

Shipston-on-Stour Neighbourhood Development Plan

Pre-Submission Neighbourhood Plan Regulation 14 Consultation (Neighbourhood Planning (General)

Regulations, 2012

Appendix 1 - Comments from Stratford-on-Avon District Council

Policy related comments:

Section	Reference/NDP page	Comment
Front Cover	Front Cover (p.1)	There appears to be confusion as to what stage the Plan is at. The front cover gives the impression that it's the submission draft plan but it's clearly a pre-submission consultation draft.
Contents Page	Contents Page (p.2)	Under section 3, all policies should be listed (policy number + title) for ease of reference. Additionally, page numbers should be added for each individual entry on the content list.
Section 1 - Introduction	Para 1.1.1 (p.4)	There are four paragraphs to 1.1.1 which should all have separate paragraph numbers. This will require the re-numbering of all subsequent paragraphs in section 1. Delete the word "lately" in the second paragraph.
Section 1 - Introduction	Para 1.1.3 (p.4)	There are two paragraphs to 1.1.3 which should all have separate paragraph numbers. This will require the re-numbering of all subsequent paragraphs in section 1. Delete the word "draft" from the last line of the second paragraph.
Section 1 - Introduction	Para 1.1.5 (p.6)	There appears to be confusion as to what stage the Plan is at. This paragraph gives the impression that it's the submission draft plan but it's clearly a pre-submission consultation draft.
Section 1 - Introduction	Para 1.1.5 (p.6)	There is a second paragraph to 1.1.5, which I think should actually be para 1.1.6. The statement suggests the Examiner will consider the Plan is 'sound'. This is incorrect, as the examination is not a test of soundness as would be the case with a Local Plan. Recommend deleting the words "...is 'sound' and..." from final sentence and add paragraph number. This will require the re-numbering of all subsequent paragraphs in section 1.
Section 1 - Introduction	Para 1.1.6 (p.6)	The examination is not a test of soundness. Recommend substituting "Once confirmed as a sound plan..." with "Following a successful examination...".

Section	Reference/NDP page	Comment
Section 1 - Introduction	Para 1.1.8 (p.6)	<p>There needs to be robust evidence to support the identification of 'site allocations'. This doesn't seem to have been submitted with the Draft Plan. SDC would need to see this in order to gauge whether it's sufficient in the post-Henfield era. This refers to the case of the Henfield NDP within Horsham District, West Sussex. The Henfield NDP was formally 'made' (adopted) by Horsham District Council in April 2016 but a developer launched a legal challenge against the Plan's adoption on grounds including that the Council had failed to lawfully assess reasonable alternatives to the spatial strategy as established by the neighbourhood plan and, in particular, the alternative of permitting development on the western edge of the village. It also claimed that the council had failed to consider any alternatives to the built-up area boundary (BUAB) established in the plan and had failed to act rationally in selecting the boundary. The judgment found that the decision to discount land on the western edge of Henfield for inclusion as a potential housing site in the plan was flawed, "based as it is upon an inadequate, if that, evidence base". With regards to the BUAB, the judgment said that there was no explanation "as to why the proposed delineation is preferred to any alternatives". As such, the court found that the policies within the Henfield Neighbourhood Plan were not based on sound evidence and the NDP was quashed. This is seen as a 'landmark case' in that the level of detail of evidence for neighbourhood plans need not be as technical as that for local plans, but qualitative evidence supporting policy must be supported by research, not just guesswork.</p> <p>The first sentence indicates 'site allocations' were agreed with the District Council in July 2014. It is not clear what this means, nor does it indicate what was agreed and who agreed it. This requires clarification.</p>
Section 1 - Introduction	Para 1.1.9 (p.6)	The final sentence refers to "the map". It is recommended all maps associated with the NDP should be given titles and Figure numbers for cross-reference/clarification purposes. This wording should then be amended to link to the correct Figure.
Section 1 - Introduction	Map of Designated Neighbourhood Area	The NDP does not currently include a map of the designated neighbourhood area. This needs to be added together with a brief explanation as to its relevance to the making of the NDP.
Section 1 - Introduction	Para 1.2.1 (p.8)	Refers to "Box 1". Where is this? There are a number of shaded 'boxes' throughout the NDP. Should they all have a number?
Section 1 - Introduction	Para 1.2.2.5 (p.9)	Refers to "Text Box 4". Same issue as para 1.2.1.
Section 1 - Introduction	Sentence below para 1.2.5 (p.10)	Suggest this sentence should have a para number. Should refer to this draft NDP being 'pre-submission'. It is not yet the submission version as indicated.

Section	Reference/NDP page	Comment
Section 1 - Introduction	Para 1.3.1 (p.10)	There is a second paragraph to 1.3.1, which I think should have a paragraph number of its own. This will of course require the re-numbering of all subsequent paragraphs in section 1. It is suggested the final sentence of this paragraph is re-worded to read "The policies within this plan will carry considerable weight in the determining of planning applications, once the Plan is 'made'" for clarification purposes.
Section 2 – Converting evidence to policies	Para 2.1.7 (p.12)	The 2001 census is quoted in the NDP. The most recent 2011 Census shows that 34.8% of employed residents of Shipston work in the town.
Section 2 – Converting evidence to policies	Para 2.2.1 (p.12)	It states that in late 2015 and early 2016, approval was sought for emerging policies and proposals. It does not state who approval was sought from or how, or what stage of the process it encompassed.
Section 2 – Converting evidence to policies	Para 2.2.2 (p.14)	This paragraph refers to 'Text Box 1'. Where is this? Is it the same as 'Box 1' referred to in para 1.2.1?
Section 2 – Converting evidence to policies	Para 2.2.3 (p.14)	This paragraph appears to be a duplicate of para 1.2.2.3. Is it required?
Section 2 – Converting evidence to policies	Para 2.3.1 (p.14)	Consider replacing "destination" in the second line with "community vision statement".
Section 2 – Converting evidence to policies	Para 2.3.2 (p.14)	Re-word bullet point 6 as follows: "Define a settlement boundary around the town to accommodate growth but conserve the landscape and riverside setting". It is noted that the NDP does not include a policy/associated map defining a settlement boundary. Has this been forgotten?
Section 2 – Converting evidence to policies	The 2031 Vision (p.16)	The vision does not read well as bullet points. In any case, the last bullet is not appropriate or acceptable as it is inconsistent with the basis for providing housing in the District in accordance with national and District Council policy.
Section 2 – Converting evidence to policies	7 Priorities for Action (p.17)	There is some confusion as to the overarching objectives of the NDP. The 7 priorities for action refer to a range of objectives but these are somewhat different to how the objectives are framed for each policy. It is appreciated there is a good deal of overlap but greater clarity would be helpful. Should the section be titled "The 7 Objectives of the NDP"? There does not appear to be an objective in relation to housing provision, whilst the NDP has a set of housing policies.
Section 2 – Converting evidence to policies	Action Priority 1 (p.17)	Replace "met" with "supported".
Section 2 – Converting evidence to policies	Action Priority 2 (p.17)	Amend second sentence to read "This objective will be supported by policies ? and ? and will encourage the commercial re-use..." The relevant policy numbers will need to be inserted.

Section	Reference/NDP page	Comment
Section 2 – Converting evidence to policies	Action Priority 3 (p.17)	Delete "...met by applying the..." and replace with "...supported through the application of..."
Section 2 – Converting evidence to policies	Action Priority 5 (p.17)	Replace "...met by..." with "...supported through...". It is questioned whether the final sentence is required.
Section 2 – Converting evidence to policies	Action Priority 6 (p.17)	Replace "forceful" with "appropriate" when referring to Core Strategy policies. The objective refers to the completion of a Town Design Statement, but does not indicate a timeframe or how this would be linked to the NDP and the interpretation of its policies.
Section 2 – Converting evidence to policies	Action Priority 6 (p.17-18)	For clarity the final line on page 17 might be amended to read "...that the community uses and values the countryside that adjoins the town". The statement "hence the direction this plan is taking" on p.18 is ambiguous. This should either be removed or replaced with wording that better explains the Parish Council's ambitions.
Section 2 – Converting evidence to policies	'The 15 Essential Supporting Actions' (p.19-20)	Is this essentially a list of projects that will follow on from the implementation of the associated policies? It is not clear what the introductory paragraph beginning "The method by which each action..." is attempting to outline. The 15 subsequent entries are a mixture of policies and projects. No's. 1, 3, 4, 5, 8, 11, 12, 13 and 15 would be classified as projects and No's. 2, 6, 7, 9, 10 and 14 list the policy set out within the NDP. As such, this section is confusing to the reader and requires clarification/re-drafting depending upon what it is looking to achieve.
Section 2 – Converting evidence to policies	Supporting Action 2 (p.19)	This 'objective' is too vague as written. It is also a policy rather than a project and it is questioned whether it should be in this section.
Section 2 – Converting evidence to policies	Supporting Action 3 (p.19)	Amend third line of objective to read "...either in its publication as supplementary planning guidance or..."
Section 2 – Converting evidence to policies	Supporting Action 8 (p.19)	Amend objective to read "...the latter being informed by action 3 as above"
Section 2 – Converting evidence to policies	Supporting Action 11 (p.20)	Amend first line to read "Support short term actions..."
Section 2 – Converting evidence to policies	Supporting Action 14 (p.20)	It should be noted that District Council has not given any commitment to lead on such a project – suggest the action point is amended to refer to the potential requirement for the District Council's involvement and look to encourage SDC to prepare one.
Section 3 - Policies	Para 3.1.1 (p.22)	Second line – indicates that each policy is introduced with an objective. Is this consistent with the list of objectives in the previous section on p.19-20, or is this yet a further list of objectives?
Section 3 - Policies	Para 3.2.2 (p.22)	Second line – suggest replace "might" with "should".

Section	Reference/NDP page	Comment
Section 3 - Policies	Para 3.2.3 (p.22)	First line – suggest replace “parks” with “estate” or “area”.
Section 3 - Policies	Higher Level Policies (p.23)	Add “National Planning Policy...” before “Framework”. Refer to numbers in brackets being relevant paragraph numbers in the NPPF for clarification. Swap round last two bullets referring to Core Strategy policies (i.e. CS.24 and AS.6).
Section 3 - Policies	Policies - General	Policies – these should be distinctive from other text so that they are clearly identifiable. To avoid confusion with text highlighted in colour and so that they are still clear in a monochrome copy of the NP, it is suggested that all policies are shown in a shaded box.
Section 3 - Policies	Policy EC1 (p.23)	<p>The policy as written is not as flexible as the provisions of NPPF. Consider alternative wording along the lines of:</p> <p>“Proposals for the change of use or redevelopment of land or premises identified for or currently in employment use will not be permitted unless:</p> <ul style="list-style-type: none"> a) There is a sufficient supply of sites for a range of employment uses to meet both immediate and longer term requirements over the Plan period; or b) The applicant can demonstrate that the site/premises is no longer capable of meeting employment needs or where there is no reasonable prospect of the site being used for employment uses; or c) Development of the site for other appropriate uses will facilitate the relocation of an existing business to a more suitable site; or d) Unacceptable environmental problems are associated with the current use of the site and the proposal will remove them; or e) The proposed use will contribute to the vitality and viability of the town centre or forms part of a regeneration project <p>Where there is no reasonable prospect of a site being used for the allocated employment use, planning applications for alternative uses 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>
Section 3 - Policies	Policy EC1 Explanation (p.24)	In first line replace ‘allocated’ with ‘identified’. There is currently no commitment by the District Council to get involved in producing a development brief for the Tileman’s Lane area.
Section 3 - Policies	Policy EC3 (p.24)	Should this principle apply to existing businesses as well, although there would need to be reference to factors to consider when considering an application that involves the loss of an existing business – see Policy CS.22 in the Core Strategy and related DMC(1).

Section	Reference/NDP page	Comment
Section 3 - Policies	Policy EC4 (p.24)	It would be helpful to show the site on an inset map. Planning permission (subject to completion of S106 Agreement) has been granted for a care home on this site. However, suggest the policy remains in the NDP for now in case it is not implemented and/or fresh schemes come forward. Replace "in the mix" with "included". The policy is not precise as written – it talks of an 'exception' being allowed but does not clearly set out what would be acceptable as an alternative.
Section 3 - Policies	Policies EC2, EC3 and EC4 (p.24-25)	There is a common theme emerging from each of the policy explanations in relation to affordable space to support new, small business and growing businesses. Using the Venture House concept as an example, the Council's blueprint for future similar projects where there is market failure, is the type of initiative that could support the policy aspirations. In particular the redundant Turbine Blading site has the potential to house a business hub/centre which could act as the first step for new and home based businesses into a commercial environment and could form part of the mixed use redevelopment. There is an opportunity to explore links with Cherwell District Council to see if there are any common business themes where there may be the potential for some form of joint approach that could add value.
Section 3 - Policies	Policy EC5 (p.25)	<p>It is considered it may be helpful to provide some appropriate criteria against which proposals could be assessed for suitability. The policy could be amended along the lines of:</p> <p>"Development proposals for new build or conversions providing live/work space will be supported, subject to the following criteria:</p> <ul style="list-style-type: none"> a) Suitable independent access to both uses; b) An appropriate level of off road parking to serve both uses; c) Independent service facilities (e.g. kitchen, toilet etc.) for the workspace which do not rely on the living space; d) Be in locations which are reasonably accessible to local service facilities and amenities without the use of private motorised transport; e) In the case of conversions, the building should be of a permanent and substantial construction, structurally sound and capable of conversion without major rebuilding or extension; f) Layout and design ensures that residential and work uses can operate without conflict; and g) Secure arrangements in place via a planning condition, to tie the two elements together to prevent future separation".
Section 3 - Policies	Policy EC6 Objective (p.25)	Delete "...with increased local expenditure as a consequence" since it is not required.
Section 3 - Policies	Policy EC6 (p.25)	Is this policy to support tourism within the town specifically or parish as a whole? It may be

Section	Reference/NDP page	Comment
		<p>necessary to make it clear in the policy i.e. add "in the town" between "accommodation" and "will" if this is appropriate.</p> <p>There are already a number of mechanisms in place to support these Policies. Shipston Town Tourism Group which is supported by SDC is engaged with a variety of tourism stakeholders to help develop and shape the tourism offer through various mediums. They also undertake activity such as signage audits and footfall counts. The Tourism Group has links with Shakespeare's England which is the Destination Management Organisation for the region.</p>
Section 3 - Policies	Policy EC6 Explanation (p.25)	Suggest adding the following words at the end "...and to strengthen the local economy".
Section 3 - Policies	Policy EC7 (p.25-26)	<p>There is Totally Locally Group which is pro-active in promoting the local town centre businesses and helping to support some of the public realm issues.</p> <p>As written, it is considered it is a project, not a land-use policy and would need to be removed from the Plan and added to an appendix of projects and community aspirations.</p>
Section 3 - Policies	Policy EC8 (p.26)	<p>Consider re-wording policy as follows: "Development proposals that singly or jointly create new facilities to provide a visitor and tourist information and town heritage centre will be supported".</p> <p>The Destination Management Plan 2015 -2025 sets out seven priorities, one of which focuses on 'Welcome, Information & Experience' and is aimed a delivering a consistent approach across the Shakespeare's England region and should help to support this policy. Laura Taviner of WCC is the lead on this particular priority and should be able to offer an input.</p>
Section 3 - Policies	Policy EC9 (p.26)	This is a project, not a land-use policy and as such should be removed from the Plan and included within an appendix of projects and community aspirations.
Section 3 - Policies	Local Economy Section as a whole	Other than Policy EC9, there is little reference in the policies that indicate support for tourism product development or support for the evening economy which would help raise the profile of the town and its hinterland which would hopefully increase, footfall, dwell time and spend.
Section 3 - Policies	Infrastructure and community facilities – Higher level policies (p.27)	Refer to numbers in brackets being relevant paragraph numbers in the NPPF for clarification. Unsure why NPPF para's 42-45 are relevant since there is no policy included re: broadband. The same applies to the inclusion of para's 93, 95 since there is no policy on climate change in the NDP.
Section 3 - Policies	Policy INF2 (p.28)	Highway improvements are a function of the County Highways Authority. An Examiner may consider this to be more of a project/aspiration than a policy.
Section 3 - Policies	Policy INF 3 (p.29)	Suggest add following words at end of first sentence "...and other facilities".

Section	Reference/NDP page	Comment
Section 3 - Policies	Flooding – Higher Level Policies (p.30)	Refer to numbers in brackets being relevant paragraph numbers in the NPPF for clarification.
Section 3 - Policies	Policy FLD1 (p.30)	<p>Concern is raised that this policy is not consistent with national and local plan policy. Attaining 'better than flood neutral' is looking to attain standards beyond those set out in the NPPF and as such are too onerous. Possible suggested alternative policy wording as follows:</p> <p>"Development should not increase flood risk. Planning applications for development within the Plan area must be accompanied by a site-specific flood risk assessment in line with the requirements of national policy and advice, but may also be required on a site by site basis based on locally available evidence. All proposals must demonstrate that flood risk will not be increased elsewhere and that the proposed development is appropriately flood resilient and resistant.</p> <p>Information accompanying the application should demonstrate how any mitigation measures will be satisfactorily integrated into the design and layout of the development.</p> <p>The use of sustainable urban drainage systems and permeable surfaces will be encouraged where appropriate.</p> <p>Development within Flood Zones 1 and 2 must demonstrate that it will not reduce the capacity and capability of the functional flood plain. Water compatible uses within Flood Zone 3 may be acceptable in certain circumstances but other forms of development will be strictly resisted.</p> <p>All development proposals must incorporate suitable and sustainable means of drainage. Where site conditions are proven to be unsuitable, an alternative drainage solution will need to be agreed by the council and the relevant water authority. The re-use and recycling of water within developments will be encouraged.</p> <p>Proposals which do not satisfactorily demonstrate secure arrangements for the prevention of fluvial and pluvial flooding will not be supported".</p>
Section 3 - Policies	Policy FLD2 (p.30)	The policy as written looks to exclude site access from its protection. However, there are technical solutions to keep ditches open at site access points and as such it is considered this aspect should be included. Suggest re-wording the policy as follows: "Development proposals that will result in the loss of existing watercourses and ditches will not be supported. Opportunities to open up existing culverts will be supported".
Section 3 - Policies	Policy FLD3 (p.31)	Replace "permitted" with "supported".

Section	Reference/NDP page	Comment
Section 3 - Policies	Protecting Valued Environment – Higher Level Policies (p.33)	<p>Refer to numbers in brackets being relevant paragraph numbers in the NPPF for clarification.</p> <p>The boundary of the Cotswolds Area of Outstanding Natural Beauty (AONB) is 2.5 km from edge of NDP area so no development proposals within it will affect the AONB. On that basis, reference to Policy CS.11 is not applicable.</p>
Section 3 - Policies	Policy ENV1 (p.33)	<p>There does not appear to be any assessment of the two proposed LGSs against para. 77 in the NPPF and provisions of the PPG (para 013 Ref ID: 37-013-20140306) even though last paragraph in explanation states that these criteria have been applied. The proposed LGS at Hanson Hill is very extensive and it is not considered the proposed LGS complies with the provisions of para 77 of the NPPF in that it is clearly an extensive tract of land.</p> <p>The Hanson Hill designation includes the 'open space' associated with planning application ref: 15/01478/FUL for 106 dwellings (refused 19 May 2016) but does not include the remainder of the application site. Is there a reason for this land being specifically excluded from the LGS designation, since there needs to be a consistency of approach to LGS designation?</p>
Section 3 - Policies	Policy ENV1 Explanation (p.34)	<p>It states area LGS1 will add 'riverside amenity open space'. If this land is in private ownership and there is no evidence this land will be opened for public use, this statement is incorrect and misleading.</p> <p>It states that area LGS2 will be 'enjoyed as an amenity and recreational asset'. If this land is in private ownership and there is no evidence this land will be opened for public use, this statement is incorrect and misleading. It also refers to a 'prospective permissive path' (which is also shown on the Policies map). Has WCC been contacted about the prospect of such a footpath being acceptable or deliverable? If there is no evidence to this effect, it should be explained so as not to be misleading.</p> <p>It states the LGS designation criteria as set out in para 77 of NPPF have been applied, but does not explain how. It is not considered the criteria have been met.</p>

Section	Reference/NDP page	Comment
<p>Section 3 - Policies</p>	<p>Policy ENV2 (p.34)</p>	<p>Good design relates to all scales of development and all locations, not just 'edge of settlement' or 'major development' as set out in this policy. Responding to local landscape character is an important matter and associated policies will need to be flexible enough to respond to different situations (in terms of scale or type of development). Whilst the thrust of this policy is agreed, the following suite of policies may be worth considering as an alternative to ENV2:</p> <p><u>"Design and Character:</u></p> <p>All development in the Neighbourhood Area should be well designed and inclusive, in keeping and scale with its location, and sensitive to the character of the countryside and local distinctiveness. Developments that do not demonstrate high standards of design will be resisted".</p> <p><u>"Responding to Local Character:</u></p> <p>All development proposals must demonstrate how local character has been taken into account during the conception and evolution of a design in accordance with the following principles:</p> <ul style="list-style-type: none"> a) Be compatible with the distinctive character of the area, respecting the local settlement pattern, building styles and materials whilst taking a positive approach to innovative, contemporary designs that are sensitive to their setting. Existing open green spaces within the settlement should be retained where they make an important contribution to the character and local distinctiveness of the area; b) Be of a density and scale that is in keeping with the character of the surrounding development and landscape; c) Preserve or enhance heritage assets including listed buildings and the designated Conservation Areas; d) Protect, or enhance landscape and biodiversity by incorporating landscaping consistent with Warwickshire Landscape Guidelines; e) Key features such as views to and from higher slopes and across the wider landscape can continue to be enjoyed; f) Have regard to the impact on tranquillity, including dark skies; g) Not increase the likelihood of surface water flooding within the town or exacerbate foul drainage capacity problems; and h) Be preceded by an appropriate archaeological survey to ascertain the implications of development on below ground heritage assets. <p>Proposals that do not positively contribute to local character will be resisted".</p>

Section	Reference/NDP page	Comment
		<p><u>"Use of Design Codes:</u></p> <p>All proposals for large-scale development (10 or more dwellings or 1,000 square metres or more of non-residential floor space) will be expected to demonstrate design rationale through the appropriate use of design codes and master planning.</p> <p>All large-scale housing developments should be accompanied by a master plan (for outline applications) or a contextual plan (for detailed applications) which demonstrates how the development integrates into the existing community by encouraging social cohesion and how it delivers the necessary infrastructure to support the development.</p> <p>The master plan/contextual plan should include consideration of existing or proposed developments in the area to enable a holistic approach to be developed wherever possible. The plan must include consideration of means to mitigate the additional demand that the development would place on the highway system, and on services such as schools and medical facilities, as well as the need to provide public open space and environmental improvements.</p> <p>Development will not be supported if detrimental impacts on existing infrastructure cannot be mitigated".</p> <p>N.B. The above is an example of a policy looking to promote design codes that was used in the Kineton NDP and passed Examination in this form. The Examiner of the Kineton NDP stated in her report: "Whilst it might be argued that the threshold of ten or more dwellings is low for a masterplan, they do not have to become an undue burden and if done well and appropriately can promote sustainable development". It may be necessary to consider appropriate thresholds for Shipston Town, if utilised.</p>
Section 3 - Policies	Policy ENV3 (p.34)	<p>If design and local character are dealt with through policy ENV2, this policy can concentrate on the protection and conservation of heritage assets. Consideration should be given to a policy along the lines of the following:</p> <p><u>"Designated Heritage Assets:</u></p> <p>Proposals which cause harm to the special historic or architectural fabric and interest of listed buildings and scheduled monuments and their settings will be resisted.</p> <p>Proposals, including changes of use, which enable the appropriate and sensitive repair and reuse of listed buildings, will be supported.</p>

Section	Reference/NDP page	Comment
		<p>All proposals must preserve the important physical fabric, appearance, scale and settings of listed buildings and scheduled monuments.</p> <p>Development which would harm or fail to preserve or enhance the character or appearance of the Neighbourhood Area's Conservation Area will be resisted. This includes development outside the boundary of the Conservation Area which, by virtue of its design, scale or materials would nevertheless have an effect on the character and setting of each area".</p>
Section 3 - Policies	Policy ENV4 (p.35)	This is a project, not a land-use policy and as such should be removed from the Plan and included within an appendix of projects and community aspirations.
Section 3 - Policies	Policy ENV5 Objective (p.35)	It states that health and wellbeing will be improved by 'improving public access' to existing facilities. How is this to be achieved? It also refers to the designation of two 'wellbeing zones'. There are three zones shown on the Policies Map, but the two southern 'areas' seem to make up one 'zone'. It is not clear what a 'wellbeing zone' is, or what status of designation it actually is. This requires further explanation.
Section 3 - Policies	Policy ENV5 (p.35)	The policy refers to accessibility to 'public parks' but it is not considered that the land covered by the 'wellbeing zones' would be classified as public parks, since the sites are made up of the High School, Leisure Centre, playing fields, cemetery and what appear to be tracts of privately owned land. There is no evidence to show this policy is achievable. The policy is to 'meet recognised space standards'. What are these standards? How have they been calculated? What are the combined areas of the zones and where is the evidence to show how it compares to the space standards?
Section 3 - Policies	Policy ENV6 Explanation (p.36)	Distinction between the land included within the NDP area and that outside needs to be made clear. As it happens the full area isn't shown on the Policies Map which is the correct approach.
Section 3 - Policies	Para 3.6.3 (p.37)	The final sentence needs to be updated to reflect recent resolution to grant permission for this development.
Section 3 - Policies	Para 3.6.5 (p.37)	Amend the final sentence of the paragraph to read "...is to provide 14,600 additional dwellings. In fact, over 16,500 dwellings have already been provided for". There are four further paragraphs laid out between para 3.6.5 and 3.6.6...should they have paragraph numbers, too? The final sentence of the final paragraph currently under 3.6.5 should read "This total does not include 138 Extra Care units".
Section 3 - Policies	Para 3.6.8 (p.38)	There has been no sight of the site selection process referred to in this paragraph. As such, it is not possible to confirm agreement with the Town Council's process or conclusions.
Section 3 - Policies	Housing – Higher Level Policies (p.38)	Add "National Planning Policy..." before "Framework". Refer to numbers in brackets being relevant paragraph numbers in the NPPF for clarification. Paragraphs 47-55 of NPPF are not

Section	Reference/NDP page	Comment
		listed and should be included.
Section 3 - Policies	Housing Section: General comment	Certain policies will have substantial implications for the delivery of the Council's affordable housing development programme within the town. Recommendations are therefore made with a view to improving the clarity and 'deliverability' of the policies.
Section 3 - Policies	Policy HSG1 (p.38)	<p>The scope and function of the Policy is unclear. Is it to assist in fulfilling District-wide housing requirements (as per Core Strategy) or is this a proposal for additional supply over and above those requirements? References to development proposals "exclusively" for affordable homes and "occupants with a local connection ..." and their needs "as identified by periodic surveys" imply the latter.</p> <p>If it is indeed intended to contribute towards meeting District-wide needs, then it is potentially at odds with CS Policy CS.18, which only requires 35% affordable housing from eligible sites.</p> <p>Refers to "appropriate sites". What does this mean? How will this be determined?</p> <p>The term "local connection" is not defined. This could be done in the explanatory text: see recommendation below.</p> <p>Clarification about "in perpetuity" requirement is necessary, although this could be provided in the explanatory text. It is important to understand this requirement cannot be absolute, otherwise there is a risk nothing will get built. Waivers from this requirement, for example in respect of Shared Ownership "staircasing" and standard "mortgagee protection" clauses are essential.</p> <p>The scope and function of this policy needs urgent clarification, and the policy itself may need to re-drafted in the light of such clarification.</p>
Section 3 - Policies	Policy HSG1 Explanation (p.38-39)	<p>Reference to all "committed" affordable homes having been built by 2021. Is this the trigger for the 2021 date in HSG4?</p> <p>Reference to local housing needs surveys being conducted every 3 years from 2016 onwards. Whilst a commitment to undertaking regular periodic surveys is welcome, this comparatively short time period is considered unrealistic and could, potentially, distract from efforts to ensure actual housing delivery.</p> <p>The explanatory text should include the following or similar:</p>

Section	Reference/NDP page	Comment
		<p>“Planning obligations will include provisions:</p> <ul style="list-style-type: none"> • Defining what is meant by the term ‘local connection’ and giving initial preference to lettings or sales to persons with defined local connections to Shipston-on-Stour parish followed by a cascade mechanism to: <ul style="list-style-type: none"> ○ Adjacent parishes, followed by ○ The remainder of Stratford-on-Avon District, followed by ○ Designated Strategic Housing Market Areas (if any), comprising neighbouring local authorities, followed by ○ The remainder of England. • Providing certain specific waivers to the general ‘in perpetuity’ requirement. For example, to protect the legitimate interests of mortgage lenders of enable purchasers of Shared Ownership properties to “staircase” to outright ownership.”
<p>Section 3 - Policies</p>	<p>Policy HSG2 (p.39)</p>	<p>Refers to “suitable sites”. What does this mean? Especially as, by definition, it excludes HSG1 sites.</p> <p>What is its role? How will this inter-relate with:</p> <ul style="list-style-type: none"> • CS Policy CS.18 (affordable housing) and • Any requirements to provide Starter Homes that might be introduced under the Housing and Planning Act 2016 (if activated) (note: the term ‘Stater Homes’ has a very specific meaning under the legislation)? <p>Refers to schemes which “include” low cost market housing. However, the policy is meaningless and possibly unworkable without reference to any proportion. What role will the proportion that is <u>not</u> “low cost market housing” play?</p> <p>Refers to sales to “... those with a local connection ...”. The term “local connection” is not defined (see also comments on HSG1 above). The explanatory text refers to number and timings of such requirements being identified by periodic surveys of local housing needs. This, in turn, infers that this is, in fact, a ‘Local Need’ policy – but it cannot be.</p> <p>The scope and function of this policy needs urgent clarification, and the policy itself may need to re-drafted in the light of such clarification.</p>

Section	Reference/NDP page	Comment
Section 3 - Policies	Policy HSG2 Explanation (p.39)	<p>Again, refers to local housing needs surveys to be conducted every 3 years from 2016 onwards. This may not be appropriate or realistic: see comment on HSG1 above.</p> <p>Reference to development "... as a component of a general market housing scheme." See comment relating to inter-relation with CS Policy CS.18 (affordable housing) above.</p>
Section 3 - Policies	Policy HSG3 (p.40)	<p>What "added value" does this provide, over and above Part C of CS Policy CS.19 (concerning specialised housing)?</p> <p>Relates only to the housing needs of older persons. What about the needs of other vulnerable groups?</p> <p>Objective refers to those aged 65 plus living in the town and nearby villages. Admittedly not part of the policy itself, but would a slightly more flexible approach be preferable?</p> <p>Objective also, incorrectly, refers to "sheltered housing" falling within the "care accommodation" envelope.</p> <p>Again, refers to "suitable sites". What does this mean? Especially as, by definition, it excludes HSG1 sites. How will "suitability" be determined?</p> <p>"Care homes providing personal care and/or nursing care" do not fit within the District and County Council's model of independent living accommodation, and will not contribute to housing supply.</p> <p>What is meant by the term "eligible households"?</p> <p>How does the requirement for a tie to "local connection" fit with the Core Strategy?</p> <p>Overall, the intent of the policy is laudable, but delivery is questionable.</p> <p>The role and utility of the policy needs to be reviewed in the light of Part C of CS Policy CS.19.</p> <p>If the Policy is to remain, delete reference to "care homes providing personal care and/or nursing care."</p> <p>Explanation as to what is meant by the terms "eligible households" and "local connection", should be added to the explanatory text.</p>

Section	Reference/NDP page	Comment
Section 3 - Policies	Policy HSG3 Explanation (p.40)	<p>Reference to "<i>identified needs</i>", split between 25% for social renting and 75% for private sale appears to be based on a misunderstanding. This appears to relate to WCC modelling, not actual identified needs, and specifically modelling for Extra Care Housing (which is only one of the supply strands covered by the policy).</p> <p>Reference to "<i>The amount and timing of requirements to be met by this policy will be informed by the proposed periodic updates of surveys of local housing need.</i>" Is this intended as a reference to SHMA updates, rather than local housing needs surveys (the latter won't necessarily pick up needs in surrounding parishes)?</p>
Section 3 - Policies	Policy HSG4 (p.40)	<p>The Objective states "<i>to respond to the requirement to identify land within this plan an adequate reserve provision of housing land in line with the Core Strategy.</i>" With this in mind, why does the Policy itself specifically refer to meeting the local housing needs requirements of Policies HSG1, HSG2 and HSG3 and "<i>as informed by regular updates to the Housing Needs Survey</i>" and the explanatory text refer to "<i>additional demand from 2021 onwards from qualifying people with a local connection ...</i>"?</p> <p>The Policy cross-references to HSG1, HSG2 and HSG3 but, as noted above, those policies refer to "<i>appropriate</i>" or "<i>suitable</i>" sites: not just the two sites identified in this Policy.</p> <p>No account appears to have been taken of the provisions of Part D of CS Policy CS.16 in respect of Reserve Housing Sites when framing the policy.</p> <p>Overall, the Policy is unlikely to be deliverable, for the reasons discussed under 'Explanatory text' below.</p> <p>The Policy identifies, by cross-reference to the Policies Map, two sites as follows:</p> <ul style="list-style-type: none"> • Land east of London Road, immediately south of the "committed" Orbit scheme, and • Land south of Oldbutt Way, immediately south of the "committed" CALA Homes scheme. <p>It would be useful, as a matter of good practice, for the Policy to indicate any key site-specific requirements that should be met.</p> <p>Clarification is required whether or not the purpose of the policy is to identify any 'reserve' sites (as per Part D of CS Policy CS.19) for inclusion in the Site Allocations Plan.</p> <p>The prospects for delivery of affordable housing on the two sites identified (land east of London Road and land south of Oldbutt Way respectively) require careful review. In order to</p>

Section	Reference/NDP page	Comment
		<p>improve the prospects for delivery of affordable housing, it is suggested that only sites with a minimum overall capacity of 50 or more dwellings are considered for allocation at the present time, unless there is clear evidence that two or more smaller sites could be “packaged” for delivery as part of a single scheme.</p> <p>Further information will need to be provided in the explanatory text about the criteria by which the two allocated sites (or any substitute sites) were selected and any site-specific development constraints (such as vehicular access) that should be addressed.</p> <p>The NDP doesn’t plan for reserve sites as the policy appears to indicate. SDC are concerned that the Town Council are missing the opportunity to take the lead in identifying reserve sites for housing development. Without the identification of reserve sites through the NDP, SDC will need to consider identifying such sites in the town through the Site Allocations Development Plan Document (SAP) in accordance with Core Strategy Policy CS.16.</p>
Section 3 - Policies	Policy HSG4 Explanation (p.40)	<p>It is not clear (amongst other things) which is the “<i>smaller</i>” and which is the “<i>larger</i>” site respectively. However, taking the stated site capacities (of 16 and 25 dwellings respectively) at face value, and applying CS Policy CS.18, this would indicate yields of approximately 6 and 9 affordable homes respectively. Have Registered Social Landlords been approached to confirm they would be interested in this level of development? This will be essential evidence to underpin the policy.</p> <p>Although there is brief reference to the process by which the two sites were identified, details of the overall site selection process, including any objective evaluation criteria, are not clear. Further information about this process should be provided, in the interests of transparency (not necessarily in the Plan itself) and to aid the delivery process.</p>

Section	Reference/NDP page	Comment
<p>Section 3 - Policies</p>	<p>Policy HSG5 (p.40-41)</p>	<p>Whilst there is a clear desire nationally for custom and self-build housing, there will need to be a clear basis to underpin the 5% requirement of dwelling plots for sale to custom and self-builders (i.e. local evidence, viability, best practice), since this is not ingrained in national or District Council policy. The policy might need to read "Developers will be encouraged to provide..."</p> <p>Is it intended to assist in the delivery of "affordable" housing? See comments under 'Explanatory text' below: if this is the case, this is not actually what the Policy requires.</p> <p>Although the Policy itself is laudable, its efficacy is questionable. It is only mandatory in the case of sites of more than 20 dwellings. On the basis of Policy HSG4, there is only one site that exceeds that threshold and a 5% requirement would only generate a supply of 1 or, at most 2 homes (allowing for rounding).</p> <p>Are there any other references to 'windfall' development or criteria based policies that would support 20+ unit schemes?</p> <p>If the aim is to boost the supply of "affordable housing", why is a different threshold to that used in CS Policy CS.18 applied?</p> <p>Further, is supply intended to form part of any requirement applied under CS Policy COM.18, or be over and above any such requirement? If the former, it is likely to be undeliverable.</p> <p>The requirement for the use of a planning condition to require the completion of developments within 3 years of plots being purchased is questionable and possibly unenforceable.</p> <p>Is there any evidence of a local demand for custom/self-build plots, in terms of number and type of plots?</p> <p>The lawfulness and practicality of the 2nd bullet point criterion should be reviewed. If necessary, other delivery mechanisms should be considered. A requirement to complete such developments within 3 years of purchasing the plot would appear onerous. A requirement to commence the development within 3 years may be more appropriate and acceptable.</p> <p>The potential role of the policy in facilitating the delivery of affordable housing should be carefully considered. Note that custom/self-build housing is not automatically "affordable".</p>

Section	Reference/NDP page	Comment
Section 3 - Policies	Policy HSG5 Explanation (p.41)	<p>The Objective refers to “<i>expand[ing] the supply of affordable housing</i>” and this text states “<i>custom and self-build development can locally contribute to meeting identified needs for affordable housing.</i>” Assuming the term “affordable” is used here with the same meaning as with national and local policy, it is necessary to point out, firstly, that no specific need for affordable custom and self-build housing has been identified locally. By definition, custom and self-build housing isn’t ‘affordable housing’, but it is acknowledged that it does provide opportunity for houses to be constructed that are more affordable.</p> <p>References to the possible role of the District Council and other bodies such as Warwickshire Rural Community Council are noted, but in practice there is no realistic scope for this at the present time.</p> <p>The final sentence in the explanation is too prescriptive and should be deleted or toned down. The Council is not aware that WRCC has a role to play in this form of housing provision.</p>
Section 3 - Policies	Policy HSG6 (p.42)	The policy refers to the existing built-up-area of the town, but this is not mapped in the NDP. Consideration should be given to including a settlement/built-up-area boundary for the town.
Section 3 - Policies	Policy HSG7 (p.42)	<p>The policy currently resides within the housing section of the NDP but also refers to mixed-use schemes and community facilities. The policy as written does not provide criteria confirming when the principle of re-development would be acceptable. Consider re-wording policy along the lines of:</p> <p>“The redevelopment of brownfield land to create new housing will be supported subject to the following criteria:</p> <ul style="list-style-type: none"> a) The new use would be compatible with the surrounding uses; b) Any remediate works to remove contaminants are satisfactorily dealt with; c) The proposal would lead to an enhancement in the character and appearance of the site; and d) Would not result in the loss of any land of high environmental value”.
Section 3 - Policies	Policies HSG6 and HSG7 (p.42)	The two policies appear to overlap to a substantial degree. Consideration should be given to merging the two policies.

Section	Reference/NDP page	Comment
Section 3 - Policies	Policy HSG8 (p.42-43)	<p>This has arguably been overtaken by events, by virtue of the grant of planning permission for the redevelopment of the site. That permission has yet to be implemented, so the continued inclusion of a policy in the Plan would nevertheless still be appropriate, but the policy should be updated to reflect the latest position.</p> <p>The Explanation to this policy refers to the preparation of a Development Brief. It is suggested the requirement for the production of any such document should be included within the policy itself, rather than explanatory notes.</p>
Section 3 - Policies	Policy HSG8 Explanation (p.43)	No commitment has been given by District Council to be involved in preparing a Development Brief and probably overtaken by events anyway. Could the NDP seek to set out a concept plan?
Policies Map	Policies Map	<p>It would be clearer to show commitments on the main Map rather than on a separate in order to give a comprehensive picture. Although the District Council's Policies Map defines the Built-Up Area Boundary it would be appropriate and helpful for the Shipston NDP Policies Map to also show it.</p> <p>The grey text box associated with Policy HSG4 obscures part of the proposed Southern Wellbeing Zone referred to in Policy ENV5 and should be re-located.</p> <p>The prospective permissive path to the southwest of the town is not referred to in Policy ENV1 and should be removed from the map.</p>