

Stratford District Council,
Consultation Unit,
Elizabeth House,
Church Street,
Stratford-upon-Avon,
CV37 6HX

22nd April 2022

Delivered via email

Dear Sir/Madam,

RE: BISHOP'S ITCHINGTON NEIGHBOURHOOD DEVELOPMENT PLAN FINAL SUBMISSION CONSULTATION

Thank you for the opportunity to respond to the draft Bishop's Itchington Neighbourhood Plan consultation. This response has been prepared on behalf of Terra in relation to its land interests at land at Plough Lane, Bishop's Itchington (SHLAA ref. BISH.08). A red line demonstrating the full extent of the land holding is included at Appendix I to this letter. We are pleased to see that the Neighbourhood Plan is progressing.

Development plans are an integral part of the planning system. The current Development Plan for the District Council is comprised of the Core Strategy, which was adopted on 11 July 2016. The Council are currently preparing the Site Allocations Plan to sit alongside the Core Strategy.

The Core Strategy covers a plan period of 2011 – 2031. The Town and Country Planning Regulations (2012) require Plans to be reviewed every five years, which is reaffirmed by paragraph 33 of the National Planning Policy Framework (NPPF). The Core Strategy reached its 5th anniversary last year (in 2021), and Stratford District Council are currently preparing a joint Plan with Warwick District Council, named the South Warwickshire Local Plan, which will eventually replace the Core Strategy.

A revised Local Development Scheme (LDS), which includes a timetable for the preparation of the South Warwickshire Local Plan, was published for Cabinet approval on 11 April 2022. The LDS expects the adoption of the South Warwickshire Local Plan in 2025. However, the future of the South Warwickshire Plan is currently unknown following an announcement from the relevant Councils. Further clarification on this is expected next month. In this context, the Parish Council should be aware that many of the Neighbourhood Plan (NP) policies could be considered out of date if the South Warwickshire Local Plan is proceeded with. The NP would then require reviewing within the next 3 years to address the change in policy position.

In this letter we will outline our comments to the draft neighbourhood plan, referring to Policy references and page paragraph numbers, where relevant, making comments and recommendations for amendments.

3. Introduction – Paragraph 3.3

The policies within this plan will allow the village to develop through steady, moderate growth, meeting the housing needs of the community (*Terra emphasis*) while preserving the importance of the open countryside, rural landscape and environmental assets. It also considers the infrastructure needed to support such growth.

Terra comments

In order to meet the housing needs of the community, as is claimed within the paragraph, Terra urge the Parish to update their Housing Needs Survey. The current survey was completed in 2016, which is out-of-date, and can no longer be relied on. Until a refreshed Housing Needs Survey is carried out, the Parish cannot assume that the Neighbourhood Plan will meet the housing needs of the community without a thorough evidence base, including an up-to-date Survey.

3. Introduction – Paragraph 3.5

When complete, the BINDP will sit alongside Stratford-on-Avon District Council’s Core Strategy 2011 to 2031, which was adopted on 11th July 2016. The BINDP takes appropriate account of the district council’s emerging Site Allocations Plan. The PPG advises in such instances that whilst an NDP “is not tested against the policies in an emerging local plan the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested”. The Regulation 16 Draft BINDP has, therefore, been prepared to take account of the reasoning and evidence informing the emerging Site Allocations Plan.

Terra comments

As stated in the introduction of this letter, Stratford-on-Avon District Council are also in the process of developing the South Warwickshire Plan jointly with Warwick District Council. The current position of this document is unknown following a recent announcement from the Councils. If the Plan is proceeded with and adopted, which is anticipated in just 3 years time (2025), it will replace the Core Strategy. In this context, many of the Policies within the Neighbourhood Plan will be considered out-of-date and will require reviewing. The Parish should be aware that, if the Neighbourhood Plan is made, it could be considered out-of-date within 3 years time.

However, if the South Warwickshire Plan is abandoned, it is even more important that the Neighbourhood Plan appropriately and effectively plans for growth in Bishop’s Itchington. This includes fully understanding and accommodating the housing needs of this Parish, particularly the affordable housing need. It is therefore even more important that the Neighbourhood Plan is supported by a Housing Needs Study. This will ensure that the Neighbourhood Plan genuinely plans for the housing requirement of the Parish and can address any identified need from the

Housing Survey through the allocation of a site. This will make the Neighbourhood Plan future proof in the wider Local and National Policy context.

6. A Future Vision for Bishop's Itchington – Paragraphs 6.4 and 6.5

From the village survey feedback it was determined that the key issues to be addressed in the NDP could be categorised into five themes:

Housing and Development
Natural Environment
Built Environment
Local Community
Traffic and Transport

To address these themes over the next 11 years seven strategic objectives have been set for the Bishop's Itchington NDP.

Terra comments

As the Neighbourhood Plan (NP) is based on the Core Strategy Plan period (2011 – 2031), the vision for the NP also runs to 2031. As we are now in 2022, this is 9 years not 11 meaning paragraph 6.5 required updating to reflect this.

Policy BINDPI – New Development within Bishop's Itchington

Within the Built Up Area Boundary (BUAB) new development will be supported in principle when it is consistent with Core Strategy Policy CS.15 Distribution of Development, Policy CS.16 Housing Development, and Policy AS.10 Countryside and Villages. The area outside the BUAB is countryside and development in this area will be restricted to those supported by policies in this plan and elsewhere in the development plan, including Core Strategy Policy AS.10 Countryside and Villages.

Terra comments

Paragraph 11a of the National Planning Policy Framework (NPPF) details that all Plans should promote a sustainable pattern of development by meeting the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change and adapt to its effects.

Paragraph 13 details that Neighbourhood Plans should support the delivery of strategic policies contained in local plans and should shape and direct development outside of strategic policies. Paragraph 29 expands this noting that neighbourhood planning gives communities the power to shape, direct and help deliver sustainable development through a shared vision. Neighbourhood Plans should not promote less development than set out in the strategic policies for the area or, undermine strategic policies.

National Policy makes it clear that Neighbourhood Plans should work to compliment strategic policies, whilst enabling sustainable development within the neighbourhood area. The proposed

wording of the policy and the Built Up Area Boundary are consistent with adopted Policies in the Local Plan, therefore meeting the objectives of National Policy.

Policy BINDP2 – Local Needs Housing and Justification

Within the BUAB, development of bona fide community-led housing schemes of up to 10 properties, brought forward to meet a need identified in Bishop’s Itchington will be supported. Such schemes must be supported by an up to date Housing Need Survey, or other comparable evidence of that need. The housing to be provided must include a suitable means of ensuring that such housing is affordable in perpetuity. Where viability for 100% affordable housing provision cannot be achieved, an element of market housing may be included within a rural exception scheme, to provide sufficient cross-subsidy to facilitate the delivery of affordable homes.

Terra comments

Since the Pre-submission draft of the Neighbourhood Plan, which was consulted on in February – March 2021, BINDP2 has been updated to the policy as proposed. For completeness, the previous wording of the Policy was as below:

Within and adjoining the BUAB development for small-scale community-led housing schemes brought forward to meet a need identified in Bishops Itchington will be supported.

Such schemes must be supported by an up to date Housing Need Survey, or other comparable evidence of that need. The housing to be provided must include a suitable means of ensuring that such housing is affordable in perpetuity.

Where viability for 100% affordable housing provision cannot be achieved, an element of market housing may be included within a rural exception scheme, to provide sufficient cross-subsidy to facilitate the delivery of affordable homes.

In order to create an effective policy, the Parish should consider re-introducing the wording “adjoining the BUAB...” as to ensure that the policy provides suitable flexibility for the delivery of Local Needs Housing sites. Bishop’s Itchington is a sustainable settlement, with a number of services, as recognised by its designation of as a Category I Local Service Village within the Core Strategy. Development adjacent to the BUAB can constitute sustainable development, provided it relates well to the surrounding settlement. This also provides more opportunity for required Local Needs Housing sites to come forward with the support of the Neighbourhood Plan.

Within the justification of the current consultation document it is stated that, “after almost five years, [the housing needs survey] is now nearing the end of its usefulness”. As the previous survey was conducted in 2016, it is over five years old and can no longer be relied on. It goes on to say that the Parish Council have not committed to updating the Needs Survey and that applicants may have to provide more up to date evidence of local need. However, as a governing body for the Parish, the onus is on the Parish Council to fully understand the Local Housing Need of the area in order to ensure that the full needs of the Parish are being met through the Neighbourhood Plan.

The Council commented on this policy during the previous consultation, emphasising the requirement for a refreshed Housing Needs Survey for the Parish. The Council stated that the Parish should commit to a refreshed survey and preferably identify a site to meet any identified need. As the Parish have not carried out a refreshed survey, this comment still stands.

Paragraph 14 of the National Planning Policy Framework (NPPF) protects areas with a made Neighbourhood Plan, provided the all of the following points apply:

- a) *the neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;*
- b) *the neighbourhood plan contains policies and allocations to meet its identified housing requirement;*
- c) *the local planning authority has at least a three year supply of deliverable housing sites (against its five year housing supply requirement, including the appropriate buffer as set out in paragraph 74); and*
- d) *the local planning authority's housing delivery was at least 45% of that required over the previous three years.*

The Parish have the opportunity to ensure that the Housing needs of the Parish are met in their entirety. A housing survey should be carried out and the Parish should select a site for any resulting identified need, as per Paragraph 14(b), which will ensure the full protection of the Paragraph.

Terra have previously met with the Parish Council regarding our land interest to the south of Plough Lane. The site is available for development to meet an identified affordable housing need. Terra would therefore encourage the Parish to carry out a Housing Needs Survey so they can understand the full housing requirement of the Parish. Terra are happy to work with the Parish Council in the design development of the site to ensure it captures any identified need in full.

Policy BINDP4 - Design

[Refer to NP document]

Terra comments

A Policy on design is welcomed, as it reinforces the emphasis on good quality design, as set out within Chapter 12 of the NPPF. However, the Policy is fairly long and detailed. The Parish could consider grouping similar factors into sub-points, to make the Policy easier to interpret, or creating a Design Code document to be read alongside the Neighbourhood Plan.

Furthermore, the Core Strategy includes a design policy as CS.9. There are some cross-overs between the two policies, the Neighbourhood Plan Policy could make reference to this to avoid duplication.

Policy BINDP5 – Landscape Character and Views

New development must have regard to the landscape character and historic landscape character of the designated neighbourhood area. Where impacts are identified new development should identify and seek to retain key features such as historic field and other boundaries, key features in the landscape (e.g. hedgerows, trees), particularly those of high medium sensitivity adjoining the BUAB.

The following views will be protected:

View from Station Road looking west

View from Hambridge Road looking south east View from Mount Pleasant looking west

View from Knightcote Road looking south east

View from playing field towards railway and Burton Dassett Hills

Development affecting these views may need to provide a Landscape Visual Impact Assessment, this should identify any mitigation considered necessary to make the development acceptable.

Terra comments

A Policy on Landscape Character and Views is welcomed. The NPPF sets out at Paragraph 130c that planning policies and decisions should ensure developments are sympathetic to local character and landscape settings.

Policy BINDP6 – Built Natural Heritage Assets

New development shall be designed in such a way that it:

- conserves designated and non-designated built heritage assets and their settings in a manner appropriate to their significance. Where impacts on the historic environment and built heritage assets are identified, the Historic Environment Assessment/Historic Environment Record shall be consulted and those proposing new development must demonstrate how this information has been used in proposed designs;
- minimises impact on the archaeology of the area including the abandoned medieval village, ridge and furrow and other known archaeological features. Where considered necessary, by the appropriate bodies, further study/survey/investigation may be required. If development is considered acceptable, suitable recording or in situ preservation of the archaeological assets may be necessary;
- minimises impact on the biodiversity and natural heritage assets of the area especially designated sites (SSSI, Local Wildlife Sites, Phase I Habitats and Woodland Priority Sites; and
- minimises impact on the geodiversity of the area.

Terra comments

It is important to protect built and natural heritage assets. Policy CS.8 Historic Environment within the adopted Core Strategy provides Policy protection in favour of the historic environment. The Neighbourhood Plan compliments this policy well, through the addition of locally significant assets.

Where proposed development leads to substantial harm, Paragraph 201 provides protection of designated heritage assets at a National scale, unless the loss of the asset is necessary to achieve substantial public benefits which outweigh the harm. The Policy as proposed suitably notes that designated and non-designated built heritage assets and their settings are conserved appropriate to their significance.

In relation to archaeological factors, Paragraphs 194 and 195 of the NPPF set out the following:

Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

National Policy sets out that impacts on heritage assets with archaeological interests should be appropriately assessed and impacts should be minimised. The Neighbourhood Plan should therefore make reference to the requirement for the asset's significance to be assessed in line with National Policy. Terra suggest an amendment to the policy, as such:

- minimises impact on the archaeology of the area including the abandoned medieval village, ridge and furrow and other known archaeological features. **Heritage assets with archaeological interest should be appropriately assessed on a case-by-case basis to determine their significance.** Where considered necessary, by the appropriate bodies, further study/survey/investigation may be required. **Where there is low significance, development should be considered acceptable, and suitable recording or in situ preservation of the archaeological assets ~~may be necessary~~ could be incorporated;**

Policy BINDPI2 – Electric Vehicle (EV) Charging Infrastructure for New Homes

All new residential development providing off-street car parking which is within the curtilage of a dwelling shall provide facilities for plug-in vehicle re-charging.

- The parking spaces and electricity supply point shall be located such that extension cables are not required.
- The supply point shall support not less than 7 KW 'fast' charging.

Where off-street communal car parking is provided this shall also include the provision for EV charging.

- Such infrastructure shall be sited and designed to avoid kerbside clutter and be safe for all users of that facility.
- The design shall give due consideration to need for and position of charging cables between the charging point and the vehicle.
- The communal charger shall support not less than 7 KW 'fast' charging per socket.

Terra comments

The inclusion of this policy is welcomed, as the Core Strategy does not include a specific policy requirement for EV charging points. The availability of EV charging points allows and encourages prospective residents to chose an electric car.

In summary, whilst we welcome the production of the Neighbourhood Plan, we are extremely concerned that it misses the opportunity to proactively plan for the Housing Needs of Bishop's Itchington. The Neighbourhood Plan steering group should be taking the lead in addressing local housing need for Bishop's Itchington, in particular affordable housing need. We therefore urge the steering group to engage with the Rural Housing Officer and the Council's previous comments on the Neighbourhood Plan, conducting a refreshed Housing Needs Survey to inform the evidence base. To be future proof, the Neighbourhood Plan needs to proactively plan for Bishop Itchington's housing need in its entirety. Terra have previously engaged with the steering group regarding land at Plough Lane, which is ideally located to deliver much need affordable housing for the village.

In light of the ongoing promotion of the site for residential development, Terra is eager to engage further in the process on further stages of the Neighbourhood Plan. We would therefore like to be consulted on further stages of the Neighbourhood Plan and other related publications and we would welcome the opportunity to meet with the steering group again to discuss the delivery of the for affordable housing.

Yours sincerely,

T. Almeida

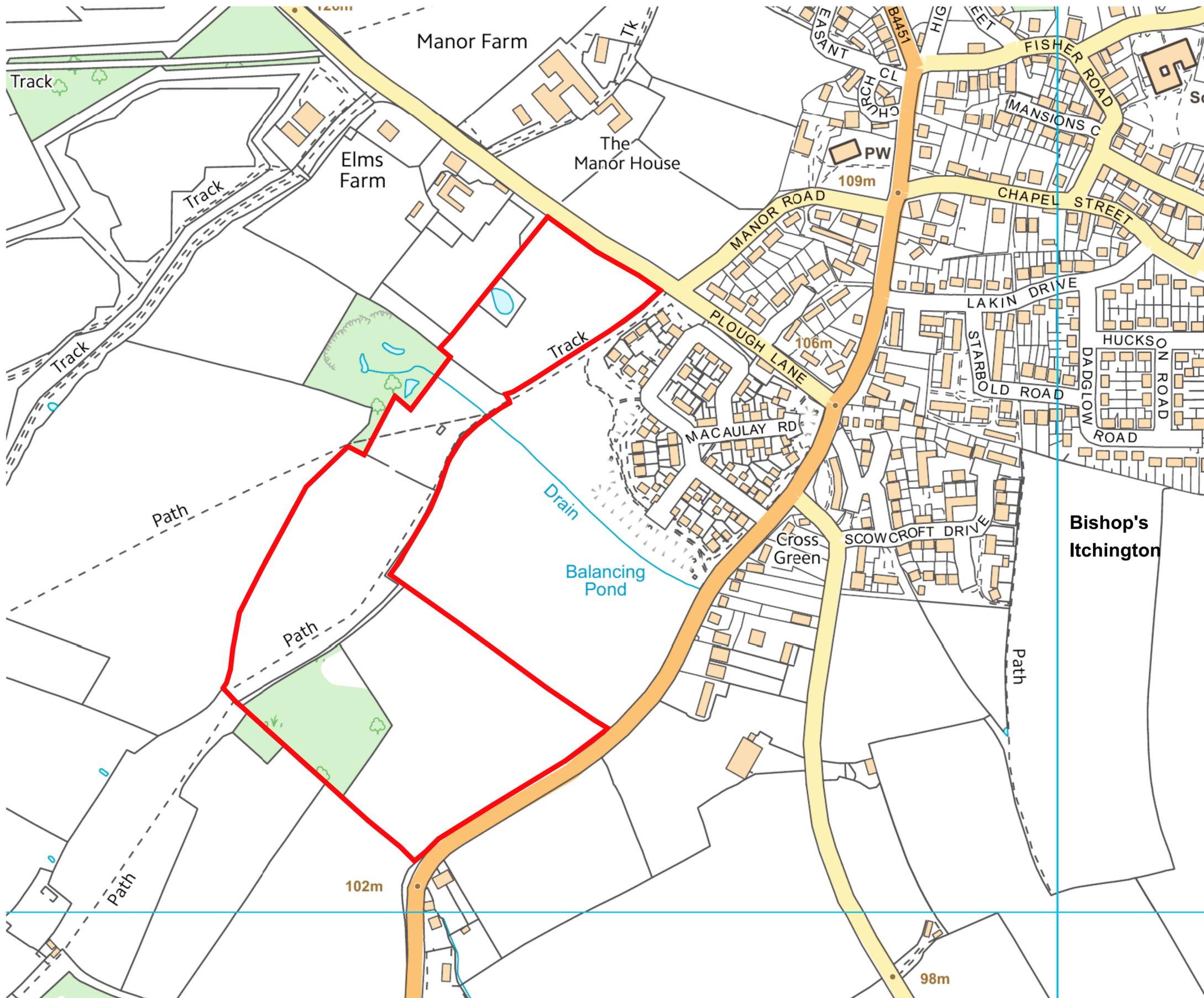
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cc. Richard Pitt

Appendix I: Red Line Boundary



NTS

scale 1:2500