

## Fenny Compton Neighbourhood Development Plan

### Regulation 16 Representations: By Contributor

Rep.No.	Name	Policy/Section	Representation
FC01	Armstrong Rigg Planning on behalf of Lagan Homes	General	<p>Policy DE2 – Object</p> <p>Policy BU1 – Object</p> <p>Policy NA1 – Object</p> <p>Policy NA4 - Object</p> <p>Our client has a site at Land off Station Road, Fenny Compton (see Figure 1) that was previously put forward as a planning application for residential development, but refused due to the principle of development not being acceptable under planning policy at the time. The site was otherwise considered to be suitable for development and is now identified as a reserve housing site in the emerging Site Allocations Plan. The site therefore has potential to come forwards for residential development in the future, but our client is also keenly aware of significant need for self-build plots in the District. As such, our client is now proposing to bring the site forward to meet the needs of people wanting to build their own home. We have had positive pre-application advice from the District Council in this regard and will be looking to submit a planning application in Spring 2022.</p> <p>It is in this context that we have reviewed the FCNP and would like to raise several issues that we consider could prevent sustainable self-build sites from coming forwards in the village. In our comments we focus on these issues and whether the FCNP meets the basic conditions set out at paragraph 8(2) of Schedule 4B to the Town and Country Planning Act. In particular: whether it is appropriate to make the FCNP having regard to national policy and advice; whether the FCNP</p>

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			<p>contributes to the achievement of sustainable development; and whether the FCNP is in general conformity with the strategic policies contained in the development plan.</p> <p>Full comments provided at Appendix 1.</p>
FC02	Coal Authority	General	No specific comments to make.
FC03	Historic England	General	<p>We are pleased to note that our suggestions at Regulation 14 stage have been taken account of and welcome the recognition afforded to archaeological remains, heritage assets and the Fenny Compton conservation area. Our other comments on the Regulation 14 Plan remain entirely relevant, that is:</p> <p>“Historic England generally has no adverse comments to make upon the draft plan which we feel overall takes a proportionate approach to the main historic environment issues pertaining to Fenny Compton.</p> <p>We are generally supportive of both the content of the document and the vision and key principles set out in it and are pleased to note that the Plan evidence base is generally well informed by reference to the Warwickshire Historic Environment Record and includes assessments of landscape character.</p> <p>We commend the emphasis given to the maintenance of local distinctiveness and the conservation of landscape character, wildlife and biodiversity. The commitment to support well designed locally distinctive development that is sympathetic to the character of the area including its rural character, strategic views and green spaces is equally commendable and we are sure the Village Design Statement will greatly assist in that”.</p> <p>Beyond those observations we have no further substantive comments to make.</p>
FC04	National Grid	General	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.

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			<p>National Grid has identified that no assets are currently affected by proposed allocations within the Neighbourhood Plan area.</p> <p>National Grid provides information in relation to its assets at the website below.</p> <p><a href="http://www.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/">www.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/</a></p>
FC05	National Highways	General	<p>In responding to Local Plan consultations, we have regard to DfT Circular 02/2013: The Strategic Road Network and the Delivery of Sustainable Development ('the Circular'). This sets out how interactions with the Strategic Road Network should be considered in the making of local plans. In addition to the Circular, the response set out below is also in accordance with the National Planning Policy Framework (NPPF) and other relevant policies.</p> <p>The SRN closest to the NDP area is the M40 Motorway, which is outside the boundary of the plan area. We have considered the contents of the Neighbourhood Plan and as the plan does not introduce any new development sites or transport related policies that are likely to impact upon our network, we consider that the contents of the plan are for local determination, and we have no further comments to make.</p>
FC06	Natural England	General	No specific comments.
FC07	Janet Neale Warwickshire County Council	General	<p>The County Council welcomes communities proposing Neighbourhood Plans that shape and direct future development. The County Council manages a number of services including highways and transport, education, social care, recycling and waste centres and the environment. This list is not exhaustive and all service areas within the County Council have been given an opportunity to comment on the plan.</p> <p>As with all Public Sector organisations, the County Council has the responsibility to deliver its services as effectively and efficiently as possible. It is important that our response to you makes it clear that the County Council cannot commit to any financial implications from any proposals emanating from</p>

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			<p>your Neighbourhood Plan. As such, your Plan should not identify capital or revenue schemes that rely on funding from the Council. The County Council will, however, be happy to assist communities in delivering infrastructure providing they receive any funding that may arise from Developer Contributions or any other sources. The County Council will also be happy to support the Parish Council if they have questions about the use of their CIL income in respect of schemes such as road safety initiatives which require County Council approval.</p> <p>I have received one detailed response in respect of Flood Risk Management and have attached this for your information. Transport Planning have indicated that they have no specific comments to make at this time but that they will happily engage with the Parish Council throughout the process. Colleagues in Education Services have commented on the reference to the school playing field being designated as green space. The concern is whether this could have an adverse impact on the school's ability to expand or reconfigure accommodation in the future. The freehold of the land I believe will be in WCC ownership although as a Voluntary Controlled School, the buildings will belong to the Trustees of the school. I am unclear whether the Parish Council can designate the land as green space when it isn't in their direct control.</p> <p>WCC Flood Risk Management response provided at Appendix 2.</p>
FC08	Stratford-on-Avon District Council	General	<p>It would be very useful for the NDP to incorporate a single, consolidated policies and proposals map. Currently, there are several important, and in some cases, duplicated pieces of information spread across several different Figures. This frustrates ease of understanding and use of the NDP as a whole. It would be preferable if all policy-related content could be displayed in a single plan (possibly supported by an inset map for Fenny Compton village) to an appropriate scale or scales.</p>
		General	<p>The NDP does not identify any 'reserve sites' within the framework envisaged by Policy CS.16 of the Core Strategy. It appears that the Parish Council has relied on the expected supply of 100 homes from the Compton Works site as the basis for not doing so.</p>

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		<p data-bbox="598 943 822 1010">Page 4, Executive Summary</p> <p data-bbox="598 1254 822 1321">Page 7, Key Principles</p>	<p data-bbox="840 323 2036 467">However, the emerging SAP does currently identify four reserve housing sites in and around Fenny Compton. These have an estimated capacity of about 57 homes in total. Of these sites, three (FEN.01, FEN.06 and FEN.07) are likely to be of sufficient size to attract an affordable housing requirement, and could therefore yield a total of about 17 affordable homes.</p> <p data-bbox="840 517 2036 624">The SAP will need to complete the necessary statutory processes leading to adoption. There can therefore be no certainty at this stage that the current proposals (specifically insofar as they relate to Fenny Compton) will necessarily be those that end up in the adopted SAP.</p> <p data-bbox="840 673 2036 895">That said, this would have been an ideal opportunity for the Plan to have regard to the proposals within the SAP and, in particular, identify any specific local issues that need to be addressed, or requirements that ought to be met. Of course, this can be done without prejudice to the Parish Council's position in respect of the SAP. In purely practical terms, it would be extremely useful if the District Council and its partners can be made aware of any local issues or requirements that may affect the delivery of those sites.</p> <p data-bbox="840 944 2036 1088">Paragraph 4 - Because the situation could change in subsequent versions of the Site Allocations Plan, it is suggested it is replaced with the following: "Fenny Compton is identified by the District Council as a Local Service Village where it will consider identifying reserve housing sites in its Site Allocations Plan."</p> <p data-bbox="840 1137 2036 1204">Paragraph 6 – this isn't entirely accurate in that it does not comply with the provisions of Core Strategy Policy AS.10 in terms of development that is acceptable in the countryside.</p> <p data-bbox="840 1254 2036 1361">EN1 - The following sentence is setting a very high bar: "new developments and building conversions designed to be self-sufficient in power production from renewable sources". It is suggested referring to the recently adopted Climate Change SPD. However, this could be included in an 'Aspirations'</p>

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			<p>section which could be attached as an annexe to the NDP, but it should be made clear that this specific section would not become part of the Statutory Development Plan.</p> <p>HE1 should read “Neighbourhood Area’s historic environment”</p>
		Page 10, Development Principles	Suggest amending final sentence to read “...will consider identifying reserve housing sites for potential future development.”
		Page 11, Introduction	Delete “some”, “through” and “examiner” on the second line. Delete “Parish” on the third line and “live” on the fourth line.
		Page 16, Fenny Compton built-up area boundary	<p>Suggest amending paragraph 1.6.4 to read “Any reserve housing sites identified by SDC will be outside the BUAB.”</p> <p>Paragraphs 1.6.1, 1.6.2 and Figure 5 - although a Built Up Area Boundary is defined, the cross reference to paragraph 3.2.1 (Policy DE2) could be clearer.</p>
		Page 19, Local Wildlife Sites map	The key is rather repetitive which makes it confusing.
		Page 20, Phase 1 habitats map	The key doesn’t cover everything shown on the map
		Page 22, Strategic vision	Paragraph 2.1.1 - It would be helpful if reference could be made to the broad overall scale of development expected to be accommodated.

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		Page 24, Section 2.2, Key Principles	This duplicates the section at pages 7-9. Is this necessary? Suggest that this section is deleted.
		Page 25, Development outcomes	Paragraph 2.3.1 - The site referenced is a brownfield 'windfall' site granted outline planning permission in two stages between 2014 and 2019. It is currently the subject of two Reserved Matters applications by Orbit Group, with a view to the delivery of a 100% affordable housing scheme comprising a total of 100 dwellings. Subject to the necessary approvals, development is forecast to complete by 2024-25. In practice, it is expected that the Reserved Matters applications will be determined before the Plan is 'made'. It may be useful to reference these considerations.
		Page 26, Policy DE1	3.1.1 second paragraph, criterion c) should read 'conserve or enhance designated heritage assets' to comply with NPPF terminology. There is no need to list examples 'such as listed buildings...'
		Page 27, Policy DE2	<p>Paragraph 3.2.1 should refer to Figure 5. The policy should either refer to the full range of exceptions as listed in CS Policy AS.10, or should simply refer the reader to Policy AS.10.</p> <p>Delete '...for example, small scale schemes...or disused building in open countryside' since it is unnecessary.</p> <p>It is pleasing that that the scope for 'AS.10' schemes is included. The last local housing needs survey was undertaken in 2017. Given that the Station Works site redevelopment will be contributing primarily towards meeting District-wide housing needs, it may be useful to flag the desirability of re-visiting this matter once that development is complete.</p> <p>Paragraph 3.2.2 seems that it would be better placed within Policy DE1.</p>

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			Wording in policy and/or explanation needs to acknowledge that SDC may identify reserve housing sites outside the BUAB in accordance with Policy CS.16 in the Core Strategy.
		Page 28, Policy DE3	Paragraph 3.4.3 - This criterion seems to be expressed as an informative rather than a criterion that should be included in a policy.
		Page 29, Policy RO1	Paragraph 4.1.1 – suggest deleting “Where appropriate” as it is not necessary.  Paragraph 4.1.2 – the second sentence reads more as explanatory wording rather than part of the policy itself.  Paragraph 4.1.3 – justification (including local evidence) is needed for why the Policy requires a higher level of parking provision than the District adopted Development Requirements SPD – Part O.  In addition, it is unclear whether traffic calming methods could be dealt with through new development – this is more related to work carried out by County Highways outside the planning process.
		Page 31, Policy PA1	The list of community facilities at paragraph 3 is different to the list set out in paragraph 1.5.2 on page 14 of the Plan and it is not clear why.  Figure 9 - the map isn't particularly detailed and does not accurately show each of the sites referred to.
		Page 35, Policy RE1	Paragraph 6.1.2. It is unclear whether this Policy is intending to apply Local Green Space designation to all the locations listed. If so, the exact boundaries of the areas affected need to be defined and the areas would need to be assessed to ensure that they accord with the NPPF criteria for



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			<p>designation. They appear to be only indicative/diagrammatic in Figure 11, which makes it impossible to determine the extent of land affected.</p> <p>Remove 'In addition to making the school playing field into a Local Green Space' since it is unnecessary to refer to this here.</p> <p>Figure 11 – the maps isn't particularly detailed and does not accurately show each of the sites referred to.</p>
		Page 39, Flood Risk map	The key isn't very clear as to what map shows.
		Page 41, Policy EN1	The first sentence doesn't seem to make sense and it is not written like a Policy.
		Page 42, Policy EN2	The policy is welcomed in principle. However, it is unclear whether this Policy – which only appears to cover new development – is really necessary, given changes to the Building Regulations which come into force on 15 June 2022 for domestic and non-domestic buildings, including existing buildings in certain circumstances. It is also the case that it is very generally worded, which will give rise to practical difficulties in implementation.
		Page 43, Policy BU1	<p>Paragraph 9.1.1 – Does the policy need to include the wording 'of non-residential buildings'?</p> <p>Paragraph 9.1.2 – For clarification purposes, these sites should be shown on a map.</p> <p>Paragraph 9.1.4 – Re-word the end of the sentence to read: '...impacts on the character of or harm the significance of designated and non-designated heritage assets'.</p>

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		Page 47, Policy EN3	Planning policies can encourage, but cannot require, developments to achieve a greater standard than required by Building Regulations.
		Page 49, Policy CN1	Suggest renaming Policy to “High-speed broadband”  Suggest replacing ‘must’ with ‘should’  Could this policy be combined with Policy CN2?
		Page 50, Policy NA1	Para 11.1.1 does not read well; what are the ‘x’ and ‘y’ details?  Are Figures 20 and 23 both relevant and relate to the same issue? Where are the valued landscapes mapped for clarity (is this Figure 23?). What is Figure 20 actually indicating? If Figures 20 and 23 are linked, they don’t seem to correspond or match-up?  Suggest deleting second paragraph as it relates to more than just landscape character, is too vague as drafted, and is unnecessary.  The views need to be numbered and listed in accordance with the associated map.
		Page 56, Policy NA2	Paragraph 11.3.3 does not seem to make sense. How can a flood resilience scheme not affect the primary function of a school playing field? Is this paragraph required/necessary?
		Page 58, Policy NA3	Paragraph 11.5.1 does not read well. Reference to the BS Codes is confusing. It may need to be re-drafted to make it less ‘cluttered’ and more precise in its instruction.

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		Page 59, Policy NA4	The last part of paragraph 11.7.3 re: tree and hedge planting appears to be a duplication of Policy NA3 and should be removed.
		Page 60, Policy HE1	Paragraph 12.1.1 should refer to 'designated and non-designated heritage assets' in the first line.  Concern is raised over the assessment of NPPF/Historic England advice in relation to the loss of heritage assets where harm would be classified as 'substantial' or 'less than substantial'. Does this policy reflect the national assessment criteria?
		Page 62	Paragraph 13.2 (Public Sector Equality Duty) - it is unclear how the assessment outlined has affected any of the proposed policies.