

## Brailles Neighbourhood Development Plan

### Regulation 16 Representations: By Contributor

Rep. No.	Name	Page/section	Representation
BWNDP 1	National Grid	General	<p><b>About National Grid</b> 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. 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><b>Specific Comments</b> 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. <b><i>National Grid has identified that it has no record of such apparatus within the Neighbourhood Plan area.</i></b> Key resources / contacts National Grid has provided information in relation to electricity and transmission assets via the following internet link: <a href="http://www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/">http://www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/</a> Electricity distribution The electricity distribution operator in Stratford-on-Avon Council is Western Power Distribution. Information regarding the transmission and distribution network can be found at: <a href="http://www.energynetworks.org.uk">www.energynetworks.org.uk</a></p>
BWNDP 2	Nicholas Butler	General	As the CPRE planning representative for your area I welcome your neighbourhood plan.
BWNDP 3	Sport England	General	<p>Thank you for consulting Sport England on the above neighbourhood plan.</p> <p>Government planning policy, within the <b>National Planning Policy Framework</b> (NPPF), identifies how the planning system can play an important role in facilitating social interaction and creating healthy,</p>

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.

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 96 and 97. 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 Playing Fields Policy and Guidance document.

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

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.

<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 97 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.)*

BWNDP 4	Historic England	general	<p>Historic England are supportive of the Vision and objectives set out in the Plan and particularly of the emphasis placed upon local distinctiveness and the maintenance of historic rural character.</p> <p>The Plan has an extensive and impressive evidence base that from the point of view of the historic environment has benefitted from the advice of Warwickshire County Council (WCC) specialists eg the WCC Landscape studies that are referenced.</p> <p>The undertaking and inclusion of the Village Design Statement is also commendable and it will no doubt prove invaluable as a context and evidence base for the Plan and when considering detailed development proposals.</p> <p>Overall the plan reads as a concise document which we consider takes a suitably proportionate approach to the historic environment of the Parish.</p> <p>Beyond those observations we have no further substantive comments to make</p>
BWNDP 5	SDC	Pg 18	<p>Historic Environment Map – this does not appear to be specifically referred to in any policy within the NDP</p>
		Pg 23 Policy E1	<p>Policy has been entirely re-written since Reg.14 consultation version.</p> <p>The word “must” has been used at least eight times. Is this appropriate in all instances? Would the word “should”, or term “should, where appropriate” be more acceptable, given that the majority of the village (let alone the wider Parish) is NOT affected by flood risk, despite local perception?</p> <p>It is not considered that it would be appropriate for the PC and ‘community Flood Action Group’ to be consulted on all development proposals prior to submission.</p> <p>The policy includes 5 bullet point ‘measures’ which appear far too detailed/prescriptive. What are ‘hard engineered surface water drainage systems’.</p>
BWNDP 5	SDC	Pg 24 Explanation E1	<p>The first sentence is misleading [see map on p.27 of NDP for extent of floodplain in the village and wider locality]</p>
BWNDP 5	SDC	Pg 25 Objective E2	<p>This should be rewritten to read as an objective</p>
BWNDP 5	SDC	Pg 25 Policy E2	<p>The final paragraph refers to para 122 of the NPPF is this the 2012 or 2018 version? Since the NDP has been submitted prior to 24th January 2019, it is understood it will be Examined against 2012 version NPPF. However, this particular reference makes more sense when taken from the 2018 version NPPF! Again, the language used [i.e. “will meet...”] is considered to be too strong</p>
BWNDP 5	SDC	Pg 25 Explanation	<p>The Explanation for E2 states that Brailes is a Category 2 LSV. However, the text needs to highlight that this status may change in future, dependent on available services, shops and amenities within the locality.</p>
BWNDP 5	SDC	Pg28 Policy E3	<p>The exact individual boundaries for each of the proposed Local Green Spaces are difficult to pick out on the policies map. It would be helpful to the reader to include separate individual ‘inset’ maps for each</p>

			<p>site at an appropriate scale, for clarity. Additionally, there appear to be far more areas of LGS on the maps than are listed within the policy. In other words, one LGS seems to be made up of several individual parcels of land?</p> <p>Last para – very special circumstances could relate to a local situation, eg. to provide a community building on the playing field</p>
BWNDP 5	SDC	P29 Objective E4	should be rewritten to read as an objective
BWNDP 5	SDC	Pg 29 Policy E4	<p>The word “charm” is used, which should be omitted as it cannot be assessed in planning terms – it is too ambiguous;</p> <p>Section 1, criterion d) replace “a” with “the” when referencing the scheduled monument; criterion f); refer to CS.11 and the Cotswolds AONB Management Plan? ‘retain’ may be a better word than ‘sustain’</p> <p>criterion h) replace “preceded” with “accompanied”;</p> <p>Section 3 criterion c) unclear how applicants are going to be able to take account of “proposed development” in the locality and as such will not be able to ever comply with the policy;</p> <p>criterion d) states the plan “must...” which as stated previously is not appropriate.</p>
BWNDP 5	SDC	Pg 33 para 4.2.4.1	The bullet points don’t drill down to LSV level and the approximate number of dwellings that may be acceptable in any one settlement – this would be helpful background information to supply context to the housing policies
BWNDP 5	SDC	Pg 33 Para 4.1.2.3	last sentence – site allocations should be available to meet housing needs of the current plan period not a future requirement. Policy H2 which identifies three sites refers to them being allocated for development over the plan period, which is appropriate
BWNDP 5	SDC	Pg.34 – Site Selection	<p>Bullet two states that an ‘Assessment Tool’ (Appendix 14) was used for the site allocation process.</p> <p>However, when reviewing the Assessment Tool (available at: <a href="http://www.braillesparishcouncil.co.uk/npwp/wp-content/uploads/2018/06/APP-14-Assessment-Tool.pdf">http://www.braillesparishcouncil.co.uk/npwp/wp-content/uploads/2018/06/APP-14-Assessment-Tool.pdf</a>), the evidence and the methodology of the scoring system is not clear.</p> <p>The excel spreadsheet has three rated headings: <b>Initial Rating, Magnify Factor, Interim Rating, Output Weighting.</b> What do these headings relate to and how where they analysed?</p> <p>What is the Initial Rating and how is a Magnifying Factor incorporated into the results? It is noted that Linea and Parabolic factors have also been used for the magnification factor. For illustration, how was the number 14 used for the initial rating, i.e. the number of people who put it at its highest, the number of constraints, or the number of criteria’s (although there are 15)? Also, why is footpath and med</p>

			<p>earthworks ranked of an equal magnify factor yet; footpaths are considered more important?</p> <p>The methodology must be clear and precise otherwise, the plan may not meet the basic conditions. 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 or the proposals in an Order.</p> <p>Therefore, it is recommended that the methodology is updated to clearly explain the entire scoring system.</p> <p>The Evidence Base: Housing, is missing some links and the Assessment Tool states: (??? Do either of you know the date) – this will need updating.</p>
BWNDP 5	SDC	Pg. 35 Bullet 3	<p>The statement states: <i>'The best way to legally ensure that sites contained affordable housing was to go for sites of '11 or more dwellings'.</i> Although this is technically correct, the statement does not recognise Policy CS.18 which states:</p> <ul style="list-style-type: none"> <li>• <i>'In all other parishes: Development providing 6 or more dwellings.'</i></li> </ul> <p>Therefore, in Brailes Parish affordable housing, may, be incorporated on schemes with six or more dwellings, not just 11 or more.</p>
BWNDP 5	SDC	Pg 31 Policy E5	<p>Consider removing "in terms of scale and impact" as is it unnecessary.</p>
BWNDP 5	SDC	Pg 34 Section 4.2	<p>Meeting Housing Requirements:  Bullet points 4 and 5 include quotations from the Core Strategy that have not been copied over fully, or correctly. Any quotes from other policy documents should be included in their entirety, since partial quotes can potentially change the emphasis of a statement or could lead to misinterpretation.</p>
BWNDP 5	SDC	Pg 38 Policy H1	<p>Policy H1, 1st para, last sentence – delete 'either' and replace 'or' with 'and' as the types of sites referred to are not mutually exclusive</p> <p>Policy H1 States: <i>'A development threshold for windfall of three dwellings will apply.'</i></p> <p>Although Para 63 of the NPPF is noted, this Policy does not conform to the '<b>strategic</b>' policy of CS.18. Therefore, this policy may not meet the basic conditions of the Neighbourhood Plan Tests. As a result, the evidence needs to substantially and significantly demonstrate why the threshold is proposed to be lower than CS.18 of the Core Strategy, in which the evidence base has been through independent</p>

			<p>examination by the Secretary of State.</p> <p>The meaning of the second paragraph is unclear re: 3 dwelling windfall threshold for affordable housing provision and its conformity with Core Strategy Policy CS.18B is also unclear. It is therefore unclear what this sentence means and how it would be applied</p>
BWNDP 5	SDC	Pg 39 H1 Explanation	2nd para, last sentence – Brailes is a rural area in any case regardless of it being in the AONB
BWNDP 5	SDC	Pg 39 Section 4.2.5	Should Policy H2 and Explanation H2 provide more detail on the nature of affordable housing and how it would be managed?
BWNDP 5	SDC	Pg 45/46 Policy SE1	<p>It is not clear in what circumstances or locations the creation of a new employment site would be appropriate. Current wording would not exclude development on greenfield sites for this purpose.</p> <p>Policy SE1(e) – village centre is not defined so it is unclear to what areas this part of the policy would apply.</p>
BWNDP 5	SDC	Pg 47 Policy SE2	The Policy needs to consider what are traditional materials? Technically, metal is a traditional material seen throughout the district and is considered vernacular.
BWNDP 5	SDC	Pg.47	Policies cannot override the stipulations of legislation, in this case, Permitted Development Rights. Therefore, the last paragraph is not required.
BWNDP 5	SDC	Pg 48/49 Policy SE4	Unclear whether this policy relates to proposals within the settlement only, or in the wider Parish.
BWNDP 6	Network Rail	General	Network Rail has no comments.
BWNDP 7	Gladman Developments Limited	General	<p>This letter provides Gladman Developments Ltd (Gladman) representations in response to the submission version of the Brailes Neighbourhood Plan (BNP) under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012.</p> <p>This letter seeks to highlight the issues with the plan as currently presented and its relationship with national and local planning policy. Gladman has considerable experience in neighbourhood planning, having been involved in the process during the preparation of numerous plans across the country, it is from this experience that these representations are prepared.</p> <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 BNP must meet are as follows:</p> <p>(a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order.</p> <p>(d) The making of the order contributes to the achievement of sustainable development.</p>

		<p>(e) 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).</p> <p>(f) The making of the order does not breach, and is otherwise compatible with, EU obligations.</p> <p>Revised National Planning Policy Framework</p> <p>On the 24th July 2018, the Ministry of Housing, Communities and Local Government published the revised National Planning Policy Framework. The first revision since 2012, it implements 85 reforms announced previously through the Housing White Paper.</p> <p>Paragraph 214 of the revised Framework makes clear that the policies of the previous Framework will apply for the purpose of examining plans where they are submitted on or before 24th January 2019. Given the date of this consultation, the comments below reflect the relationship between Neighbourhood Plans and the National Planning Policy Framework adopted in 2012.</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 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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Paragraph 184 of the Framework makes clear that local planning authorities will need to clearly set out</p>
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		<p>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.</p> <p>Planning Practice Guidance</p> <p>It is clear from the requirements of the Framework that neighbourhood plans should be prepared in 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 BNP's ability to meet basic condition (a) 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 Framework and Neighbourhood Plan Basic Conditions, neighbourhood plans should conform to the strategic policy requirements set out in the adopted Development Plan. That relevant to the preparation of the BNP is the Stratford-on-Avon District Core Strategy which, for now, consists of the Core Strategy DPD only. The Core Strategy determined that Stratford would be required to deliver 14,600 homes between 2011 and 2031.</p> <p>To meet the requirements of the Framework the Council is reviewing the Site Allocations and has recently consulted on the 2018 Draft SHLAA document. It is therefore important that the BNP provides flexibility to ensure that the policies contained in the BNP are not overridden upon the adoption of any future component of the Development Plan; as section 38(5) of the Planning and Compulsory Purchase Act 2004 states:</p> <p>'if to any extent, a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approached, or published (as the case may be).'</p> <p>Neighbourhood Plan Policies</p> <p>This section highlights the key issues that Gladman would like to raise with regards to the content of the</p>
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			BNP as currently proposed. It is considered that some policies do not reflect the requirements of national policy and guidance, Gladman have therefore sought to recommend a series of modifications that would enable the plan to meet the basic conditions.
BWNDP 7	Gladman Developments Limited	Policy E2	Gladman would object to the use of a 'built up area boundary' (BUAB) if this would preclude otherwise sustainable development from coming forward. The Framework is clear that development which is sustainable should go ahead. The use of a BUAB 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. To ensure greater flexibility, Gladman suggest that wording should be added to this policy to state that development adjacent to the settlement boundary would also be considered. This amendment would accord with the Framework in allowing flexibility for the BNP to respond to changes in the future such as the Council not being able to demonstrate a 5-year supply of housing.
BWNDP 7	Gladman Developments Limited	Policy E3	Policy E3 seeks to designate four identified sites as Local Green Space. The Framework is explicit in stating at paragraph 77 that 'Local Green Space designation will not be appropriate for most green areas or open space'. With this in mind, it is imperative that the plan makers can clearly demonstrate that the requirements for LGS designation are met. The designation of LGS should only be used: <ul style="list-style-type: none"> <li>• Where the green space is in reasonably close proximity to the community it serves;</li> <li>• Where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and</li> <li>• Where the green area concerned is local in character and is not an extensive tract of land.</li> </ul> Whilst some evidence to support the designations is contained within appendix 13, Gladman do not consider that the document is proportionate or robust enough to support all four designations. We suggest that the Parish Council revisit this policy and ensure that sufficient evidence is provided to demonstrate consistency with the requirements of the Framework.
BWNDP 7	Gladman Developments Limited	Policy E4	Policy E4 seeks to ensure that new development respects and enhances the landscape setting, heritage assets and built-up area characteristics of the neighbourhood area through 'excellent' and 'thoughtful' design specifications. <p>Whilst Gladman recognise the importance of high-quality design, planning policies and the documents sitting behind them should not be overly prescriptive and need flexibility for schemes to respond to site 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 further flexibility is provided in the policy wording to ensure that high quality and inclusive design is not comprised by overly restrictive requirements.</p>

BWNDP 7	Gladman Developments Limited	General	<p>Conclusions</p> <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 BNP as currently proposed with the requirements of national planning policy and the wider strategic policies for the wider area. Gladman is concerned that the plan in its current form does not comply with basic conditions (a). The plan does not conform with national policy and guidance.</p>
BWNDP 8	Natural England	Policy H4 Policy E4 2d)	<p>Having looked through the submission draft of the plan it does not appear that our previous comments at the regulation 14 stage have been taken into consideration by the NDPs steering group. Therefore I would refer the parish council back to our previous response dated 24th of July 2018 (copy attached). If Cotswolds AONB Board was consulted on the proposed housing allocations it would be helpful to include their feedback as part of the evidence base.</p> <p>Natural England has reviewed the Brailes Neighbourhood Development Plan and would like to make the following comments:</p> <p>We note that Brailes Neighbourhood Development Plan in policy H4 is allocating 3 sites for the housing development within the Cotswolds Area of Outstanding Natural Beauty (AONB). Location of these sites on the edge of the settlement may lead to the negative impacts on the integrity of the above mentioned designated landscape. We suggest that Parish should seek the advice from the Cotswolds AONB Board, who have the local knowledge of the area. Any future development should be supported with the Landscape and Visual Impact Assessment (LVIA) study.</p> <p>In addition, we support policies in section 4.1 The Environment that aim to conserve and enhance natural resources and biodiversity of the Parish. However, the provisions on protection of the designated landscape in policy E4 2d) should also include reference to the Cotswolds AONB Management Plan, which sets out a vision for future management of the designated area.</p> <p>Additional information</p> <p>The attached annex may be of use to you; it sets out sources of environmental information and some natural environment issues you may wish to consider as you develop your neighbourhood plan or order.</p>
BWNDP 9	Jeremy Scarf		<p>I believe the proposed Brailes neighbourhood plan for housing should not be adopted for the following reasons:</p> <ol style="list-style-type: none"> <li>1. There is not a requirement for the level of housing proposed: The current developments supply of housing exceeds the target from SDC</li> <li>2. The Local Service Village (LSV) housing allocation target, district wide, of 2000 homes has been exceeded</li> <li>3. With the cut backs to the bus service Brailes does not have the transport infra structure to</li> </ol>

			<p>sustain full time workers. Brailes is now technically an LSV3 category village, with it's lower housing level requirement</p> <p>4. Brailes PC and SDC have adopted a new Housing Needs Survey in June 2016 demonstrating a need for 24 houses. 25 houses have been granted full planning permission in the village (and are now under construction)</p> <p>5. In the NDP survey the village overwhelmingly requested small, sensitive developments. The NDP proposes 3 housing estates of 12 units each, this goes explicitly against the village's wishes</p> <p>6. The NDP team changed their strategy from small sites (6 houses) to large housing estates (12 houses) against the wishes of the village and without open consultation</p> <p>a. It was stated that as four sites of six houses each couldn't be found.</p> <p>i. At that point there were at least three suitable small sites on offer and one further site – that had been recently offered for 6 homes had just be withdrawn, so is likely the four sites could have been found, especially with a further 'call for sites'</p> <p>b. The NDP plan team were asked to consider a mix of small developments and larger sites at a public meeting. The NDP team refused to consider this after a vote</p> <p>c. The public were not offered a mix of small and larger sites as an alternative to large housing estate sites</p> <p>7. At least two members of the NDP voting quorum may have been compromised by their strong personal objections to one of the small sites (Betty's Field proposed as a site of 6 houses) due to their historic campaigning against this site when it was proposed as a large development (before the NDP process): <a href="http://www.planitbrailes.com">www.planitbrailes.com</a>. This may explain their resistance to considering a mix of small and larger sites, as it would allow development on the Betty's Field site.</p> <p>8. The National Planning Policy Framework (NPPF) directs small sites to be considered in priority over housing estates, this was information given to the NPD team but again discarded for the convenience of progressing the plan</p>
BWNDP 10	Millstrand Properties	Vision Objectives Policy E1 Policy E5 Policy H1 Policy H2 Policy H3 Policy SE1 Policy SE4	<p>SUBMISSIONS ON BEHALF OF MILLSTRAND PROPERTIES LTD</p> <p>A INTRODUCTION</p> <p>A.i Millstrand Properties Limited has been working with the James Family (c/o Bryony James) during the preparation of the NDP and has an interest in the proposed housing development site "A2" adjoining land and other land owned by the family at Lower Brailes.</p> <p>A.ii The paragraph numbers of Brailes NDP are used hereafter (as applicable) for ease of reference.</p> <p>A.iii Please find attached plans submitted for information purposes. A site location plan is attached to show the full extent of the single parcel of James family land within which NDP site A2 is located. A site</p>

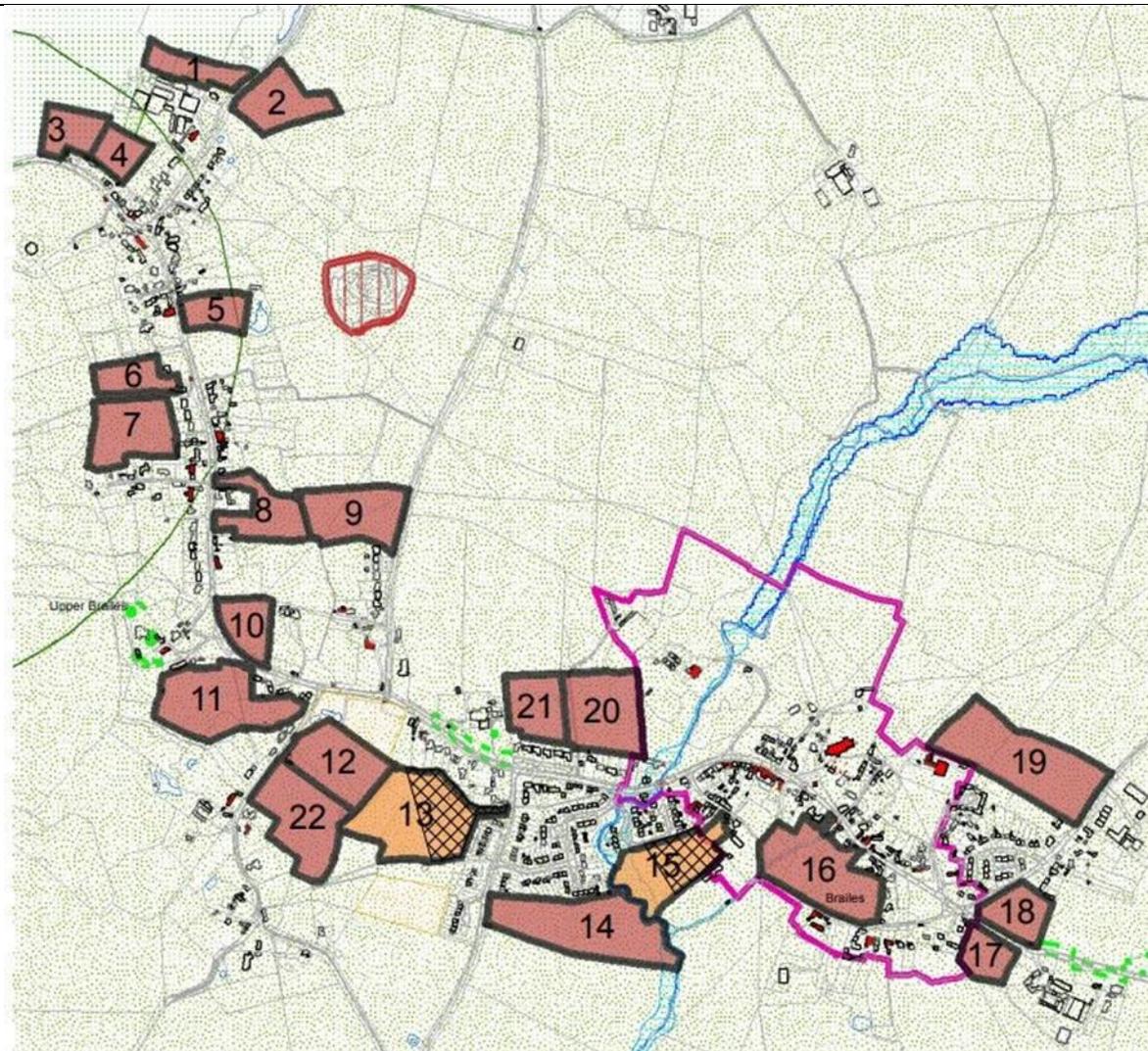
		<p>plan "draft layout 1" shows how the A2 is able to be delivered. An additional variation site plan "draft layout 2" demonstrates affordable housing house type/sizes in accordance with known local housing needs.</p> <p><b>B. MILLSTRAND SUBMISSIONS</b></p> <p>1.1.3 VISION: The vision with its emphasis on Environment, Housing and Economy is broadly in line with national and district policy i.e. a balance between the three overarching objectives: Economic; Social; and Environmental (as set out in NPPF2 section 2) and is therefore supported.</p> <p>It is agreed that specific reference to housing is appropriate having regard to demand and need for suitable housing. In the round appropriately sited housing has the potential for positives in all three areas. Facilitating required housing in the best location(s) (taking all three strands into account) throughout the plan period will assist in resisting development in less suitable locations including those where environmental harm is at its greatest.</p> <p>2.3 PHILOSOPHY: The approach of the NDP is acknowledged as sound. It is agreed that the settlement must develop, moving forwards, and not stand still.</p> <p>3.3.7 SUSTAINABILITY: The Parish and Lower Brailes in particular have a good range of services and facilities as set out in 3.3.7.1-3.3.7.6. The village primary school is an important asset. Brailes is recognised in the CS as a Category 2 Local Service Village. The NDP rightly recognises that facilitating growth will help to sustain services and facilities, including the primary school, in this (LSV2) village. The planned growth will assist in enabling the village to adapt and to thrive. The approach is supported.</p> <p>4. OBJECTIVES &amp; POLICIES: With reference to the table (page 20) and key events (June 2016) it is noted that the Housing Needs Survey identified unmet need for affordable housing. This, in consultation with the District Council (and in accordance with national policy), rightly resulted in the NDP plan revising the scale of its housing sites to (slightly) larger sites (greater than 10 dwellings) enabling the delivery of affordable housing. Whilst we will argue elsewhere in this statement that there is a good case for allocating a larger site as an extension of site A2, the general approach is supported.</p> <p>4.1 ENVIRONMENT: The quote from the Village Design Statement 1998 remains true and relevant:  " It does not mean preserving in aspic, but managing evolutionary changes to maintain local identity and character"</p> <p>4.1.3 E1: The message of the policy is supported. The 5 bullet points are also supported in principle</p>
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			<p>but the policy would benefit from some minor redrafting to ensure that other objectives are appropriately balanced with a need to protect and enhance (where possible) ecology and biodiversity interests.</p> <p>4.1.3 E5: This policy, advocating energy efficiency and the efficient use of infrastructure, is supported. (X reference with representations on 4.2.5 H2- recognising Blakes Close as existing fixed infrastructure)</p> <p>4.2 MEETING HOUSING TARGETS: Local Authorities and local communities' who are charged with balancing competing interests and resources can be persuaded to follow the minimum provision target as if it were an absolute. It is not. The provision of a 5 year supply of housing land embodied in national policy is a minimum requirement. There is no maximum. Planning for a target greater than the minimum is a good way of enabling greater flexibility and choice and a better delivery of needed housing and affordable housing for all groups in the community including the young and the elderly and the opportunity for self-build. National policy has (comparatively recently) changed the definition of affordable housing to include e.g. Starter Homes, and Discounted Market Sales Housing (DMSH). Whilst these types of affordable housing will not replace affordable housing for rent and shared equity schemes administered through a Registered Provider they are a useful tool that should not be overlooked. DMSH is a good and straightforward way to enable local first time purchasers the opportunity to gain the first step on the housing ladder.</p> <p>4.2.3 SITE SELECTION: The selection of sites process is generally supported. Site A2 is fully supported. It is a site which is: readily accessible; well related to the built framework of the village; well related to the villages' services and facilities; and is well related to existing housing, including affordable housing and can be delivered without demonstrable harm. Site A2 is readily available for development early within the plan period (with a developer on board) and is deliverable in less than 5 years. No objections are raised to sites A1 and A3 but it is considered that site A2 out performs the other sites. Where consideration is being given to a need to increase the allocation which we regard as necessary (e.g. to provide needed affordable housing), an extension to site A2 (adjoining existing affordable housing) is the logical and appropriate choice.</p> <p>4.2.5 H1: Notwithstanding the good intentions of this policy, (setting aside the three allocations where affordable housing will be delivered in accordance with policy) the development of windfall housing within the BUAB is most unlikely to deliver affordable housing. H1 will also have the unintended consequence of rendering development otherwise in compliance with H3 contrary to that policy. Core Strategy Policy CS18 needs to be read in conjunction with post dating national policy and may be regarded (at least in part) as an out of date policy. Affordable housing can realistically only be expected to be delivered through suitably scaled allocated sites, by exception sites or cross-subsidy windfall sites</p>
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		<p>outside the BUAB. Advantage should be taken of the opportunity to deliver a wider range of affordable homes as defined in current national policy and guidance (as recognised in NDP footnote 1).</p> <p>4.2.5 H2: The policy is supported in general terms with particular support for site A2. The proposition is however presented that consideration should be given to an extension to site A2. It is noted that early in the plans preparation consideration was being given to a "reserve site" adjoining site A2 (and in addition thereto). Whilst it is appreciated that the A2 site in the Reg 16 NDP is larger than the site originally envisaged in earlier versions of the plan, the principle of a reserve site, or of an extended A2 site, holds sound. An extension to the A2 site is best able to facilitate required additional affordable housing. The existing affordable housing fronts Sutton Road but is serviced from the rear by Blakes Close. The Close is currently only developed on its eastern frontage. Development of the western frontage will utilize existing service infrastructure including the road. A suitable extension to A2, to include land to the south of A2 and to the west of Blakes Close, is advocated. Such a proposal would enable the Blakes Close western frontage to be developed with additional affordable housing delivered with market housing (including e.g. self-build). An A2 extension as described would be advantageous to affordable housing delivery and management and to sound planning generally. Given the lands sense of enclosure by existing built form, authorised development to the south and the A2 site to the north (as allocated in the NDP) an extension could be delivered without demonstrable harm.</p> <p>4.2.5 H3: Comments as per comment on H1 above.</p> <p>4.3.2 SE1: Policy supported in principle.</p> <p>4.3.2 SE4: Provision for "home-working" and home offices in dwellings as advocated in this policy is supported. It is noted that the policy, in addition, allows flexibility for the provision of mixed use.</p>
BW NDP 11	Canals and Rivers Trust	Supportive of all policies
BW NDP 12	Peter John Binns and Alison Mary Binns	Supportive of all policies
BW NDP 13	Mr H Taylor	<p>*Please note that parts of this representation have been redacted by Stratford-on-Avon District Council and not included within this schedule of representations.</p> <p>1 Introduction 1.1 Report Intent This report contains comments submitted under Regulation 16 Consultation for the</p>

			<p>Brailes and Winderton Neighbourhood Plan ('The Plan') and is mainly based on:</p> <ul style="list-style-type: none"><li>• Attendance at the majority of Neighbourhood Plan Committee ('the Committee') meetings.</li><li>• Attendance at 20+ Brailes PC meetings.</li><li>• Audio recordings of meetings.</li><li>• Minutes of Committee meetings.</li><li>• Documents published on the Plan website.</li><li>• Documents not made publically available by the Committee.</li><li>• Content published by protest group PlanITBrailes.</li></ul> <p>To the best of my knowledge the statements within are correct, but I am more than willing to discuss any specific issues are disputed.</p> <p>Though I do hope that genuinely good things come out of the Plan for the community in general, as the landowner, my main focus here is on the plans for housing development.</p> <p>1.2 Details of Site Submitted to the Plan</p> <p>I own approximately 1.62ha of land within Lower Brailes near the center of the village, which I offered for housing development through the Plan's 'Call for Sites'.</p> <p>The site has already undergone a rigorous, detailed planning examination (ref: 14/03040/OUT) gaining a 'Recommendation to Grant' planning permission from the Stratford DC Planning Officer.</p> <p>In common with other landowners who've submitted land to be considered for development, I feel that my site has not been dealt with fairly by the Brailes Neighbourhood Development Plan Committee ('The Committee')</p> <p>2 Areas of Concern</p> <p>The above claim is based on:</p> <p>1. Questionable Deliverability:</p> <p>The evidence base supporting Stratford DC's Strategic Housing Land Availability Assessment 2018 ('SHLAA') categorises 2 of the 3 sites allocated for housing development in the Plan as 'Not deliverable'.</p> <p>More detail in section 3.1</p> <p>3 Explanation of Concerns</p>
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			<p>3.1 Questionable Deliverability</p> <p>3.1.1 The Committee Assessment Tool and the Stratford SHLAA In 2018, Stratford District Council ('Stratford DC') evaluated 22 sites around Brailes (including those submitted to the Brailes Call for Sites) for suitability for Housing Development, as the evidence for the SHLAA.</p> <p>Brailes is a Category 2 Local Service Village (LSV2) and it's assessment results are the first village listed here:</p> <ul style="list-style-type: none"><li>• <a href="https://www.stratford.gov.uk/doc/207409/name/LSV2s.pdf">https://www.stratford.gov.uk/doc/207409/name/LSV2s.pdf</a></li></ul> <p>The relevant plan is shown here with sites are numbered from 1 to 22.</p>
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The Stratford DC evaluation uses many of the same parameters as the Committee Assessment Tool: Visual impact; Flood risk; Conservation area; AONB etc.

		<p>Stratford DC concluded that sites 13 and 15 (my site) are 'Likely to be deliverable' - The remaining 20 sites 'Not deliverable'.</p> <p>Allocated sites currently in the Plan are 13, 14 and 19.</p> <p>In other words, 2 of the 3 sites in the plan, 14 and 19 are categorized 'Not deliverable', while my 'Likely to be deliverable' site has not been included. Why? There is no clear justification in the Plan only vague description of an Assessment Tool.</p> <p>3.1.2 Deliverability of Site 19 (Brailes site 222) for 12 Homes The Plan may refer to Stratford DC site 19 as Brailes site 222 / Saltway Lane.</p> <p>The plan proposes 2 allocated sites plus 1 'reserve' allocated sites accommodating a maximum of 12 homes each to satisfy the village's expressed desire for "smaller developments" as well as it's need.</p> <p>Allocated 'Site 222' was previously removed from the Plan as the owner's site manager stated at Committee Meeting they would not consider sites less than 20 or 30 dwellings (preferably 50) due to the site characteristics and the cost of the quality homes they would build.</p> <p>In contradiction of this, the site is now back in the Plan for 12 homes.</p> <p>The Committee stated that the owner's agent was carrying out a viability study for 12 homes on the site and that the result was expected by May 2018. The conclusion of this viability study has not been published by the Committee.</p> <p>The Committee have stated that the landowner is keen and willing to build more than the 'allocated' 12 dwellings but are they willing to commit to what the Committee are saying the Plan will deliver for the village?</p> <p>3.3 Site Assessment Procedure is Unfit for Purpose Although there are numerous issues noted in this section, there is actually a lot more that could be said.</p> <p>3.3.1 Assessment Tool Has No Audit Trail I have never heard discussed, nor can I find any mentioned in minutes, of discussion, votes or reasons for the initial design of, nor any changes made to the Assessment Tool, the tool that determines which Housing Development sites are included in the Plan.</p>
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			<p>Excerpt from Committee document: "NP sites selection _ Evidence and Methodology", 2nd April 2017</p> <p>"Two significant changes have been made to the assessment tool since April 2016, both of which mute the rating of proposed development Plots 2, 4 and 5. The changes removed 'Important Fields' and 'High Sensitivity Weighting'. The minutes do not record these changes or provide justification for their removal.</p> <p>The assessment tool and its outputted results are published in the draft Plan. However, these are not the same as the chronologically archived assessment tool files in Dropbox. It is therefore not possible to verify or to justify the published data."</p> <p>3.3.2 Stratford DC Remarks on Assessment Tool As Stratford DC point out in their comments, no clear, evidence-backed approach to site selection has been demonstrated. I do not believe there is one.</p> <p>Stratford DC in their Regulation 14 and again in their Regulation 16 comments write half a page of A4 observations and questions on this point. Here is a short excerpt - Their highlighting, not mine:</p> <p>"... when reviewing the Assessment Tool (available at: <a href="http://www.brailesparishcouncil.co.uk/npwp/wp-content/uploads/2018/06/APP-14-Assessment-Tool.pdf">http://www.brailesparishcouncil.co.uk/npwp/wp-content/uploads/2018/06/APP-14-Assessment-Tool.pdf</a>), the evidence and the methodology of the scoring system is not clear.</p> <p>The excel spreadsheet has three rated headings: Initial Rating, Magnify Factor, Interim Rating, Output Weighting. What do these headings relate to and how where they analysed?</p> <p>What is the Initial Rating and how is a Magnifying Factor incorporated into the results? It is noted that Linea and Parabolic factors have also been used for the magnification factor. .... "</p> <p>3.3.3 Assessment Tool Has Not Been Open To Inspection Some following details were obtained from examining a previous version of the Assessment Tool spreadsheet.</p> <p>The Committee have stated that an Assessment Tool has been used to select housing development sites to make this a logical and transparent process, but there is a lack of transparency here. They have not yet explained how the tool works for people to judge whether this is reasonable and to comment on this at Regulation 14.</p>
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			<p>Despite repeated requests, the Committee have not made an unlocked copy of the tool available for download (it's just a spreadsheet) so that people can examine what it does and point out any biases or unreasonable aspects. Again this is lack of transparency.</p> <p>Known for 6 months as "Mark's Spreadsheet", later as the Sites Evaluation Spreadsheet and now the Assessment Tool, there is scant detail in the Plan at Appendix: 14. There are vague descriptions and pictures which only show the results, not show the method being used.</p> <p>3.3.4 Collection and Scope of Data Used in the Tool If you examine the Plan evidence base closely, you find the site scoring in the Assessment Tool appears to be only based on questions asked at a single open day / evening in 2016, not the whole evidence base.</p> <p>I believe that 140 people attended the open day/evening, but how many submitted surveys? .. and how many just looked at the presentations? How many understood and could fill in the convoluted question regarding development sites? Only 35 people voted 11 for/ 24 against my site. That is less than 3% of Brailles population. It is ludicrous to base serious decisions on this small amount of suspect data.</p> <p>The Plan and evidence base give the impression that many factors are taken into account in calculating a site's suitability. However, most of a site's score depends on the answer to just 2 questions answered in my case by 35 people. The 2 questions required open day attendees to know 'field numbers' of which there were approximately 50.</p> <p>The interpretation of the survey was decided upon after the results were received which is wrong.</p> <p>The survey responses have been used selectively. For instance zero weight is given in the Assessment Tool to the strongly expressed desire not to extend development on approach roads.</p> <p>A strongly preference was also expressed in favour of 'infill' development. This is also given zero weight in the Assessment Tool.</p> <p>Perhaps it's not surprising then, that 2 of the allocated sites are on approach roads and don't constitute infill development. The same 2 sites are categorized as 'Not deliverable' in the 2018 SHLAA evidence base.</p> <p>Additionally, the 2 questions were effectively the inverse of each other, doubling their impact on the survey.</p>
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		<p>The Assessment Tool has rated my land between 14th and 20th of the 20 Call For Sites sites. See The Plan Appendix: Housing Evidence, page 7. While the Stratford DC 2018 SHLAA evidence base categorizes my site as one of only 2 'Likely to be deliverable' within the Plan area.</p> <p>3.4 Failure to Consult at Regulation 14 The Committee have stated that they have not consulted the complete list of mandatory bodies supplied to them by Stratford DC at the first Regulation 14 stage.</p> <p>The list of statutory consultees was supplied to the Committee by Stratford DC. A list of email addresses was also supplied.</p> <p>The Committee decided to distribute the Plan via email only, not hard copy via post.</p> <p>The Plan was emailed to the list of addresses, but an unspecified number of them failed, meaning that some bodies have not been consulted.</p> <p>I believe Regulation 14 consultation was repeated and the same thing happened again.</p> <p>I believe it's the Committee's responsibility to ensure that the Plan is distributed according to the Neighbourhood Planning Regulations.</p> <p>3.5 Lack of Engagement, Transparency and Fairness</p> <p>3.5.1 Lack of Transparency I have repeatedly been refused information. Most notably I asked for the spreadsheet known as the Assessment Tool to be made available, not only to me, but publically. I gave up asking when it reached version 9. It is still not available on the Committee website.</p> <p>The Chairperson said I had to submit the whole field or nothing. That 'these were the rules'.</p> <ul style="list-style-type: none"><li>• I submitted a section of my field to the 'Call for sites' excluding the floodplain near the brook at the bottom of the field.</li></ul> <p>22</p> <ul style="list-style-type: none"><li>• There is considerable slope on my field with a drop of 8m down to a brook.</li><li>• In extreme weather, some land near the brook may get wet, but most of the field is 'high and dry'.</li><li>• At Committee meeting, the Committee Chairperson insisted I submit the whole field.</li><li>• I explained that I did not want to and that I did not intend (and in fact would not be allowed) to build anything in the floodplain, so wanted to submit only the entirely flood-safe section.</li><li>• The Chairperson insisted that this was the rule - Whole field only.</li></ul>
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- Then said: Part of your field is in the floodplain, so the whole field gets a high flooding score in the sites Assessment Tool.
- This roughly doubles the field's score in the spreadsheet.
- This is a bad thing - Lower scores are better.
- Therefore the Committee concludes that the site is not suitable because it has a higher score than others.
- This means the field will not be selected by the Committee to be included in the Plan.

When I pointed out that the 'whole fields only rule' applied to one of the sites favoured by the Committee and so would mean it also unreasonably attracted 'flood points', the 'whole field only rule' suddenly became a lot more flexible, in fact it was dropped.

### 3.6 Build Up Area Boundary ('BUAB') Anomalies

#### 3.6.1 Holly Cottage and Neighbouring Disused Barn

Holly Cottage curtilage adjoins my barn buildings on School Lane. It is owned by the Neighbourhood Plan Project Manager. The latest, proposed BUAB is drawn loosely around the rear garden, 5m further into the field than the existing garden fence.

In contrast, the neighbouring barn has the BUAB drawn tightly around the buildings' footprint.

The barn has a small curtilage, akin to a courtyard, representing land immediately around that is functionally part of the building. Some of this curtilage is concreted, though overgrown. The openings of the barn face this courtyard, the furthest into the field formerly being used as a garage. Both form the curtilage. The openings are necessary for the building to operate.

The BUAB should be re-drawn to include the curtilage of the barn as it was before this change.

#### 3.6.2 The Willows

The Willows' garden runs along one side of my field. In 2018 planning application (Ref: 17/00482/OUT) to build a bungalow in the garden of The Willows,

Stratford DC BUAB guidelines state that residential gardens should be included within the BUAB, but only half this garden is included within the proposed BUAB.

		<p>Drawing the BUAB around the whole garden per Stratford DC guidance would mean that my field is 90% surrounded by residential development.</p> <p>4 Glossary:</p> <p>Brailes PC: Brailes Parish Council BUAB: Built-Up Area Boundary The Committee: The Brailes and Winderton Neighbourhood Development Plan Committee The Plan: The Brailes and Winderton Neighbourhood Development Plan The Plan Website: <a href="http://www.brailesnp.co.uk">http://www.brailesnp.co.uk</a> PlanItBrailes: A protest group, established with one stated aim: "Objecting to the Residential Development of Betty's Field" PlanItBrailes website: <a href="http://www.PlanItBrailes.com">http://www.PlanItBrailes.com</a> Stratford DC: Stratford-on-Avon District Council SDC Website: <a href="http://www.stratford.gov.uk">http://www.stratford.gov.uk</a> SHLAA: SDC's Strategic Housing Land Availability Assessment</p>
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