if nothing else is said about it.</p> <p>Suggest the second sentence is amended to read "The Wilmcote and Pathlow NDP was submitted to Stratford-on-Avon District Council for the Regulation 16 'formal' consultation from 30 June 2016 to 12 August 2016".</p> <p>It is unclear what the numbers in brackets after settlement names represent – they need to be explained or deleted to avoid uncertainty.</p> <p>First line at the top of p.19 – amend to read: "The Core Strategy was adopted by the District Council on 11 July 2016. It does not change Green Belt boundaries within the Parish which means that the Wilmcote NDP..."</p> <p>Delete paragraph because the District Local Plan has been superseded by the Core Strategy.</p>	Yes

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	Para 5.13	Amend 1st sentence to read: "The Stratford-on-Avon Core Strategy (Policy CS15) identifies Wilmcote as a Local Service Village. It is 'washed over' by the Green Belt which means that only limited infilling and redevelopment is acceptable within its boundaries". Additionally, in the 2nd sentence, delete 'emerging'.	
	All Policies (General)	It is good practice to highlight policies by placing them in a box or picked out with some form of shading. As things stand, the use of blue type would be lost in a black and white copy of the document.	
	WP2	Paragraph 2 – How will potential applicants know whether the development site could potentially impact on important geology? Is it expected that relevant surveys are submitted with planning applications? Given the relatively small-scale nature of development that will be achieved in the village in accordance with para 89 of the NPPF, it is considered too onerous to insist on the inclusion of such reports for individual applications of a minor nature.	
	WP3	It is unclear what is meant by the phrase "when development is permitted, this will be conditioned in such a way so to ensure the development takes place after the loss or harm has occurred...".	
	WP5 Background	The subject covered by this policy is not specifically related to Green Belt designation and its purposes as identified in para. 80 in the NPPF. Green Belt is not a landscape designation per se. Basis of policy should be landscape character/quality/sensitivity and this should be set out more clearly in the supporting text.	
	WP7	The railway station could be usefully included.	
	WP8	Replace 'permitted' with 'supported' in the second line.	
	WP9	First paragraph, second line – consider amending to read 'including residential gardens where appropriate'.	
	WP9	A boundary to define the extent (confines) of Wilmcote has not been identified in the NDP. As such, the District Council will do this through its Site Allocations Plan as a means of applying Policy WP9 and Policy CS.15.D in the Core Strategy.	
	WP9	Criterion (f): there is no reference to harm to the visual amenity of the Green Belt in national policy. Suggest 'of the Green Belt' is deleted or (f) is reworded to read 'would not harm the openness of the Green Belt'.	

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	WP11	It is considered that criterion b) is at the same time too vague and too lengthy. The criterion should simply read "design that takes into account site characteristics and surroundings". The 12 sub-points could then be listed somewhere in the explanatory text. It should also be noted that these criteria are all material considerations in the determining of planning applications.	
	WP11	Criterion (m): there is no reference to harm to the visual amenity of the Green Belt in national policy. Suggest 'of the Green Belt' is deleted or (m) is reworded to read 'would not harm the openness of the Green Belt'.	
	WP13 Background	Last line – delete 'A' as this is not correct. Only A3400 is this class of road within the NDP area.	
	WP13 Supporting Actions	These seem very repetitive and could be merged into one.	
	WP14	New footpaths etc. could only be requested via appropriate legal agreements, given that the land in question would invariably lay outside the application site (i.e. in the public highway).	
	Section 9	Should this be removed from the Plan?	