



Consultation Statement

Bearley Neighbourhood Plan Regulation 17a Consultation

11 May – 22 June 2021

Stratford-on-Avon District Council

June 2021

Components of consultation undertaken on the Bearley NDP Regulation 17a Consultation

The District Council's proposed amendments to the Examiner's recommended BUAB were published on Tuesday 11th May for a six week consultation period until Tuesday 22nd June, in accordance with Regulation 17a of the Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016.

The consultation comprised the following:

1. A public notice in the Stratford Herald (on 13 May 2021);
2. A press release was issued by the District Council on 11 May 2021 notifying of the consultation;
3. A specific page on the District Council's website providing links to the consultation documents;
6. Emails and letters sent 11 May to the Qualifying Body (Bearley Parish Council); persons whose representations had been forwarded to the Examiner of the plan proposal; consultation bodies referred to in the Consultation Statement mentioned in Regulation 15 of the Neighbourhood Planning (General) Regulations 2012; and individuals, organisations and bodies who had previously requested to be notified of Neighbourhood Plan consultations;
7. Paper copies were made available for inspection at the District Council offices and at Stratford-upon-Avon Library.

Responses to the consultation

A total of 9 responses were received from the following bodies/organisations:

- The Coal Authority
- Highways England
- Historic England
- National Grid
- Natural England
- Network Rail
- Sport England
- Warwickshire County Council - Flood Risk
- Warwickshire County Council - Strategic Growth and Infrastructure

Respondent Reference	Document Reference / Section	Summary of Comments	Officer Response	Proposed Amendments to the Bearley NDP BUAB as Proposed by the District Council.
Coal Authority	General Comment	Having reviewed your document, I confirm that we have no specific comments to make on it.	Comments noted. No response required.	None
Highways England	General Comment	<p>We previously responded to the Bearley NPD consultation in December 2019. At that time, we advised that our principle interest is in safeguarding the operation of the A46 trunk road which routes approximately 3km to the southeast of the plan area. We also considered the level of growth across the neighbourhood plan area and advised that we did not expect there to be any impacts on the Strategic Road Network (SRN).</p> <p>In light of the above, we have no further comments to make.</p>	Comments noted. No response required.	None
Historic England	General Comment	Historic England does not wish to comment in detail but can see the logic in your approach and accordingly has no adverse comment to make.	Comments noted. No response required.	None
National Grid	General Comment	<p>An assessment has been carried out with respect to National Grid's electricity and gas transmission assets which include high voltage electricity assets and high-pressure gas pipelines.</p> <p>National Grid has identified that it has no record of such assets within the Neighbourhood Plan area.</p>	Comments noted. No response required.	None
Natural England	General Comment	Natural England does not have any specific comments on the proposed amendments to the Bearley Neighbourhood Plan.	Comments noted. No response required.	None
Network Rail	General Comment	Network Rail is a statutory consultee for any planning applications within 10 metres of relevant railway land (as the Rail Infrastructure Managers for the railway, set out in Article 16 of the Development Management Procedure	<p>Comments noted.</p> <p>However, they are outside of the scope of the consultation, as they do</p>	None

		<p>Order) and for any development likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over a railway (as the Rail Network Operators, set out in Schedule 4 (J) of the Development Management Procedure Order).</p> <p>Network Rail is also a statutory undertaker responsible for maintaining and operating the railway infrastructure and associated estate. It owns, operates and develops the main rail network. Network Rail aims to protect and enhance the railway infrastructure, therefore any proposed development which is in close proximity to the railway line or could potentially affect Network Rail's specific land interests will need to be carefully considered.</p> <p>Developments in the neighbourhood area should be notified to Network Rail to ensure that:</p> <p>(a) Access points / rights of way belonging to Network Rail are not impacted by developments within the area.</p> <p>(b) That any proposal does not impact upon the railway infrastructure / Network Rail land e.g.</p> <ul style="list-style-type: none"> • Drainage works / water features • Encroachment of land or air-space • Excavation works • Siting of structures/buildings less than 2m from the Network Rail boundary / Party Wall Act issues • Lighting impacting upon train drivers' ability to perceive signals • Landscaping that could impact upon overhead lines or Network Rail boundary treatments • Any piling works • Any scaffolding works • Any public open spaces and proposals where minors and young children may be likely to use a site which could result in trespass upon the 	<p>not pertain to the specific matter being consulted on under Regulation 17a of the Neighbourhood Planning Regulations.</p>	
--	--	---	--	--

		<p>railway (which we would remind the council is a criminal offence under s55 British Transport Commission Act 1949)</p> <ul style="list-style-type: none"> • Any use of crane or plant • Any fencing works • Any demolition works • Any hard standing areas <p>For any proposal adjacent to the railway, Network Rail would request that a developer constructs (at their own expense) a suitable steel palisade trespass proof fence of at least 1.8m in height.</p> <p>All initial proposals and plans should be flagged up to the Network Rail Town Planning Team London North Western Route.</p>		
Sport England	General Comment	<p>Government planning policy, within the National Planning Policy Framework (NPPF), identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process. Providing enough sports facilities of the right quality and type in the right places is vital to achieving this aim. This means that positive planning for sport, protection from the unnecessary loss of sports facilities, along with an integrated approach to providing new housing and employment land with community facilities is important.</p> <p>It is essential therefore that the neighbourhood plan reflects and complies with national planning policy for sport as set out in the NPPF with particular reference to Pars 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.</p>	<p>Comments noted.</p> <p>However, they are outside of the scope of the consultation, as they do not pertain to the specific matter being consulted on under Regulation 17a of the Neighbourhood Planning Regulations.</p> <p>The same comments were made by Sport England at the Regulation 16 consultation of the NDP, and therefore were considered during the Examination of the Plan.</p>	None

https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#playing_fields_policy

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.

https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#planning_applications

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

		<p>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.</p> <p>NPPF Section 8: https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities</p> <p>PPG Health and wellbeing section: https://www.gov.uk/guidance/health-and-wellbeing</p> <p>Sport England's Active Design Guidance: https://www.sportengland.org/activedesign</p>		
Warwickshire County Council Flood Risk	<p>4.1 Vision Policy BNE1 – Responding to Local Rural Character Policy NNE4 – Designated Local Green Spaces (LGS)</p> <p>5.1.5</p> <p>Policy H3 – Use of Brownfield Land</p>	<p>We support the protection of open spaces and river corridors – this could be developed to mention the benefits of open space as flood risk management to retain water. Above ground SuDS could be utilised in open spaces.</p> <p>If a site is over 10 houses it is classed as a major planning application, therefore in line with the National Planning Policy Framework, a site specific Flood Risk Assessment must be submitted to the Lead Local Flood Authority for review.</p> <p>You could add to your objective a specific point about new developments needing to consider their flood risk and sustainable drainage systems when building on Greenfield and brownfield sites.</p>	<p>Comments noted.</p> <p>However, the comments are outside of the scope of the consultation, as they do not pertain to the specific matter being consulted on under Regulation 17a of the Neighbourhood Planning Regulations.</p> <p>The majority of these comments were also made by WCC Flood Risk at the Regulation 16 consultation of the NDP, and therefore were considered during the Examination of the Plan.</p>	None

	<p>Policy H4 – Use of Garden Land</p> <p>Policy ECON1 - Protecting and Supporting Existing Employment</p> <p>Policy ECON2 – Promoting New Employment Opportunities</p> <p>Policy NNE2 – Protection of Natural Features and Other Areas of Rich Biodiversity</p>	<p>You could develop point E to consider the use of sustainable drainage systems when building on garden land.</p> <p>If a site is over 1 hectare it is classed as a major planning application, therefore in line with the National Planning Policy Framework, a site specific Flood Risk Assessment must be submitted to the Lead Local Flood Authority for review.</p> <p>We support the protection of open spaces and river corridors – this could be developed to mention the benefits of open space as flood risk management to retain water. Above ground SuDS could be utilised in open spaces.</p> <p>You could include an additional point that encourages new developments to open up any existing culverts on a site providing more open space/green infrastructure for greater amenity and biodiversity; and the creation of new culverts should be kept to a minimum. New culverts will need consent from the LLFA and should be kept to the minimum length.</p> <p>We support the protection of open spaces and river corridors – this could be developed to mention the benefits of open space as flood risk management to retain water. Above ground SuDS could be utilised in open spaces You could add to your objective a specific point about new developments needing to consider their flood risk and sustainable drainage systems when building on Greenfield and brownfield sites.</p> <p>You could include an additional point that encourages new developments to open up any existing culverts on a site providing more open space/green infrastructure for greater amenity and biodiversity; and the creation of new culverts should be kept to a minimum. New culverts will</p>		
--	---	---	--	--

	Policy IN2 – Drainage and Flooding	<p>need consent from the LLFA and should be kept to the minimum length.</p> <p>This is a well written policy; further details could be added if you wish.</p> <p>All developments will be expected to include sustainable drainage systems. The adoption and maintenance of all drainage features is a key consideration to ensure the long term operation and efficiency of SuDS. As part of the planning procedure the LLFA will expect to see a maintenance schedule, at detailed design stages. All SuDS features should be monitored and cleaned regularly as a matter of importance.</p> <p>In figure 14 you have included a screen shot of the surface water flood risk to the village. It may be worth adding in a similar map to demonstrate the flood zones associated with the village.</p> <p>It would be good to include a reference to the WCC Local Guidance for Developers on Flood Risk and SuDS. https://api.warwickshire.gov.uk/documents/WCCC-1039-95</p>		
Warwickshire County Council – Strategic Growth and Infrastructure	General Comment	Having considered the proposed amendments, I can confirm that the County Council has no issues it wishes to raise.	Comments noted. No response required.	None