



Beaudesert and Henley-in-Arden Neighbourhood Development Plan

Submission Neighbourhood Plan Regulation 16 Consultation (Neighbourhood Planning (General) Regulations, 2012)

Comments from Stratford-on-Avon District Council

Page number/ Policy/ Topic	Representation	Qualifying Body response
General	The NPPF was updated in September 2023, so this version should be referred to throughout the document.	The NPPF has been further updated in December 2023.
General	<p>The District Council should be referred to as “Stratford-on-Avon District Council” throughout (not “Stratford-upon-Avon”)</p> <p>The Core Strategy should be referred to as the “Stratford-on-Avon District Core Strategy” instead of the “Stratford-upon-Avon Core Strategy”.</p>	We are content for these changes to be made.
Maps	A policies/proposals map is missing. A map showing the constraints/designations and policies of the Plan for the entire Neighbourhood Area should be provided. This should also make clear the extent of the designated Neighbourhood Area.	The Neighbourhood Area is shown on page 6 of the submitted NDP as Figure 1. Other policies are mapped where required in the relevant section.
Page 7 – Producing the NDP	This section does not make any reference to the initial Regulation 14 consultation in 2019, or the Regulation 14 re-consultation on the NDP that took place in July and August 2020. Considering that this consultation is a statutory part of the NDP process, it is surprising that these consultations have not been referenced here.	The table explains that this is a brief outline of the consultation events that took place. The detail is provided in the Consultation Statement which was part of the submission material.
Page 12 – Vision Statement	Paragraph 10.6.3 – it is unclear why this paragraph is in the Economy section as it is about flood risk.	The key sections identified are Housing, Economy and Community. Flood risk applies just as much to the economy as the other sections, and we see no reason to move it.



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	<p>Paragraph 10.7.2 – not all of these matters are in the capacity of the NDP to control and/or would require agreement with other authorities.</p> <p>Paragraph 10.8.1 – ‘Biodiversity and Ecology’ needs to be removed from the beginning of the paragraph.</p>	<p>This is a vision statement, and it is entirely appropriate to identify aspirations such as these. We do not see reason to make any changes.</p> <p>We are content for these words to be removed.</p>
Page 14 - Policy	<p>The relationship of the Plan to specific policies in the Core Strategy is not clearly explained. Section 9 does not include substantive content in this respect. This omission may present difficulties in terms of demonstrating statutory ‘basic conditions’ compliance unless this issue is addressed.</p> <p>It is recommended that each policy is accompanied by a list of the relevant Core Strategy policies and sections of the NPPF to show the relationship of the NDP policies to existing local and national planning policy.</p>	<p>This is not a requirement of the NDP which helpfully summarises the policy relationship.</p> <p>The Basic Conditions Statement is the correct document to demonstrate compliance with the Basic Conditions, and this is part of the submission material.</p>
Page 14 – P1 Housing	The first paragraph under ‘P1 Housing – Strategic Objective’ – sentence “All such homes have now been built and received planning consent in line with the following policies:” this doesn’t make sense in light of the subsequent paragraphs.	We consider the sentence to be appropriate and clear.
Page 14 – paragraph 11.2	The sentence “Residents are keen to preserve the railway line as the natural boundary...” A small section of the BUAB includes a parcel of land to the west of the railway line. Is there a conflict here?	The small parcel of land to the west of the railway line is not considered significant and contains a number of environmental protections that will restrict development, so we consider the general statement in the narrative underpinning the policy remains appropriate as an aspiration.
Page 14 – Policy H1	The basis on which the Built-up Area Boundary [BUAB] has been defined requires clarification. It is understood that the BUAB is based on the BUAB from the 2022 SDC draft Site Allocations Plan (SAP) but this should be confirmed within the Explanatory Text to the Policy.	We are content for this confirmation to be made.



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	<p>Paragraph 1 of the Policy refers to Figure 2 on page 16 – this Figure is on Page 15.</p> <p>Paragraph 2 of the Policy in relation to appropriate development in the Green Belt should be brought in line with wording in the 2023 NPPF and Core Strategy.</p>	<p>We are content for this change to be made.</p> <p>We consider Policy H1 to be in general conformity with the Core Strategy and to have regard for the NPPF.</p>
Page 14 – Policy H1 Explanation	<p>The final sentence of the Explanation states “It has been confirmed with SDC that Henley has exceeded its housing requirement with recent development and no further residential development is required by SDC within the Neighbourhood Area”</p> <p>In this respect, the Core Strategy indicates an approximate amount of homes to be provided over the Plan period, however this is not a limit on house numbers that cannot be exceeded. Paragraph 6.4.16 of the Core Strategy under Policy AS.4 clarifies: “Based on the strategy set out in Section 5 for distributing housing development in the District and taking into account the number of dwellings built and granted planning permission since 2011, about ninety homes are to be provided in the town over the plan period. Policy CS.16 also indicates that Reserve Sites may need to be identified in the town through the Site Allocations Plan and/or the Neighbourhood Plan. As such, the above figure should be seen as a minimum to be provided for over the plan period.”</p>	<p>Noted. We consider the form of words used in the explanation alongside Policy H1 to be appropriate, recognising that the minimum housing requirement has been exceeded.</p>
Page 15, paragraph 11.6	<p>The last part of this paragraph contradicts Policy H2: “In particular, social and affordable housing should be located within the Settlement Boundary as infill sites so as to ensure that they are properly integrated into the community...” as Policy H2 allows for local need housing adjacent to the settlement boundary.</p>	<p>We do not consider this to be a contradiction. The Qualifying Body would prefer to see development within the Settlement Boundary, but Policy H2 reflects the Core Strategy by enabling a rural exception site adjoining the Settlement Boundary in specific circumstances, including where there is an identified local need.</p>



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Page 15, paragraph 11.8	This paragraph provides additional policy criteria for the design of development rather than explanatory text, and it is not clear how it relates to Policy H1/H2.	The paragraph provides context for policies H1 and H2 and ties in with Policy B1 on design quality.
Page 15, paragraphs 11.9 and 11.10	There appear to be typographical errors in paragraphs 11.9 and 11.10.	We are content for any typographical errors to be corrected.
Page 15 - Policy H2	<p>The most recent local housing needs survey covering the Neighbourhood Area was commissioned by the Joint Parish Council and undertaken by the Rural Housing Enabler. Its findings are detailed in a report dated January 2020 and have been adopted by the Joint Parish Council. Briefly, the survey identified unmet local housing needs amongst a total of 19 households, although reference was also made to the considerable number of households locally on the District Council's housing waiting list. Since the adoption of the above survey no tenable scheme or schemes to address the identified need have been proposed or completed.</p> <p>The inclusion of Policy H2 is, in principle, welcome. It overcomes the previous concern about the lack of such a policy, and it is considered the Plan better reflects the strategic approach of the Core Strategy regarding the distribution of development and the status of Henley-in-Arden as a Main Rural Centre.</p> <p>It is still considered that it would have been preferable for the Plan to have allocated one or more sites for a 'Local Need' housing scheme. However, the latest iteration of the Plan does at least introduce a criteria-based policy against which proposals for community-led schemes can be considered.</p>	<p>We are unclear as to why SDC should comment on the omission of a residential allocation in the NDP.</p> <p>This does not help the QB nor the Examiner, whose job it is to consider the NDP against the Basic Conditions.</p> <p>The QB chose not to allocate a site for residential development, and it is not for the local planning authority to propose otherwise.</p>



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	<p>There are two main issues to raise at this stage:</p> <p>(1) Significant concerns and objections about its detailed wording and likely operational effectiveness but consider those issues could be resolved through changes to the wording.</p> <p>(2) The supporting text to Policy H2 is inappropriately worded, especially in respect of the local occupancy controls that would apply but, again, consider this matter could be easily resolved.</p> <p><u>Policy H2</u></p> <p>In terms of the Policy wording, there are some specific concerns and objections:</p> <p>(1) The title could usefully be changed to 'Community-led Housing Schemes' to better reflect the strategic context.</p> <p>(2) There appears to be a lack of direct alignment with the strategic approach set out in Core Strategy Policy CS.15, which provides for a wider role for community-led schemes than that suggested by Policy H2.</p> <p>(3) The reference in criterion (d) to 'an element of market housing' (implying open market housing) is both confusing and un-necessary and would benefit from modification: preferably to include reference to the scope for 'local market' housing, given that a modest need for such is identified in the 2020 survey.</p> <p>(4) The final sentence 'First Homes and Self-build proposals will be welcomed' appears to conflate different housing delivery policy platforms and it is considered these matters would be better addressed in a separate Policy.</p>	<p>Changes were made to this policy as a direct response to comments made at Regulation 14 consultation by SDC. We consider that the policy wording in the NDP is appropriate.</p>



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	<p><u>Explanatory Text</u></p> <p>In terms of the explanatory text, those parts of the explanatory text accompanying Policy H2 concerning local connection criteria are misleading, but in any case, this part of the Plan could be better worded.</p> <p>Additionally, Part S of this Authority's Development Requirements Supplementary Planning Document ("the SPD") was adopted in April 2019. Yet it is unclear as to what regard has been had to the detail in this document in preparing the Plan. The following Sections are particularly relevant:</p> <ul style="list-style-type: none">• S2 – Local Needs Housing Schemes• S3 – General Needs Housing Mix and Type• S4 – Affordable Housing Tenure• S5 – Management of Affordable Housing• S6 – Integrating Affordable and Market Housing. <p>For reasons of practicality, it may be useful for the Plan to simply confirm that the local community are content with the guidance set out in the above parts of the SPD if this is indeed the case.</p> <p>Of greatest concern are the final two paragraphs of the explanatory text on page 15. The following statement is misleading:</p> <p>"The SDC Priority Nominations arrangements outlined in the Development Requirements SPD allows for circumstances where people from across the District could be nominated to the tenancies of new affordable homes in the Parish in preference to people with a local connection"</p>	<p>This sentence was added to the policy as a direct response to a comment from SDC. We consider that it addresses the issue raised and should be retained.</p>



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	<p>Whilst it would be possible for the Plan to set out alternative arrangements – if that is indeed the wish of the local community – the reference to Priority Nominations arrangements is, in fact, only one aspect of a broader set of arrangements concerning local occupancy requirements for both affordable and ‘local market’ housing. The reference has therefore been taken out of context. The statement in the fifth and final paragraph that “The Policy seeks to address this issue.” is therefore unclear. For example, criterion c) does not modify those arrangements, although it (or Policy H2 more generally) could do so.</p> <p>Given the above issue and the fact that the Plan contains no reference to the findings of the 2020 survey it is considered that this whole section of text would benefit from being redrafted.</p> <ul style="list-style-type: none">• The opening three paragraphs, whilst factually correct, would benefit from a more local focus – for example, reference to the findings of the 2020 survey.• Unless it is the express wish of the local community to derogate from the detailed occupancy control arrangements set out in Section S5 of the SPD (in which case Policy H2 itself needs to make this explicit) then it would be useful to explain that the detailed arrangements in the SPD would apply. For the avoidance of doubt, taken as a whole, they would prioritise allocation/sale to households with a local connection to the Neighbourhood Area. <p><u>Proposed Rewording of Policy and Explanation</u> It is recommended to replace Policy H2 (Rural Exception Site) as drafted and accompanying explanatory text as follows:</p>	



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	<p><i><u>"H2 Local Needs Housing</u></i> <i>To meet identified local needs within the Plan area, the provision of one or more small-scale community-led schemes will be supported where the following criteria are met:</i></p> <p><i>(a) The site or sites adjoin the Settlement Boundary; and</i></p> <p><i>(b) The profile of the scheme, in terms of the number, type, size and tenure of the dwellings proposed is justified by evidence from an adopted local housing needs survey; and</i></p> <p><i>(c) A planning obligation will be used to ensure that all housing is available in perpetuity for people with a qualifying local connection to the Plan area."</i></p> <p><i><u>Explanation</u></i> <i>In addition to the housing growth provided for by Policy H1, it is also important this Plan should make provision for community-led schemes to meet purely local housing needs.</i></p> <p><i>The Core Strategy provides scope for the development of 'local needs' schemes: small-scale community-led schemes brought forward to meet a need identified by local communities. The Joint Parish Council (JPC) note the development of many such schemes elsewhere within Stratford-on-Avon District in recent years, including schemes located within the Green Belt. They are keen to promote the development of a similar scheme or schemes within the Plan area.</i></p> <p><i>The relevant strategic policy framework is provided by Part G of Core Strategy Policy CS.15. Policies AS.10 and</i></p>	



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	<p><i>CS.10 further provide scope for such schemes to be located within the Green Belt.</i></p> <p><i>The most recent evidence of an unmet local housing need is contained in a report prepared by the Rural Housing Enabler and adopted by the JPC in 2020. Briefly, that report identified an unmet housing need amongst a total of 19 households, for a mixture of both affordable and local market housing. However, the JPC will also consider commissioning future similar surveys from time-to-time to ensure that schemes are designed based on the most relevant and up-to-date information.</i></p> <p><i>A key issue is to ensure that all the housing developed in this way – whether affordable or market – is prioritised for occupation by households with a suitable qualifying local connection to Beaudesert and Henley-in-Arden parishes. This applies both on first letting or sale and all subsequent lettings/re-sales in perpetuity. Such occupancy controls will be given effect via a planning obligation. The detail of such arrangements should follow the principles set out in Part S of the District Council’s Development Requirements Supplementary Planning Document or any successor document.”</i></p> <p><i>NB: To correct an error in the explanation of the way nomination arrangements to affordable homes work, a cross-reference to the District Council’s Development Requirements SPD on this matter has been incorporated. This is on the assumption that the JPC are content to adopt those arrangements for the purpose of applying Policy H2, rather than applying any alternative bespoke arrangements. It is emphasised that the current ‘standard’ arrangements have been successfully developed and</i></p>	



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	refined over many years and – in particular – will ensure that the letting or sale of properties will be prioritised to people with a qualifying local connection to the parishes of Beaudesert and Henley-in-Arden.	
Page 16 – Policy E1	<p>The policy requires all the criteria to be met. This is not appropriate as the criteria cover some quite different circumstances. For example, you wouldn't expect d) to always be the case.</p> <p>The policy explanation would benefit in outlining the types of uses (workshop/offices as mentioned in Policy E2) or the use classes (Class E/ Class B2/B8/Sui Generis/Class E(isidia)) Policy E1 applies to.</p>	We are content for criterion d) to be rephrased to say 'Any unacceptable environmental problems that are associated with the current use of the site will be alleviated by the proposal, where appropriate.'
Page 16 - Policy E2	<p>The Explanatory text: Where would this be located? The text suggests it would be outside of the Town Boundary. If this would be in the Green Belt, it would be contrary to national Policy [see paragraph 145 of the NPPF 2023].</p> <p>The Explanation does not explain where this conclusion is taken from e.g. 2015 Residents Survey, a consultation event, etc.?</p>	<p>The Resident's Questionnaire from 2015 indicated support for new employment provision.</p> <p>The policy is an enabling one which identifies support for the proposal should other policy areas be met. This will be helpful in future years should there be a release of green belt land</p>
Page 17 - Policy E4	<p>Suggest tightening "all new residential and commercial developments" to exclude e.g. householder developments, or extensions to existing commercial sites.</p> <p>This policy may not be enforceable/relevant to certain types of telecommunications equipment if it is Permitted Development.</p>	<p>We are content to add in '... where appropriate' to the sentence.</p> <p>Clearly the policy will only apply where it is subject to a planning application.</p>
Page 18 – Policy E5	Suggested to include criteria "It would comply with Green Belt policy"	What additional, locally appropriate protection does this provide? It is just a repeat of local and national policy and therefore unnecessary.



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Page 19 - Policy C1	<p>The reference in this policy should presumably also be to Appendix 1?</p> <p>The Core Strategy also allows the discontinuance of use where there are overriding environmental benefits – the NDP doesn't include this provision, so would the NDP override the Core Strategy if a proposal sought to remove a community asset on grounds of negative environmental impact? The NDP wouldn't support it, but the Core Strategy would.</p> <p>The final paragraph of the Explanation could be clarified as it seems to refer to some unrelated issues e.g. electric charging points in new homes.</p>	<p>Appendix 1 should also be referenced here rather than Appendix 3</p> <p>The Core Strategy will apply alongside the NDP, The QB does not consider it necessary to repeat Core Strategy policies.</p> <p>The reference to electric car charging points can be deleted as it is now included within building regulations.</p>
Page 20 – Policy C2	<p>The reference in this policy should be to Appendix 2.</p> <p>LGS 1 appears to be designating the Scheduled Ancient Monument. It already has significant protection from development (see NPPF paragraph 200), so it is unclear what the purpose of designation as an LGS would be.</p>	<p>Agreed this is Appendix 2.</p> <p>It recognises the importance of the area and is included for completeness.</p>
Page 21 - Policy C3	<p>The reference in this policy should be to Appendix 3</p>	<p>Agreed</p>
Page 22 - Policy N2	<p>Whilst not inappropriate, the policy as drafted does not encourage the planting of new trees and hedges in new developments. Set out below is an alternative policy on the same topic which is from a 'made' neighbourhood plan that has passed Examination, which might be worthy of consideration:</p> <p><i>“All new development will be encouraged to protect all trees and hedges where appropriate, as per BS 5837: 2012 Trees in relation to design, demolition and construction or as subsequently revised or replaced.</i></p>	<p>The QB is content for this revision to be made.</p>



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	<p><i>Where this is not appropriate, new trees and hedges should be planted to replace those lost. Most new developments should incorporate appropriate new tree and hedge planting of a suitable size and species in their plans. The new hedge or shrub planting should be implemented as per the recommendations in BS 4428:1989 Code of practice for general landscape operations and any new tree planting should be carried out in accordance with BS 8545:2014 Trees from nursery to independence in the landscape or as subsequently revised or replaced.</i></p> <p><i>Relevant new development proposals will be expected to demonstrate that they have, where possible, had regard to appropriate sustainable landscaping, in order to avoid later retrofitting of poor quality or token landscape design”.</i></p>	
Page 23 - Policy N3	<p>The reference in this policy should be to Appendix 4.</p> <p>The view descriptions have been lifted from the photograph descriptions in Appendix 4 – and include elements such as “during dry period in summer” that should be deleted from the policy. This has also resulted in numbering where 2 and 3 refer to the same view. Views 2 and 3 should be combined into a single view, and views renumbered 1-5.</p> <p>Figure 4 is lacking a caption.</p>	<p>Agreed.</p> <p>The QB is content for these changes to be made.</p>
Page 24 - Policy B1	<p>The relationship to Core Strategy Policy CS.9 is unclear and should be explained.</p> <p>g) should be ‘Part O’ of the SPD, not Part 0 i) – This criterion feels unnecessarily restrictive of innovative architecture. Criterion a)’s requirement to be “compatible” with the character of the area seems to</p>	<p>We consider the reference to SDC’s SPD to be sufficient.</p> <p>Agreed. Agreed.</p>



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	<p>adequately cover this point without the further restriction in criterion i) k) – Typo in the reference to “Building for Life 12”.</p> <p>It is not considered that all the bullet points would fit under the policy heading of ‘design quality’. The policy appears to be made up of a disparate collection of criteria that would be more appropriate for other parts of the Plan, since they refer to issues of heritage, landscape and design.</p>	<p>Agreed.</p> <p>We disagree. These criteria are appropriate and the QB wishes to see them retained.</p>
Page 25 - Policy B2	<p>Some conversions may be classed as Permitted Development so in such circumstances it would be difficult to control in terms of criteria set out.</p> <p>Suggest that this Policy should make reference to Core Strategy Policy AS.10.</p>	<p>The policy would apply in relation to planning applications requiring determination only.</p> <p>We do not consider it necessary to refer to all Core Strategy policies.</p>
Page 26 - Policy B3	<p>Demonstrating adequate means of foul drainage, as required by the Policy, may not be relevant to all new development and consequently, the policy does not have regard to Paragraph 44 of the NPPF that “Local planning authorities should only request supporting information that is relevant, necessary and material to the application in question”.</p> <p>There is a typographical error in the Explanation to this Policy in the sentence “Developments 2 Requirements...”</p>	<p>The QB is content to add ‘where appropriate’ to the policy.</p> <p>Agreed</p>
Page 27 - Policy B4 - explanation	Policy B4 Explanation makes reference to Figure 5, which doesn’t appear in the document.	Agreed. This reference should be removed.
Project 1 – Car Parking	This project should have as its first and fundamental step, an aim to reduce demand for car parking, by finding ways to encourage walking and cycling.	Community Projects are not subject to Examination and are not planning policies. They are matter for the JPC to progress and should not be the subject of comment from the local planning authority.



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Project 2 – Road Safety	The proposed measures listed are the responsibility of Warwickshire County Council as County Highways Authority. These aspirations will not happen unless WCC has agreed to the proposals.	Community Projects are not subject to Examination and are not planning policies. They are matter for the JPC to progress and should not be the subject of comment from the local planning authority.
Appendix 3	The reference in the 2 nd sentence should be to Appendix 1.	Agreed.