

## Napton- on- the- Hill 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~~

Page number	Section	Comment
Page 5 Para 1.12		The Plan Period on the cover and at para 1.12 is 2018 to 2031. However, if they wish to count the dwellings granted consent and constructed since 2011 [see Table 8, p.40], then the NDP Plan period should cover the same timeframe as the Core Strategy.
Page 11 para 2.13		States that the SAP will include the definition of BUABs, which is correct. However, since the NDP will include the BUAB for Napton and it is likely that the BUAB methodology criteria will change through the SAP consultation process, there is a distinct possibility that the Napton BUAB will not comply with the SAP. Therefore, it might be more appropriate for the Plan to list the methodology upon which the BUAB has been assessed.
Page 29 para 5.18		It would be helpful if this site was mapped, to help the reader understand the context. It would also be beneficial if this paragraph could also set out exactly what need this scheme actually meets.
Page 35	Key Issues	If the Local Housing Needs Surveys has identified a need for 24 new homes in the parish, this be highlighted in the key issues table.
Page 46 para. 8.31		There is insufficient explanation as to why the NDP does not make a specific allocation for the outstanding housing need.
		Concern over housing needs survey being house type specific and matched to the housing supply requirements – 23 dwellings are also implied to be a maximum figure to be provided and is potentially in conflict with NPPF para 73 and 74 maintaining supply and delivery with buffer.
Page 46	Policy 1	This is an overarching Policy for residential development which seeks to reflect the CS.15 and CS.15 'requirements' but is less definitive in terms of intent and definition and requires all of the criteria to be met on residential sites.
	Policy 1 b)	How is 'sensitive infill development' to be defined?
Page 46	Policy 1 c)	Criterion (c) requires that proposals 'include homes that address the needs identified in the latest Housing Needs Survey for the parish.' This is somewhat ambiguous and, in practice, unlikely to yield a significant supply of affordable housing. This point is acknowledged at para. 8.41.

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		<p>It is inappropriate to apply this restriction as it would be contrary to the provisions of Core Strategy Policy CS.15 which does not fetter the tenure and occupancy of dwellings provided within the boundaries/physical confines of LSVs. Suggest c) is deleted.</p> <p>The first sentence of policy is therefore currently incorrect.</p> <p>“A proposal for residential development will be supported providing that <b>all</b> of the following criteria are met”.</p> <p>Furthermore given there are no housing allocations and windfall development within the established BUAB will be made up of small scale proposals, the likelihood of any schemes being of sufficient size to include local needs housing is potentially very limited.</p>
Page 46	Policy 1 d)	<p>Rooflines that do not impact adversely on important views in Policy 10 – this is overly loose and open to wide interpretation – it needs to be more specific – is it seeking to limit heights, storeys or types of roofs/materials.</p>
Page 46	Policy 1 f)	<p>What gaps and/or important open spaces are being referred to? How will applicants and officers determine whether they are of ‘particular significance’? This criterion is too general and ambiguous as drafted.</p> <p>This is a villagescape character criteria and needs to be supported by identified open spaces/ critical gaps – ideally reflect a character assessment alongside so as to assist in identifying heritage assets and non-designated heritage assets including historically important open gaps/ open areas (fields and paddocks and areas of green extending into the heart of the settlement.</p>
Page 48	Policy 2	<p>Provides a framework for supporting affordable housing on rural exception sites outside the defined Built-Up Area Boundary. Criterion (d) provides that schemes will be supported where homes are ‘prioritised for those with a local connection as prescribed in the allocations policies of social housing providers’. Inclusion of the policy itself is welcome, but criterion (d) should be re-drafted to better reflect current good practice and the fact that local connection criteria will be determined via a S106 Agreement, rather than the allocations policies of social housing providers.</p> <p>Why is it for only a ‘small number’ of properties and how is this defined? Is the expectation the RES’s form part of the required housing supply for Napton or a freestanding separate AHS?</p> <p>Affordable housing schemes can be provided inside a BUAB although they would not be rural exception schemes. It might be helpful if the policy acknowledged this.</p>

Page number	Section	Comment
Page 50	Policy 3b)	The draft policy in SAP Scoping Document states that sites for self-build can be adjacent to a settlement. Although this has limited weight at the moment, it would be helpful if the NDP took the same approach in order to be consistent.
Page 50	Policy 3a)	The wording will need to be amended in the Reg. 16 version to state that the District Council's policy is set out in the Site Allocations Plan not the Core Strategy – assuming it is by that time. If not it will have to refer to the SAP Scoping Document.
Page 50	Objective 2	Consider including a policy regarding the proposed approach to other brownfield sites in the NP area
Page 51	8.56/8.57	It is possible that Napton Brickworks will be allocated in the SAP based on the provisions of Core Strategy Policy AS.11, not identified as a reserve site based on the provisions of Policy CS.16.D. The critical point is that if the site is deemed suitable for redevelopment as a brownfield site there is no justification for restricting its release by being a reserve site. On that basis, para 8.57 should be deleted.
Page 52	Para 8.61	There are no site-specific housing allocations, although para. 8.61 does identify a set of criteria against which the Parish Council will judge proposals for the redevelopment of the former Napton Brickyard site. Criterion (b) provides a similar criterion to criterion (c) in Policy 1. However, this is somewhat ambiguous in practice, and does not explain the relationship to Core Strategy Policy CS.19.
Page 53	Napton Brickworks Position Statement	<p>Could amend opening sentence to read: 'A proposal for the re-development of the former Brickworks site will be supported if it meets the following criteria:'.</p> <p>(i) should say something specific about improving Brickyard Lane to provide a safe and attractive walking and cycling route</p> <p>Is it appropriate to insist upon a nature reserve?</p> <p>A Local Nature Reserve (LNR) is a statutory designation made under Section 21 – "Establishment of nature reserves by local authorities" – of the National Parks and Access to the Countryside Act 1949 by Principal Local Authorities (i.e. District, Borough or Unitary Councils) in England, Scotland and Wales. Town and Parish Councils can only create LNRs if the Principal Local Authority has granted them the power to do this.</p>
Page 53 para 8.62		Napton Brickworks should not be included in the BUAB as it is too far from the village. It should be assessed as a Rural Brownfield Site against Policy AS.11
Page 55	Policy 4	Policy refers to business use throughout the Parish, but the character appraisal referred to in the policy only covers the village of Napton. As written, this policy appears to be giving tacit agreement [in

Page number	Section	Comment
		<p>principle] to any new commercial activity/buildings within the countryside. Is this what they were envisaging? This does not accord with Core Strategy Policy AS.10.            What is meant by 'business and economic'? Does this include retail – if so should there be some restrictions to limit it to within the BUAB?            Policy should prioritise development on brownfield land. Also the policy only refers to 'new' buildings – what about conversions and COU?</p> <p>Suggest deleting 'maximise visitor spend and thereby' from the final paragraph on p.55            Policy refers to the 'gateways' – it would be useful if these were identified on a map. You wouldn't normally look to improve village gateways with employment sites. The paragraph is too vague and ambiguous. This issue sits rather uncomfortably in this policy as various forms of development, not just business-related, could achieve such improvements. Might it be worth considering whether the scope of Objective 4/Policy 5 could be extended to cover environmental improvements?            This policy is considered to be overly narrow in its range and criteria and would potentially restrict changes of use, tourism accommodation, business expansion on existing sites and small scale start ups – Policy AS.10 (k) – ( r) has a wider range. The use of a two part criteria is limiting and difficult to accord with unless the proposal is for new build.</p>
Page 55	Policy 4	Would be helpful to cross reference policy AS.10 in the actual policy
Page 56	Policy 5	<p>Presumably a proposal wouldn't be supported even if it does satisfy these criteria if it didn't meet the locational policies controlling development such as Policy 1. This should be made clear.            This policy covers far more than the objective sets out. Each of the 7 criterion could [should?] be the subject of their own detailed policy since they are distinct and separate issues. This is the stance followed by other NDPs in this District. Suggest amending first sentence to read "...providing any potential adverse impacts on the local environment can be successfully mitigated." The final sentence should be removed as it is a statement rather than policy.            The term 'proposal will be supported where...'. Implies these are the only criteria to be assessed against. Needs to X reference other Policies in the NDP draft. Qualification is required in relation to the criteria and how it is to be assessed.</p> <p>Community led renewables or low carbon energy development will be supported – again there needs to be a qualification as to what this encompasses – NPPF compliance – are these small scale local sourcing e.g ground source heat supply, solar farms and wind power for local supply?</p>
Page 58	Policy 6	a) Seems to contradict itself somewhat in that it refers to preserving or enhancing <b>designated</b>

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		<p>heritage assets but then goes on to say that this includes <b>non-designated</b> assets the wording in the NPPF is 'conserve or enhance' and this policy should reflect this. The policy talks of 'non-designated heritage assets' but the NDP does not include a list of such assets. There are no sites listed or criteria set out to indicate when the policy applies and as such this reference should be removed. See Policy BE8 of Stratford-upon-Avon NDP for example of well-worded policy relating to protection of heritage assets. Not exactly in alignment with CS Policy 8 which also states that all reasonable efforts need to have been made to sustain the existing use of find reasonable alternative uses.</p> <p>b) It is not clear what the final sentence means and should be removed or clarified.</p>
Page 59	Policy 7	Consideration needs to be given to historic assets of canal and Canals and Rivers Trust framework and canal specific strategies to ensure no conflict with objectives
Page 61	Table 9	It is surprising that land south of Vicarage Lane and to north of recent housing development hasn't been identified as a LGS to bolster its protection.
Page 63	LGS Policy 8	<p>This policy seems to undermine the intentions of Policy 1 and is limited in terms of the intentions and objectives of Policy1 – should this be entitled strategic green spaces and differentiate between the smaller areas of green space which contribute to the character of the village?</p> <p>Two of the sites (A, and D) are quite large tracts of land. Whilst site 'A' might be used as sporting facilities, the sports field at Ettington was not supported by the Examiner of that Plan as it was felt such facilities could be provided elsewhere. Therefore there may not be enough evidence to convince an Examiner for it to be designated. Site 'D' is almost 10Ha in area and quite clearly is an extensive tract of land. It is also already a designated Local Wildlife Site and as such has 'protection'. It is not considered that this site meets the criteria set out in the NPPF and should be removed. Site 'B' is no more special, than other parcels of similar land around the perimeter of the village and more evidence is needed on why it is of demonstrable value to the community.</p> <p>The reference to 'very special circumstances' should be removed as it is not referred to in NPPF2 and the NDP will not be formally submitted before 24th January 2019. The paragraph should refer to LGS being 'supported' not 'allowed'.</p>
Page 73	Policy 9	This states that all development 'which has a harmful impact on the view will not be supported'. Given that most development will cause some degree of visual harm, this creates a very restrictive policy, because the views shown in the 13 images cover virtually the whole Parish by reason of its hillside position.

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		The final paragraph is not well worded. Consider policy NE4 of Snitterfield NDP for alternative wording.
Page 74	Policy 10	<p>This policy is considered to conflict with CS.10 in that it doesn't establish a presumption against unsustainable development. This could be reinforced by the Policy and set out the types of development that are suitable for open countryside locations, in particular housing</p> <p>Part c) Heritage Assets appears to slightly contradict Policy 6 which allows for harm/loss of a heritage asset if the public benefits outweigh the harm? Presumably a proposal wouldn't be supported even if it does satisfy these criteria if it didn't meet the locational policies controlling development such as Policy 1. This should be made clear. Protection of 'open countryside' is usually expressed as an 'in principle' type policy rather than a 'landscape protection' type policy.</p>
Page 74		c) heritage assets and sites of archaeological interest such as ridge and furrow; ridge and furrow, as a non- designated heritage asset, is not protected and its loss through ploughing cannot be controlled or stopped through the planning regime.
Page 76	Policy 11	<p>This policy only appears to cover TPO's and trees in conservation areas and leaves vulnerable trees with public amenity value and groups of trees and woodlands not protected. Would suggest this Policy is broadened out.</p> <p>What comprises 'protected trees and hedgerows'? The only protected trees are those subject of a TPO and they can't be removed. Suggest see policy NE3 of Stratford-upon-Avon NDP for possible alternative wording.</p> <p>The policy should look to 'support' not 'permit'.</p>
Page 77	Policy 12	<p>This policy has no force unless these are intended to be treated as assets of community value or their loss required to be justified as per CS Policy CS.22 for employment sites. Playgrounds are likely to be under the control of the PC or LPA already.</p> <p>Should the policy add that new services/facilities will need to be in accessible locations? The Policy could be reworded – see policy AM3 of Bidford-on-Avon NDP for possible alternative wording.</p> <p>For ease of reference it would be helpful to the reader if the listed community facilities were mapped.</p>
Page 81	9 Community Aspirations	It is recommended that a section be included on how CIL monies would be spent on local projects, particularly those that relate to objectives and policies in the NDP.

Page number	Section	Comment
Page 85	Policy Map 2	It is surprising that land south of Vicarage Lane and to north of recent housing development hasn't been identified as a LGS to bolster its protection. Map may need revising depending upon which sites are retained/taken forward. Have smaller, more appropriate sites within the village been missed?
General	Maps	There would be benefit of having a villagescape character map which not only identifies LB's and heritage assets and locally important buildings/features but also small scale gaps and green spaces within the village to align with Policy 1 and Policy 6.

### Schedule of minor comments from Stratford-on-Avon District Council

Suggested new text underlined deleted text ~~struck through~~

Page number	Section	Comment
Page 3	Contents	It would be helpful to the reader of the Plan to have all the policies and projects listed, with Policy number, title and page number. This makes it much easier to navigate through the document.
	Contents Section 9	Amend title from 'Aspirational Projects' to 'Community Aspirations' for consistency of reference later in the document.
Page 4	Governance	It would be worth referencing the role of the Parish Council as the Qualifying Body.
Page 6	Map 1	It would be useful to have a key to the map and the boundary line might be better marked in a solid black line to make it clearer.
Page 8 para 1.14	Next Steps	The District Council will again publicise the submitted plan for a <b>minimum</b> six week period and invite comments.
Page 8 para 1.14	Next Steps	Including conformity with national and local <b>strategic</b> planning policies.
Page 8 Para. 1.15	Next Steps	It would be useful to clarify that planning decisions will be informed by the NDP, along with other Development Plan documents – i.e that it is not the only plan to be considered.
Page 9 para. 2.2	NPPF	Instead of referring to the NPPF as 'the Framework' it would be better to refer to it as the NPPF as this is the generally accepted abbreviation.
Page 10 para 2.7	The Development Plan	3 <sup>rd</sup> bullet point <b>Made</b> neighbourhood plans prepared by town and parish councils. Replace 'Local Plans' with 'Core Strategy'.

Page number	Section	Comment
Page 10 para 2.9		Replace 'Centre' with 'Village'.
Page 10	Emerging Local Plans	This heading would be more accurately titled 'Emerging Development Plan documents'  Also the reference to the SAP says it will identify sites for self build – this is a draft policy which could be subject to change. Also as the timetable has slipped it will no longer be adopted by end of 2019 – more likely to be summer 2020. The date specified will need to be amended in the Reg. 16 version to reflect revised timetable for producing the SAP.  Reference to G&TLP – suggest adding that it will allocate land based upon the identified need within the District.
Page 12		"The area was lightly wooded and mainly supported mainly grazing" delete first 'mainly'?
Page 12		The second sub-heading should read 'Churches and Chapels' as it refers to more than St Lawrence Church.
Page 14	Listed Buildings	It would be useful to have a map accompanying the list to see where the LBs are located within the village.
Page 33	Facilities	Reference is made to a lot of infrastructure in the village – it might be helpful to show the key ones on a map to show how they are distributed within the village.
Page 38	Table 7	It would be worth cross-referencing how the vision, objectives and policies link to the key issues raised in Table 6. Objective 8 is been missed off.
Page 39 para 8.2		Third bullet point –'Local Plans' should read 'Development Plan Documents'.
Page 39 Para 8.5		Replace 'Centre' with 'Village'.
Page 40, Table 8		The last four applications in first part of table should be transferred to second part as sites are outside BUAB and therefore don't count towards LSV dwelling provision.
Page 46	Policy 1	Penultimate sentence – the words 'innovative' and 'outstanding' are not mutually exclusive so suggest 'or' is replaced with a comma.
		Policy 1 (e) should refer to Policy 9, not Policy 10?
Page 48	Policy 2	What is meant by ' a small number of properties' this is needs to be clarified.
Page 49 para 8.45		This information will need to be updated in the Reg. 16 version.
Page 49 para 8.47		It should be made clear that this is a draft policy which could be subject to change.
Page 50	Objective 2	Replace 'Brickyard' with 'Brickworks'.
Page 51 Para 8.56		Replace 'Brickyard' with 'Brickworks'.

Page number	Section	Comment
Page 53 Para 8.62		Replace 'Brickyard' with 'Brickworks'.
Page 59 para 8.84		Replace 'Brickyard' with 'Brickworks'.
Page 61 Para 8.91/8.92		Include explanation of the NPPF/PPG criteria for identifying LGSs rather than provide just a link, as this would assist readers' understanding.
Page 61	Table 9	The area of the Napton Sports club has been missed off, unlike the other proposed LGSs. It is estimated at around 4.7 ha.
Page 65	Policy 8	2nd para – replace 'allowed' with 'supported' as the Parish Council does not determine planning applications.
Page 76	Policy 11	3rd line – replace 'permitted' with 'supported', again because the Parish Council does not determine planning applications.
Page 81	Community Aspiration B	delete the linking 'or'; alternatively replace it with 'and' as they are not mutually exclusive
Page 83	Policy Maps	It would be better to put the maps next to their relevant policy in the Plan to avoid having to keep referring to different parts of the plan and thus make it easier to read/navigate.
General		There is a lot of repetition of Core Strategy policy – not sure this is necessary in all instances and unduly adds to the length of the document as a whole.
General		The use of shaded boxes is a little confusing for example Core Strategy policies are shaded grey together with other statements etc suggest Core Strategy policies are shaded a different colour.
General		Capital 'D' and 'P' for Development Plan throughout.
General		There is a lot of information in the NDP which could be contained in an evidence document making the overall NDP more concise and easier to read.
General		The positioning of the objective boxes appears to relate to the section beforehand which is unintended. Suggest repositioning under the overall heading for that section.
General		Throughout the Plan, it refers to the village of 'Napton' not 'Napton-on-the-Hill.
General		If NDP will not be submitted (Regulation 15) prior to 24 January 2019, the Plan must be assessed entirely against the 2018 NPPF, not the 2012 NPPF.