

Ettington and Fulready Neighbourhood Development Plan

Regulation 16 Representations: By Contributor

Rep. No.	Policy/Topic	Representation
EFNP1	Policy H2 - Strategic Reserve	<p>Messrs XXXXX own land to the south of Banbury Road. The identification of part of their land for future housing (Strategic Reserve site) is welcomed but it is considered that the extent of the site identified in the Plan is insufficient to meet likely future housing needs. The Plan covers the period to 2031 and it should allow for greater flexibility to meet future housing needs and, as consequence the Strategic Reserve site to the south of Banbury Road should be enlarged. Enlargement of this site would allow for future housing needs to be catered for, whilst providing a greater degree of certainty as to where future development is likely to take place for the local community.</p> <p>It is submitted that the area of the Strategic Reserve site to the south of Banbury Road should be increased, as shown edged red on the attached plan (Drawing No 7924-100 Rev A). The land shown edged red has an area of approximately 4.37 hectares.</p>
	Policy LA2 - Designated Local Green Space	<p>Messrs XXX own the freehold interest of the land presently used as playing pitches for Ettington Football Club (Policy LA2 [Ettington No. 2]). There is no need for such a designation as the playing pitches are protected by Policy CS.25 of the Core Strategy and would be protected under Policy LA1 of the Neighbourhood Development Plan.</p> <p>Furthermore, the proposed designation fails to meet the strict criteria set down in the NPPF (paragraphs 76 and 77). Although the NPPF indicates that land of recreational value such as playing fields can be included within a Local Green Space, it makes it clear that such a designation will not be appropriate for most green areas or open space. Such designation is only appropriate “where the green area is demonstrably special to a local community and holds a particular local significance”.</p> <p>The pitches do not meet this extremely high test of special value and significance and accordingly the Plan does not achieve the required ‘basic conditions’.</p> <p>Messrs XXX intend to relocate the existing playing field onto the south western section of land as part of</p>

		<p>the future residential development of the proposed reserve site. This approach is consistent with Core Strategy Policy CS.25, Policy LA3 of the Submission Neighbourhood Development Plan and paragraph 74 of the NPPF. Therefore there is no need for this designation.</p>
	Policy LA5 - Allotments and Growing Space	<p>Messrs XXX own the land indicated as a potential site for allotments to the south of Banbury Road (Figure 4, Site 3). They will not make the land available for allotments and therefore its identification serves no purpose. The land affected is considered to be more appropriate to meet future housing needs (see related objection to Policy H2).</p> <p>As the land will not be made available for allotments this part of Policy LA5 cannot be delivered. Figure 4 of the Plan should be amended to delete site 3.</p>
EFNP2	General	<p>Government planning policy, within the National Planning Policy Framework (NPPF), 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. Providing enough sports facilities of the right quality and type in the right places is vital to achieving this aim. This means that positive planning for sport, protection from the unnecessary loss of sports facilities, along with an integrated approach to providing new housing and employment land with community facilities is important.</p> <p>It is essential therefore that the neighbourhood plan reflects and complies with national planning policy for sport as set out in the NPPF with particular reference to Pars 73 and 74. It is also important to be aware of Sport England's statutory consultee role in protecting playing fields and the presumption against the loss of playing field land. Sport England's playing fields policy is set out in our Planning Policy Statement: 'A Sporting Future for the Playing Fields of England'. http://www.sportengland.org/playingfieldspolicy</p> <p>Sport England provides guidance on developing planning policy for sport and further information can be found via the link below. Vital to the development and implementation of planning policy is the evidence base on which it is founded.</p>

<http://www.sportengland.org/facilities-planning/planning-for-sport/forward-planning/>

Sport England works with local authorities to ensure their Local Plan is underpinned by robust and up to date evidence. In line with Par 74 of the NPPF, this takes the form of assessments of need and strategies for indoor and outdoor sports facilities. A neighbourhood planning body should look to see if the relevant local authority has prepared a playing pitch strategy or other indoor/outdoor sports facility strategy. If it has then this could provide useful evidence for the neighbourhood plan and save the neighbourhood planning body time and resources gathering their own evidence. It is important that a neighbourhood plan reflects the recommendations and actions set out in any such strategies, including those which may specifically relate to the neighbourhood area, and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support their delivery.

Where such evidence does not already exist then relevant planning policies in a neighbourhood plan should be based on a proportionate assessment of the need for sporting provision in its area. Developed in consultation with the local sporting and wider community any assessment should be used to provide key recommendations and deliverable actions. These should set out what provision is required to ensure the current and future needs of the community for sport can be met and, in turn, be able to support the development and implementation of planning policies. Sport England's guidance on assessing needs may help with such work.

<http://www.sportengland.org/planningtoolsandguidance>

If new or improved sports facilities are proposed Sport England recommend you ensure they 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/>

Any new housing developments will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then planning policies should look to ensure that new sports facilities, or improvements to existing sports facilities, are secured and delivered. Proposed actions to meet the demand should accord with any approved local plan or neighbourhood plan policy for social infrastructure, along with priorities resulting from any assessment of need, or set out in any playing

pitch or other indoor and/or outdoor sports facility strategy that the local authority has in place.

In line with the Government's NPPF (including Section 8) and its Planning Practice Guidance (Health and wellbeing section), links below, consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing planning policies and developing or assessing individual proposals.

Active Design, which includes a model planning policy, provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity. The guidance, and its accompanying checklist, could also be used at the evidence gathering stage of developing a neighbourhood plan to help undertake an assessment of how the design and layout of the area currently enables people to lead active lifestyles and what could be improved.

NPPF Section 8: <https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities>

PPG Health and wellbeing section: <https://www.gov.uk/guidance/health-and-wellbeing>

Sport England's Active Design Guidance: <https://www.sportengland.org/activedesign>

(Please note: this response relates to Sport England's planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.)

EFNP3	General	<p>National Grid has appointed Amec Foster Wheeler to review and respond to development plan consultations on its behalf. We are instructed by our client to submit the following representation with regards to the above Neighbourhood Plan consultation.</p> <p>About National Grid</p> <p>National Grid owns and operates the high voltage electricity transmission system in England and Wales and operate the Scottish high voltage transmission system. National Grid also owns and operates the gas transmission system. In the UK, gas leaves the transmission system and enters the distribution networks at high pressure. It is then transported through a number of reducing pressure tiers until it is finally delivered to our customers. National Grid own four of the UK's gas distribution networks and transport gas to 11 million homes, schools and businesses through 81,000 miles of gas pipelines within North West, East of England, West Midlands and North London.</p> <p>To help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect our assets.</p> <p>Specific Comments</p> <p>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.</p> <p>National Grid has identified that it has no record of such apparatus within the Neighbourhood Plan area.</p> <p>Key resources / contacts</p> <p>National Grid has provided information in relation to electricity and transmission assets via the following internet link:</p> <p>http://www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/</p> <p>The electricity distribution operator in Stratford Upon Avon District Council is Western Power Distribution. Information regarding the transmission and distribution network can be found at: www.energynetworks.org.uk</p>
EFNP4	General	<p>Thank you for consulting The Coal Authority on the above.</p> <p>Having reviewed your document, I confirm that we have no specific comments to make on it.</p>
EFNP5	General	<p>Thank you for the invitation to comment on the Regulation 16 Neighbourhood Plan. Our previous substantive Regulation 14 comments remain entirely relevant, that is:</p>

		"Historic England is supportive of both the content of the document and the vision and objectives set out in it. The emphasis on the conservation of local distinctiveness and the protection of built and rural character including archaeology and important views is highly commendable. We also commend the approaches taken in the Plan to ensuring that the design of new development takes cues from the local vernacular and thus contributes to the conservation and enhancement of the historic environment". Overall the plan reads as a well-considered fit for purpose document which we consider takes a suitably proportionate approach to the historic environment of the Parish.
EFNP6	p.3 – List of Figures	Figure 7 should read 'Scheduled Monuments'
	p.8, 9, 10 – Evolution	The Plan relates only to Ettington, Fulready is not mentioned
	p.8, para 3.1	penultimate line – should read 'Ordnance' rather than 'Ordinance'
	p.11 – para 3.11	Should the aspiration of eliminating through traffic be listed as a project in an appendix to the NDP?
	p.12 – para 3.16	the issues here are not necessarily relevant to a neighbourhood plan.
	p.16 – para 6.4	59 dwellings will not be 'expected to be provided...' the figure 59 dwellings is more of an indicative guide than a target.
	p.17, para 6.7/Figure 2	this site is not large enough to be described as strategic
	p.17 – para 6.9	This paragraph states that the village boundary has been drawn having regard to Annex 3 of the previous Local Plan. However, the boundary includes parcels of agricultural land, paddock areas and 'non-domestic' land which do not comply with the criteria/methodology set out within Annex 3.
	p.18 – Figure 2	The boundary as drawn at Fig.2 includes several areas of land around the edge of the village that would not meet the criteria of Annex 3 of the Local Plan used by SDC to create built-up area or village boundaries. By including these parcels of land within the village boundary, it indicates that the future development of these parcels of land for housing will be acceptable in principle, through policy H1 of the NDP. Three of these sites are quite large and are made up of paddocks, manege and stables or modern agricultural sheds. None of these sites would be deemed to be appropriate to be included with a village boundary utilising the Annex 3 criteria. The boundary as proposed has not altered since Regulation 14 consultation when SDC made the same comments.
	Policy H1 – Housing Growth	The proposed Built Up Area Boundary (BUAB) differs slightly from that proposed by the District Council in the context of the emerging Site Allocations Plan. A single agreed approach is preferable.

	p.18 – Policy H2	<p>The policy refers to ‘around 6 dwellings’ but para 6.7 refers to 8 dwellings. Delete the word ‘robust’ as it is unnecessary. Delete the final paragraph of the policy as it is superfluous.</p> <p>Release of reserve site could also be justified against other provisions of Core Strategy Policy CS.16 - this should be acknowledged.</p> <p>Whilst this could provide scope for a Local Need scheme (in the alternative) there is concern that its ‘hope’ value may militate against delivery of such a scheme. If released as a conventional housing site there will not be any scope for securing on-site affordable housing provision, although there may be a requirement for an off-site financial contribution.</p>
	p.19 – para 6.11	Add to the final sentence ‘...or the circumstances outlined in Core Strategy Policy CS.16’.
	Policy H3 – Local Needs Housing	This provides scope for Local Needs schemes outside the defined BUAB, and cross-references to the findings of the 2016 Housing Needs Survey. Inclusion of this Policy is welcome, even though it includes slightly different local connection criteria than those normally used by the District Council. Close liaison with potential housing association partners will therefore be important to ensure their suitability, in the event proposals for a specific site or sites emerge.
	p.21 – Policy H4	<p>At Reg.14 consultation, SDC raised concern that the percentages listed for market housing would not be achievable as written. For example, the Core Strategy gives a range of 5% to 10% for 1-bed units, whereby the NDP policy asks for ‘at least’ 10%...A scheme conforming to the mix in the NDP may not be in conformity with the Core Strategy. The same can be said for the affordable housing percentages – it will be difficult for schemes to achieve exact figures, which is why Policy CS.19 of the Core Strategy is written as a range. The policy has not been amended since Reg.14 and the concerns remain.</p> <p>This policy identifies optimum mixes for affordable and market housing respectively on sites for 6 or more dwellings. In practice, as there are no allocated sites, the only scope to apply this policy is likely to come when reserved matters applications are forthcoming for the small number of existing “committed” sites with outline permission.</p>
	p.21/22 – para 6.21	Given the concern over the wording of the policy above, developers may well find themselves not complying with the NDP but be in compliance with the Core Strategy- this could lead to a compliance issue. The paragraph should be re-drafted to explain the approach to determining optimum stock mix.
	p.22 graph	Should first row of graph should read ‘4-5 bedrooms’?
	p.23 – Policy H5	This is a very prescriptive policy and more of a design code than design principles. There is no evidence that a character assessment been carried out. Criterion a) If in-fill development takes place which follows an established building line, it will inevitably reduce the space between existing buildings. How will ‘significant’ reduction be assessed? And when will it be unacceptable? Reduction of existing spaces between buildings is not necessarily harmful and does not always lead to terracing. This needs re-wording and quantifying. Criterion f) and g) are very

		prescriptive in terms of materials to be used and not born out by evidence in the photographs.
	p.24, Policy LE1, 2nd para, 2nd line	Should read 'existing' not 'allocated'
	p.25 – Policy LE2	Amend Criterion d) to read 'do not conflict with National and District policy'
	p. 26, Policy LE3(d)	Live/work units should be located where a dwelling would be appropriate – see Core Strategy Policy CS.22, 8th para
	p.28 – Policy LA1	Core Strategy Policy CS.25 also refers to assessing whether the facility could be used for an alternative use that would benefit the community – this could usefully be included here.
	p.29 – Policy LA2	<p>Paragraph 77 of the NPPF set out very clear assessment criteria for LGS designation. Of the 11 sites listed in the policy (over the 2 settlements), it is considered that sites 3 and 7 in Ettington and sites 1 to 4 in Fulready do not meet the relevant assessment criteria and should be removed from the policy. All 6 of these sites have similarities in that they are large tracts of land that are in private ownership and have no public access. Given their agricultural nature, they are not considered to be of any particular beauty; have historic significance; have recreational value or be rich in wildlife. As such, it is not considered that any of these sites would be classified as 'demonstrably special' to the local community, would not comply with para 77 of the NPPF and therefore they are not suitable for designation.</p> <p>Sites 1, 2 and 5 in Ettington can be classified as important open spaces within the community given their high recreational value. As such, these sites would be classified as having particular local significance and would be appropriate for designation as LGS. Site 4 in Ettington includes two areas of open space at a road junction. They are certainly local in character and help provide a pleasant open aspect at this juncture. The 'significance' of the space is not entirely clear, but on balance may be suitable for designation as LGS. Site 6 in Ettington is an area of open space within a modern development. It does create an important open space in this locality, providing amenity and recreational value. It would be suitable for designation as LGS. As such, sites 3 and 7 should be removed from the Ettington section of the policy and remainder of the sites should be re-numbered. The heading 'Fulready' and the 4 associated sites should be removed from the policy.</p> <p>Final paragraph – it is not the role of LGS designation to ensure a suitable quantum and quality of recreational and amenity space, this is the role of general open space designation. As such, this paragraph should be removed from the policy</p>
	p.30 – Para 8.10	States that none of the areas of designated LGS represent large tracts of land. As set out above, it is considered sites 3 and 7 in Ettington and sites 1, 2 and 4 in Fulready are large tracts of land.
	p.30 – Figure 3a	Amend map by removing sites 3 and 7 and re-numbering the remaining sites

	p.31 – Figure 3b	Delete map
	p.33 – Policy LA5	<p>This policy is the same wording as Policy AM5 from the submission version of the Bidford-on-Avon NDP which was independently examined late 2016. In her report, the examiner of the Bidford NDP criticised the wording of the final paragraph of the policy for not exploring the rationale for house size and garden depth and setting such a ‘high bar’. The examiner provided revised wording to provide greater flexibility in the policy to encourage this provision rather than thwart development. The revised paragraph (which now sits within the version of the NDP which passed referendum was ‘made’ on 17 July 2017) is set out below. It is advised the final paragraph is replaced, accordingly:</p> <p>‘Residential developments are encouraged to provide shared space or private gardens which are suitable for and encourage and enable residents the opportunity to grow their own food’ since there is the same lack of explanation for the policy in the Ettington NDP. There has been no change to the policy since Reg.14 consultation when SDC made the same comments.</p> <p>It is assumed this policy would also apply to any 3+ bedroom homes in any Local Need schemes, were such to materialise. Whilst we are unclear as to how this minimum dimension has been arrived at, in any case, it may be better expressed as a minimum area rather than a single dimension.</p>
	p.34 – para 8.23	States that the owners have been consulted...but cannot find evidence to prove that that have agreed to this proposed use of their land? Without this evidence, there is no prospect of deliverability of the relevant part of policy LA5.
	p.36 – Para 9.4	It is not clear what the paragraph refers to. There is nothing within the Plan to suggest or indicate there are ‘noisy’ activities such as motor sport or airfields within the neighbourhood area. There is no associated policy in relation to such matters within the Plan and as such, it is recommended the paragraph is removed.
	p.37 – Policy NE1	This policy covers landscape, skylines and views which are all different issues and have different policy considerations and therefore ideally should be separated out. Para’s 9.7, 9.8, 9.9 and 9.10 all refer to valued views into the village. However, no views into the village are shown on Figures 5a or 5b...?
	p.43 – Policy B1	Replace ‘be resisted’ with ‘not be supported’ in the final paragraph, for consistency of approach.
	p. 44, Policy BE2	It is unclear whether this policy is intended to cover sites outside the BUAB for Ettington. Core Strategy Policy AS.10 does not support the redevelopment of brownfield land in open countryside unless it’s a ‘bad neighbour’ site
	p.46 – para 10.9	It would make more sense for this paragraph to be within policy BE2, not BE3.
	p.48 – Policy IN1	Remove ‘(excluding garages but including car ports)’ from second paragraph. This wording was included in the original drafting of a very similar policy within the Kineton Neighbourhood Plan (Policy D8 – Parking Provision) and was removed by the Examiner of that Plan due to lack of explanation as to why garages should be excluded from the calculation for parking provision. There is no evidence or explanation to its inclusion here and as such, should be

		removed.
	p.48 policy IN1	SDC have adopted car parking standards which includes standards for non- residential developments. Ideally the NDP should be consistent with these.
	p.50 – Policy IN2	Whilst the use of sustainable design standards for buildings is welcomed, the use of BREEAM standards for residential use are queried. Under the Housing Standards Review, the Government abolished the use of sustainable standards for residential use in planning policies, other than those applied under Building Regulations. The Core Strategy Policy CS. 2 ‘ Climate Change and Sustainable Construction requires all non – residential development to comply with the BREEAM ‘Good’ Standards until such time as it is superseded by Building Regulations. Developers are encouraged to exceed these standards where it is viable to do so. If the NDP has the evidence to require that Excellent BREEAM for non-residential , then that is to be supported. In paragraph 3, it refers to 40 square metres...it is not clear where this figure has come from or what reasoning or evidence there is to justify it. This was pointed out at Reg.14 but not amended.
	p.50 – para 11.12	The reference to 40 square metres will need to be amended in accordance with associated policy IN2.
EFNP7	Page 15 Para 5.2	<p>‘Endorsing policies that have a positive effect on the environment, including those that remove or minimise flood risk, adapt to and mitigate climate change, reduce our carbon footprint and minimise the impact of increased traffic.’</p> <p>This does not provide enough detail about the flood risk in Ettington and Fulready. Providing a small paragraph of any flood risk, both fluvial and surface water would be highly recommended, just to provide context.</p> <p>Might be worth mentioning that a policy specific to flood risk is explained later on in the plan.</p> <p>‘To seek on-going improvements to transport, parking and digital communications, to promote sustainable design and to address flooding and drainage issues in the parish’</p> <p>The document could include further details on what type of SuDs features the community would prefer and find most beneficial. We would suggest mentioning the multiple benefits of SuDs, including greater biodiversity, amenity value and improved water quality, with a strong preference to above ground SuDs.</p>
	Page 23 Policy H5	See comments in relation to Policy IN2 – Sustainable Design
	Page 41 Policy NE2	‘All development will be expected to safeguard existing rivers, streams and ponds both within and adjacent to development sites. Development proposals which adversely affect existing rivers, streams and ponds will not be supported.’

		<p>Any new planning applications which incorporate SuDS features into their site will have to provide a maintenance schedule as part of the planning permission process. You could also include a principle that encourages developments to open up any existing culverts on a site providing open space/green infrastructure, and the creation should be kept to a minimum.</p>
	Page 42 Paragraph 9.16	<p>Strong awareness of the benefits of open watercourses, they need maintaining, but who will be responsible? Adding a sentence on maintenance of watercourse is suggested. Good referencing to policy e.g improving water quality following WFD requirements.</p>
	Page 43 Policy BE1 h)	<p>'Not increase the likelihood of surface water flooding within the village or exacerbate foul drainage capacity problems;' This point could be strengthened to explain how flooding and drainage capacity will not be exacerbated by development – or you could refer this point specifically to Policy BE1.</p>
	Page 50 Policy IN2	<p>'Evidence of compliance with the BREEAM standard'</p> <p>For all new developments, the LLFA requires the use of above ground SUDs designed in accordance with CIRIA 753 SUDs manual, providing attenuation to greenfield runoff rates. The requirements set out in the following documents should also be adhered to in all cases:</p> <ul style="list-style-type: none"> • The National Planning Policy Framework • Paragraphs 030 - 032 of the Planning Practice Guidance (PPG) • Defra's Non-statutory technical standards for sustainable drainage systems • WCC Flood Risk and Drainage Planning Advice
	Page 51 Policy INV 3	<p>Good that a whole policy is dedicated to drainage and flooding, however further detail could be included. There is no specific detail referring to greenfield Qbar rates, and we would suggest that restricting flows to less than 5 l/s is viable.</p> <p>Referring to the SUDS discharge hierarchy would be of benefit, with the preferred choice of infiltration or water discharged into an existing watercourse being the first options, before connecting to a sewer. Any new developments should be designed and built with separate systems up to the point of where they connect to the combined sewer, in line with building regulations. Detailing a requirement for all new developments to utilise SuDS to achieve the multi-functional benefits of good SuDS design. This policy should include a requirement for all sites to attenuate to greenfield rates and include that 5 l/s is NOT the minimum possible discharge rate achievable.</p> <p>It appears that any future developments will be minor sites (less than 10 dwellings), so the LLFA will not be</p>

		a statutory consultee. However, you could include that all new developments that propose to connect into an existing drainage infrastructure must survey through to a suitable outfall point and repair as necessary prior to connection.
	Page 52 Paragraph 11.16	Good section on historical flooding events. You could mention the 'Report a Flood Tool' that the LLFA team offer which helps collect data on flood events across the county.
	Page 52 Paragraph 11.20	Good point that emphasises the need for SuDs in future developments, and refers to key documents provided by the WCC FRM team, very clear instructions for developers.
EFNP8	General	<p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.</p> <p>Natural England has no further comment to make on this plan at this stage; however, should significant changes have been made since the Regulation 14 submission, please consult us again if you consider that you require a more detailed response.</p>
EFNP9	General	<p>Legal Requirements</p> <p>Before a neighbourhood plan can proceed to referendum it must be tested against a set of basic conditions set out in paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended). The basic conditions that the EFNP must meet are as follows:</p> <p>(a) <i>Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order.</i></p> <p>(d) <i>The making of the order contributes to the achievement of sustainable development.</i></p> <p>(e) <i>The making of the order 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).</i></p> <p>(f) <i>The making of the order does not breach, and is otherwise compatible with, EU obligations.</i></p> <p>National Planning Policy Framework and Planning Practice Guidance</p> <p>The National Planning Policy Framework (the Framework) sets out the Government's planning policies for</p>

England and how these are expected to be applied. In doing so it sets out the requirements for the preparation of neighbourhood plans to be in conformity with the strategic priorities for the wider area and the role in which they play in delivering sustainable development to meet development needs.

At the heart of the Framework is a presumption in favour of sustainable development, which should be seen as a golden thread through both plan-making and decision-taking. For plan-making this means that plan makers should positively seek opportunities to meet the development needs of their area and Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change. This requirement is applicable to neighbourhood plans.

The recent Planning Practice Guidance (PPG) updates make clear that neighbourhood plans should conform to national policy requirements and take account the latest and most up-to-date evidence of housing needs in order to assist the Council in delivering sustainable development, a neighbourhood plan basic condition.

The application of the presumption in favour of sustainable development will have implications for how communities engage with neighbourhood planning. Paragraph 16 of the Framework makes clear that Qualifying Bodies preparing neighbourhood plans should develop plans that support strategic development needs set out in Local Plans, including policies for housing development and plan positively to support local development.

Paragraph 17 further makes clear that neighbourhood plans should set out a clear and positive vision for the future of the area and policies contained in those plans should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. Neighbourhood plans should seek to proactively drive and support sustainable economic development to deliver the homes, jobs and thriving local places that the country needs, whilst responding positively to the wider opportunities for growth.

Paragraph 184 of the Framework makes clear that local planning authorities will need to clearly set out their strategic policies to ensure that an up-to-date Local Plan is in place as quickly as possible. The Neighbourhood Plan should ensure that it is aligned with the strategic needs and priorities of the wider area and plan positively to support the delivery of sustainable growth opportunities.

Planning Practice Guidance

It is clear from the requirements of the Framework that neighbourhood plans should be prepared in

	<p>conformity with the strategic requirements for the wider area as confirmed in an adopted development plan. The requirements of the Framework have now been supplemented by the publication of Planning Practice Guidance (PPG).</p> <p>On 11th February 2016, the Secretary of State (SoS) published a series of updates to the neighbourhood planning chapter of the PPG. In summary, these update a number of component parts of the evidence base that are required to support an emerging neighbourhood plan.</p> <p>On 19th May 2016, the Secretary of State published a further set of updates to the neighbourhood planning PPG. These updates provide further clarity on what measures a qualifying body should take to review the contents of a neighbourhood plan where the evidence base for the plan policy becomes less robust. As such it is considered that where a qualifying body intends to undertake a review of the neighbourhood plan, it should include a policy relating to this intention which includes a detailed explanation outlining the qualifying bodies anticipated timescales in this regard.</p> <p>Further, the PPG makes clear that neighbourhood plans should not contain policies restricting housing development in settlements or preventing other settlements from being expanded. It is with that in mind that Gladman has reservations regarding the EFNP's ability to meet basic condition (a) and (d) and this will be discussed in greater detail throughout this response.</p> <p>Relationship to Local Plan</p> <p>To meet the requirements of the Neighbourhood Plan Basic Conditions, neighbourhood plans should be prepared to conform to the strategic policy requirements set out in the adopted Development Plan. The current adopted plan that covers the Ettington and Fulready Neighbourhood Plan area and the development plan which the SOSNP will be tested against, is the Stratford-on-Avon District Council Local Plan 2011-2031 (SoALP), recently adopted in July 2016. The plan will be helpful for the continued preparation of the EFNP with, at present, an up to date evidence base upon which to align the policies of the Neighbourhood Plan. In the SoALP, Ettington is classed as a category 3 village. The Plan states that the scope for individual villages to accommodate development and the evaluation of specific sites for their suitability for development will be assessed on an individual by individual basis.</p>
Policy H1 – Housing Growth	Gladman wish to reiterate the concerns expressed in our response to the Regulation 14 consultation on the pre-submission version of the plan. This policy states that new housing development within the Village Boundary will be supported in principle and new housing development outside the settlement boundary will be strictly controlled and limited to dwellings for rural workers and replacement dwellings.

		Gladman opposes the use of development limits if these would preclude otherwise sustainable development from coming forward. The Framework is clear that development which is sustainable should go ahead without delay. The use of development limits to arbitrarily restrict suitable development from coming forward on the edge of settlements does not accord with the positive approach to growth required by the Framework and is contrary to basic condition (a).
	Policy H5 – Housing Design	<p>Policy H5 sets out a list of 12 design criteria which all planning applications for residential development are expected to adhere to.</p> <p>Whilst Gladman recognise the importance of high quality design, planning policies should not be overly prescriptive and need flexibility in order for schemes to respond to sites specifics and the character of the local area. There will not be a 'one size fits all' solution in relation to design and sites should be considered on a site by site basis with consideration given to various design principles.</p> <p>Gladman therefore suggest that more flexibility is provided in the policy wording to ensure that a high quality and inclusive design is not compromised by aesthetic requirements alone. We consider that to do so could act to impact on the viability of proposed residential developments. We suggest that regard should be had to paragraph 60 of the NPPF which states that: "Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles".</p>
	Policy LA2 – Designated Local Green Space	<p>This policy is seeking to designate 11 parcels of land as Local Green Space (LGS). Due to the lasting nature of this designation and the level of protection of these designations, similar to that of Green Belt, Gladman contend that some of the proposed designations do not meet all the requirements for LGS designation. We are still not satisfied that relevant, robust, evidence within the draft plan or indeed in the evidence base if provided to support the designation of the 11 parcels of land as LGS. Further we consider that at least 5 of these 11 parcels are extensive tracts of land, and require robust evidence to justify their inclusion within the remits of this policy.</p> <p>The issues surrounding LGS designations have been considered in a number of other Examiner's reports across the country and we highlight the following decisions:</p> <ul style="list-style-type: none"> - The Seldlescombe Neighbourhood Plan Examiner's Report¹ recommended the deletion of a LGS measuring approximately 4.5ha as it was found to be an extensive tract of land. - The Oakley and Deane Neighbourhood Plan Examiners Report² recommended the deletion of a LGS

	<p>measuring approximately 5ha and also found this area to be not local in character. Thereby failing to meet 2 of the 3 tests for LGS designation.</p> <ul style="list-style-type: none"> - The Alrewas Neighbourhood Plan Examiner's Report³ identifies that both sites proposed as LGS in the neighbourhood plan '<i>in relation to the overall size of the Alrewas Village</i>' to be extensive tracts of land. The Examiner in this instance recommended the deletion of the proposed LGSs which measured approximately 2.4ha and 3.7ha. - The Freshford and Limpley Neighbourhood Plan Examiner's Report⁴ identified that the six LGS proposed did not meet the criteria required by the Framework either collectively or individually. Indeed, the Examiner identified that the combination of sites comprised of an extensive tract of land. The Examiner also considered that the protection of fields to 'prevent agglomeration between the settlement areas... is not the purpose of Local Green Space designation'. - The Eastington Neighbourhood Plan Examiner's Report⁵ recommended the deletion of three LGS (16ha and 2ha) considered to be extensive tracts of land. The third proposed LGS was deleted due to the lack of evidence demonstrating its importance and significance to the local community. - The Tattenhill and Rangemore Neighbourhood Plan Examiner's Report⁶ recommended the deletion of 2 LGS comprising of 4.3ha and 9.4ha. - The Norley Examiner's Report⁷ identified a total of 13 parcels of land to be designated as LGS. The Examiner recommended at §4.98 that the identification of these extensive tracts of agricultural land was contrary to NPPF policy and recommended that the policy should be deleted. The proposed LGS measured in the range of 1ha – 4.3ha. <p>It is essential that evidence to demonstrate how any proposed LGS meet the criteria of paragraph 77 is provided and can be easily accessed by anyone wishing to comment on the draft Neighbourhood Plan.</p>
Policy NE1 – Valued Landscape	<p>This policy states that development proposals that will have an adverse impact on the skyline or valued landscapes identified will not be supported. We again wish to express concerns regarding this policy. We submit that new development can often be located in areas without eroding the views considered to be important to the local community and can be appropriately designed to take into consideration the wider landscape features of a surrounding area to provide new vistas and views.</p> <p>Again however, Gladman consider that this policy lacks sufficient evidence to demonstrate why these views are of such value to the local community. Opinions on landscape are highly subjective, therefore, without further evidence to demonstrate why these views are considered special will likely lead to</p>

		<p>inconsistencies in the decision-making process.</p> <p>The Guidance states that “Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan”. In addition, Gladman consider that to be valued, a view would need to have some form of physical attribute. This policy must allow a decision maker to come to a view as to whether particular locations contains physical attributes that would ‘take it out of the ordinary’ rather than selecting views which may not have any landscape significance and are based solely on community support. An area’s pleasant sense of openness to open countryside cannot on their own amount to a landscape which should be protected.</p>
	Conclusions	<p>Gladman recognises the role of neighbourhood plans as a tool for local people to shape the development of their local community. However, it is clear from national guidance that these must be consistent with national planning policy and the strategic requirements for the wider authority area. Through this consultation response, Gladman has sought to clarify the relation of the EFNP as currently proposed with the requirements of national planning policy and the wider strategic policies for the wider area.</p> <p>Gladman is concerned that the plan in its current form does not comply with basic conditions (a) and (d). The plan does not conform with national policy and guidance and in its current form does not contribute to the achievement of sustainable development. Gladman formally request to participate at the hearing session(s) should the Examiner decide it necessary to discuss these issues in a public forum.</p> <p>Gladman hopes you have found these representations helpful and constructive. If you have any questions do not hesitate to contact me or one of the Gladman team.</p>
EFNP10	General Policy IN1	<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 efficiently.</p> <p>Policy IN1 Parking and Highway Safety- the County Council is not the authority that sets parking standards. Stratford on Avon District Council is the Authority that sets car parking standards.</p> <p>The County Council has no further comments to add to the comments made in July 2017.</p>

EFNP11

**Re: Ettington & Fulready Neighbourhood Development Plan Final Submission
Consultation Representation Form**

We enclose hard copy of questionnaire response which has been submitted for the consultation however we have been unable to upload plan to reflect extension of village boundary.

We have submitted objections on behalf of our client Mr J Molloy in respect of the proposed extension of the village boundary which has been excluded from the village development boundary.

Our clients land is situated in a sustainable location at the north eastern end of the village, adjacent to the A429 and represents land which could provide a care village complex including satellite primary care consulting rooms, pharmacy, care and extra care accommodation for the needs of the elderly community of Ettington and Fulready.

The Development Plan does not consider the breadth and depth of other forms of housing uses within the C3 category but also other Use Classes including C2, C2A and D1. This omission fails to meet the needs of the elderly population of the village who may have physical needs to broaden its considerations in this regard to ensure a sustainable future for a range of users including those with dementia and those with physical and mental abilities with consideration of alzheimer's and dementia on people who wish to remain in their local community.

Class C3 use dwelling houses do not necessarily fall within the traditional form of a house but could be a block of housing who require a specially adapted apartment block to meet their needs. Larger forms of this type of housing fall within C2 use but there appears to be no consideration of such within the Plan.

Our response to the questionnaire seeks to re-balance this omission and demonstrate that the proposed inclusion of land on the Old Warwick Road meets the District wide objectives to improve and meet the needs of older people and those looking for specialist extra care accommodation.

1.0 Site Location

We attach as Appendix 1 site and location plan for the subject property.

The location of the site abuts an area which is currently attractive and occupied by mainly elderly persons. Many of these elderly residents live in houses with large gardens adjacent to the subject property which could be released for family living. Such an area would be attractive to those parties who are currently struggling to manage their gardens and wish to stay in an area where they have existing family and friends nearby.

At the heart of the National Planning Policy Framework there is a presumption in favour of sustainable development, which should be seen as a golden thread running through all plan-making and decision-taking.

The location of this site we would suggest is a sustainable location and easily accessible from the A429 reducing traffic flows through the village of Ettington. But also it fits the three dimensions of sustainable development: economic, social and environmental.

From an economic perspective change of use of the land from scrubland to care provision in the village will contribute to building a strong, responsive and dynamic economy in Ettington. Delivering care sector jobs not only through care jobs but also provide 24 hour care but associated employment from including medical, domestic, landscaping/gardeners, consultancy and wider service industry.

The change of use of the land would provide a social role supporting strong, healthy communities, by providing the supply of the appropriate housing required to meet the needs of present and future generations in need of extra care supported living in a modern, high quality built environment, with accessible local services that meet the community's needs and support its health, social and cultural well-being.

It will also fulfil an environmental role contributing to protecting and enhancing the natural environment with active landscape management that can help increase biodiversity and access for all to appreciate the local environment through managed space not neglected, overgrown and unmanaged.

Through a proposed bus share the development can ensure that natural resources are used prudently, minimise waste and pollution, and mitigate and adapt to climate change by moving to a low carbon economy for use of staff and residents alike. But also it is a development that places extra care needs in one location meaning fewer trips for related professions across the County.

The proposal is not on an isolated site in the countryside nor "inappropriate development". The site represents a windfall site in a sustainable location at the edge of the village. Its inclusion within the development boundary within the plan period to 2031 will enable suitable private and/or affordable specialist housing to be planned.

Ettington and Fulbridge demonstrate in their Development Plan no provision for specialist housing whatsoever. This needs to be considered and provided for in light of the proposal.

	<p>number of elderly in these villages which would free up larger family houses to families over the next 13 years of the plan period.</p> <p>2.0 The Proposed Development</p> <p>It should be noted that proposals for the site is in its infancy. The master plan is being developed based upon Local Needs analysis and collaboration with key stakeholders. It is anticipated delivery will be before 2031 which is the end of the plan period.</p> <p>It is appreciated that the proposal may be considered to cause significant material harm to the openness of the Special Landscape Area due to the introduction of built form on an overgrown former orchard with dilapidated barns. However this needs to be considered against the benefits and advantages of the proposals which carry substantial weight in planning balance.</p> <p>These benefits include:</p> <ol style="list-style-type: none">1. the need for additional C2 (nursing home and extra care mix of bungalows, apartments and houses) accommodation in Ettington;2. the provision of a sustainable travel scheme to serve the care home3. economic benefits4. employment opportunities5. Within the care home block will be facilities such as residents lounge and reading library and IT suite, with consulting rooms for use by the extra care residents6. satellite consulting rooms for care uses to be used by the villages in the greater convenience.7. additional community spaces for the village8. connectivity of the allotments proposed to the north of the village which are disconnected and isolated (Site 1) in the Development Plan.9. Additional Community Gardens for the village as part of the redevelopment of the active maintenance and management of Ettington Grange's degraded setting. <p>3.0 Planning Balance</p> <p>The site falls within the Special Landscape Area of Feldon National Character Area under Core Strategy Policy 12 states that SLA will be protected by resisting development proposals that would have a harmful effect on their distinctive character and appearance which make an important contribution to the image and enjoyment of the District.</p> <p>The proposal may be perceived to cause harm to the openness of the SLA due to increase in size of built form. But set against this disadvantage should be the advantages:</p> <ol style="list-style-type: none">1. the windfall nature of this proposal to support the District Council to meet the continuous supply of specialist housing and improved care for the District2. clearly identified need for C2 Uses in the District for which there is an identified shortfall3. the proposal for the inclusion of a sustainable transport solution to enable carers and staff to travel to/from the site using alternative means to the motor car4. the improvement of doorstep support to existing elderly residents living near the site.
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		<p>5. enhanced community facilities for Ettington</p> <p>We would suggest that whilst the impact on the openness of the Feldon Parkland Landscape Area would not be impacted due to the natural collar to the village created by the A429 means that any concerns regarding sprawl are contained unlike expansion to the south east side of the village suggests that in these instances development should be sustainable.</p>
EFNP12	Policy H1, H2, H3,H4,H5,LE1, LE2,LE3,LE4,LA1,LA2,LA3,LA4 LA5,NE1,NE2,BE1,BE2,BE3,IN1, IN2,IN3	Support
EFNP13	Policy H3	Extend Local Connection criteria to include: a) giving or receiving weekly personal or domestic care or support to or from someone residing in the village b) has lived in the village previously for a specified period eg 5
		Market Housing mix should be indicative but not prescriptive.
	Policy LA5	Minimum garden area rather than length (eg 50m2) and apply to all houses and bungalows.
	Policy IN2	<p>Object</p> <p>Very Good is as more common benchmark utilised (though still relatively rare).</p> <ul style="list-style-type: none"> • BREEAM Excellent is very onerous from both cost and administrative points of view – very rarely used, particularly on small developments, let alone for single plots (case studies included on website are all large scale ventures www.breeam.com/new-construction). • The use of traditional materials, techniques and detailing aspired to as characteristic of the village, is not always compatible with such measures. • It would be more beneficial to set specific objectives eg increase SAP ratings by x% compared to minimum requirements; mandatory inclusion of greywater recycling, natural /non toxic paints etc, increase insulation by x% above building regs etc. Otherwise in practice it becomes an inflexible box ticking exercise, whereby ‘cheaper’ points are targeted that result in little or no tangible benefit to occupiers / the environment. • In any event, cost implications would need thorough assessment in a viability context, to ensure deliverability is not prejudiced (in our experience it would be). • If following viability this is to remain, would suggest exemptions for exception sites and sites with less than 10 or even 15 dwellings (which would also

	inherently discourage larger sites which the plan clearly does not favour).
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