

## Clifford Chambers and Milcote Neighbourhood Development Plan

### Pre-submission Neighbourhood Plan Regulation 14 Consultation (Neighbourhood Planning (General) Regulations, 2012)

#### Appendix 1 – Significant comments from Stratford-on-Avon District Council

Suggested new text underlined deleted text ~~struckthrough~~ [where applicable].

Page number	Section	Comment
Page 5, para 1.7	What is a Neighbourhood Plan?	CIL could be mentioned here, for example:  <i>"Parishes that have a 'made' Neighbourhood Plan will receive 25% of receipts accruing from development within their parish. Parishes without a 'made' plan including those where a plan is in preparation will receive 15%, capped at £100 per dwelling in accordance with the CIL Regulations. So there is a clear benefit in having a made Neighbourhood Plan. The neighbourhood portion of the levy can be spent on a wider range of things than the rest of the levy, provided that it meets the requirement to 'support the development of the area'".</i>
Page 10, para 3.3	Section 3 – Strategy	The paragraph states that the NDP <i>'will enable residents to live the whole of their lives in the village...'</i> . It is not clear how this is to be achieved, with the policies that are included within the Plan. This needs to be expanded upon.
Page 11	Objectives	The Plan does not appear to include objectives to encourage sustainable travel patterns and encourage retention of local facilities, as there are so few of them in the Parish.
Page 12	Objectives Policy LC1	<i>"Development proposals which may affect heritage assets will be required to provide evidence as to how any proposed development would protect the heritage asset and their setting"</i> . Suggest adding here <i>".. or demonstrate that public benefits would outweigh this harm NPPF para 195.196 and 197"</i> especially as this is acknowledged later in the NDP.
Page 14	Policy H1.2 – Reserve Housing Allocation	Part 2 of this policy identifies what is described as a 'reserve housing allocation' on land immediately to the north of the village, fronting Campden Road. Its status as a 'reserve site' is queried, since its release is conditional upon their being an 'identified local need'. This appears to be at odds with the remit for 'reserve sites' set out in Core Strategy CS.16 – essentially to rectify any shortfall in housing delivery on a District-wide basis. This is especially significant as there is already an identified local housing need, referenced in the Plan, and which it is desirable to meet. One option might be to convert this site into a specific allocation for a Local Need scheme, although this should not, of course, be at the expense of supply to satisfy the strategic requirements set out in the Core Strategy.

Page number	Section	Comment
Page 14	Policy H1.2 – Reserve Housing Allocation	The explanatory text seems to indicate the site would be promoted for 15 dwellings. It is noted that none of the site is located within EA flood zone 2 or 3. Based on 25 dwellings per Ha [to take account of the rural nature of the village/site], the site would be capable of accommodating approximately 25 dwellings. The NDP is promoting a density of 15 dwellings per Ha, which is very low. Is this the most sustainable use of the land promoting such low-density development? Is this low-density what is being referred to when quoting 'small-scale housing'? If so, this requires clarification. It is essential that the site chosen and those rejected have been thoroughly assessed and the evidence for these decisions must be published alongside the NDP.
Page 16	Figure 2 – Village BUAB map	The village BUAB at Figure 2 is in contradiction to information set out at para 4.6, bullet point 2 on p.17 of the NDP. The map includes a paddock area located between properties known as 'Willowmere' and 'Owlet End' to the north edge of the village, where para 4.6 states that <i>"residential curtilages are included within the Village Boundary unless an area is clearly a paddock and more appropriately defined as non-urban"</i> . As such, the paddock area should be removed from the BUAB map in order to comply with the accepted NDP criteria.
Page 17, para 4.4	Section 4 – Housing	The basis of reserve site is not consistent with Policy CS.16.D. What is proposed is an allocation with its release restricted to when a local need is identified. It is not appropriate to restrict allocations to a local need as it is necessary for housing development to meet all aspects of the District's housing requirements.  As noted above, the Reserve Housing site would have a density of only 15 dwellings per Ha, which is very low.
Page 18	Policy H2 – Strategic Objective	The policy doesn't really fit the objective, or deliver on it, as it only refers to affordable housing and does not cover 'various stages' of people's lives, per se.
Page 19, para 4.9	Policy H2 - Explanation	Although only explanatory text, this does refer to local occupancy control arrangements that differ, in detail, from those normally applied to such schemes. Whilst the principle of prioritising allocation of properties to people with a qualifying local connection to the Parish in the first instance is strongly supported, it would be preferable for this to be done on the basis of the standards arrangements generally applying elsewhere in the District. SDC would be happy to advise further on this point, if requested.
Page 20	Policy H3	It is important to make it clear that the location of a new build live-work dwelling should be consistent with Policy H1 which does not identify them as exceptions. Core Strategy Policy CS.22 also states that the location of a live-work dwelling must be consistent with the control of housing development established in Policies CS.15 and AS.10.  Suggest adding 'in the open countryside' to criterion e) of Policy H3, as the policy as written doesn't comply with Policy AS.10 of the Core Strategy. Criterion e) should read: <i>"In the case of conversions in the open countryside, the building should be of a permanent and substantial construction, structurally sound and capable of conversion without a major rebuilding or extension; and"</i> .

Page number	Section	Comment
Page 20	Policy H3	It is suggested a further criterion be added to ensure the development would "have no adverse impact on adjoining residential amenity".
Page 22	Policy NE1	It is recommended that the fourth paragraph of the policy be amended to read: "The use of sustainable urban drainage systems (SuDS) and permeable surfaces will be encouraged, where appropriate". This is due to the fact that the word 'urban' has now been dropped from the term in general usage as it can cover rural locations as well. Permeable surfaces are just one of the techniques covered under the umbrella term of SuDS (it also covers rainwater recycling, use of green roofs, balancing ponds and soakaways).
Page 25, para 5.4	Policy NE1 - Explanation	Amend as follows, in order to be factually correct: " <del>The Environment Agency considers The</del> <u>Technical Water Cycle Study 2014 demonstrates that water courses...</u> "
Page 25	Policy NE2	There are no valued landscapes and skylines identified in the NDP which will make it difficult to apply this policy. There are references to various features in Appendix 1 which could provide the basis for them being identified on a map. Skylines and landscapes should therefore be deleted from policy and substituted with <b>views</b> as this more accurately describes the content of this policy. Furthermore no technical assessment of the Landscape has been evidenced (LVIA).
Page 29	Policy NE3	Has any evidence been collected to support this policy regarding local habitats and those which would need to be protected?
Page 30	Policy NE4	Second paragraph – it is considered that the term "must" may be too strong in relation to all development proposals. It is suggested a more appropriate alternative term would be "should".
Page 34	Policy LC2	<p>The final paragraph of the policy states: "<i>Development that would harm the openness or special character of a Local Green Space or its significance and value to the local community will not be permitted unless there are very special circumstances where the public benefit would outweigh the harm to the Local Green Space</i>".</p> <p>'Openness' is not one of the criteria specified in the NPPF for assessing the appropriateness of designating an area of Local Green Space. This is more akin to Green Belt terminology and should therefore be removed. Additionally, the 'very special circumstances' test has been removed from NPPF2, under which this NDP will be Examined. This will also need to be removed and the paragraph re-drafted to take account of NPPF2.</p>
Page 36	Policy LC3	This is a very prescriptive policy. The criteria specified does not allow for innovative design and is therefore contrary to para 79e) of NPPF2.
Page 39	Policy TT1	The policy states " <i>Dwellings must provide off-road spaces for one car per bedroom including garages and car ports</i> ". This does not conform to the revised Parking Standards set out within emerging Development Requirements Supplementary Planning Document (SPD) endorsed for consultation at Cabinet 14 January 2019. The SPD is consistent with the NDP for 1 and 2 bed dwellings, but the SPD suggests 2 parking spaces for 3 bed dwellings and 3 parking spaces for 4 and 5 bed dwellings. This difference, if both are endorsed as currently drafted, would cause an inconsistency of assessment. This raises a conundrum in relation to all NDPs that identify parking standards because, once made, they form part of the statutory Development Plan whereas parking standards set out in the SPD will not have the same status. On that basis, the parking standards in an NDP, where different, would prevail.

Page number	Section	Comment
Page 40	Policy TT2	Second sentence - suggest replace "prioritised" with "incorporated" as it is generally impractical to prioritise walking and cycling in rural settlements.
Page 41	Policy TT3	<p data-bbox="748 209 2078 368">Paragraph three of the Policy: "<i>Proposals which seek to increase the number of access points or which would involve an increase in traffic generation will need to demonstrate that they do not further inhibit the free flow of traffic or exacerbate road safety concerns, including compromising existing pedestrian and cycle routes into the village centre</i>" comes under the jurisdiction of the County Highways Authority.</p> <p data-bbox="748 405 2078 632">It is considered that the final sentence of the fourth paragraph, beginning "<i>In addition, developers will be required to...</i>" asks for the cumulative effect of proposed vehicle movements from development proposals in 'adjoining or surrounding areas' to be calculated. It is felt that this type of assessment would be almost impossible to meet. How far would you cast the net for calculating adjoining or surrounding areas, for example? Does 'proposed developments' include those that are not yet known? Suitable traffic calculations would be part of an appropriate Transport Statement or Assessment. Therefore, it is recommended the final sentence be deleted.</p>