



**Development Requirements Supplementary Planning Document (SPD)
Consultation on draft Part L (Open Space)
3rd November to 16th December 2022**

**Consultation Statement
Revised Part L (Open Space)**

**Stratford-on-Avon District Council
April 2024**

Components of consultation undertaken on the draft SPD

The draft revised Part L (Open Space) was published on Thursday 3rd November 2022 for a six week consultation period until Friday 16th December 2022.

The consultation comprised the following:

1. A public notice in the Stratford Herald (on 3rd November), and the Leamington Spa, Stratford-upon-Avon and Redditch Observers (on 3rd and 4th November) newspapers which circulate in the district area;
2. A press release was issued by the District Council on 3rd November 2022 notifying of the consultation;
3. A specific page on the District Council's website providing links to the consultation documents, interactive and pdf comments form;
4. Use of social media to promote the consultation
5. Emails and letters sent 3rd November to Parish and Town Councils in the District, ward members, along with agents, developers, agencies, organisations and residents registered on the policy consultation database;
6. Paper copies were made available for inspection at the District Council offices and at libraries in the District;

These means of consultation are consistent with the provisions of the District Council's Statement of Community Involvement.

Responses to the draft revised Part L of the SPD

A total of 27 responses were received from individual sources including members of the public (11), developers/businesses (4), agencies (4) and Parish/Town Councils (8).

The following schedule provides an outline of the comments received by topic, together with an assessment of them. It also identifies changes to be made in the final version of the SPD in response to these comments.

Index of Respondents

Alcester Town Council	National Highways
Bishops Itchington Parish Council	Mr. and Mrs. Rainsford
Max Bright	Sarah Russell
CEMEX	Mr.& Mrs Sankar
Coal Authority	Shipston Town Council
John Cooknell	Sport England
Anna Corser	Paul Squire
Sam Donovan	Paul Stainton
Goldfinch Town Planning Services	Julie Staunton
Harbury Parish Council	Trevor Storey
Historic England	St Joseph's
Ilmington Parish Council	Wellesbourne and Walton Parish Council
Kineton Parish Council	William Davies Homes
Napton Parish Council	

Respondent	Section	Issues raised	Changes sought	Officer response	Proposed revisions
Historic England	General	<p>Welcome SDCs vision for open space in that it encourages the development of a well-connected and integrated network of open spaces, sporting and recreational facilities that make the best possible contribution towards a broad range of policy objectives, including culture and heritage.</p> <p>Reference is made to Historic England's' technical guidance on the subject: Looking After Parks, Gardens and Landscapes Historic England</p>	None	<p>Comments noted</p> <p>Add link to Historic England's technical guidance within the document.</p>	A link to Historic England's technical guidance within of the revised document – see Section L12
Coal Authority	General	Records do not indicate any coal mining features at surface or shallow depth in Stratford area. Therefore has no specific comments to make on the document.	None	Noted	No change
Resident – Sarah Russell	General	Support for proposal for POS to be adopted by SDC or Town/PC. The Council will be able to enforce standards. Maintenance costs should be determined by an independent body.	Maintenance costs should be determined by an independent body.	<p>Comments noted.</p> <p>Maintenance costs set out within the SPD are indicative and based on standardised costings derived from Spon's External Works and Landscape Price Book 2024 (a recognised source of cost data) and with the option of an average quotes from independent and qualified professionals. Any variations to this will be identified at</p>	Revise SPD to more explicitly address the approach to determining cost – see Section L5 and L6

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				planning application stage once the individual circumstances of a site can be assessed.	
Ilmington Parish Council	General	Support for revised approach that all public open space will now be adopted by wither the Parish/Town Council or by the District Council	None	Comments noted	No change
Resident – Trevor Storey	General	Support for proposal for all public open space to be adopted by the District Council, this will ensure uniform approach and issues with S106 agreements.	None	Comments noted	No change
Resident – Anna Corser	General	General support but there should be more of an emphasis on the wildlife corridor.	None	Comments noted. The purpose of this part of the SPD is to clarify the different types of open space, and how they will be secured and maintained, this includes natural accessible greenspace where habitat creation can predominate. Part N of the SPD focuses specifically on biodiversity and green infrastructure associated with new development and addresses the importance of wildlife corridors and how they can be integrated.	No changes to be made.

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Residents – Mr. and Mrs. Rainsford	General	It is unfair to expect the public to maintain and ensure the open spaces that would be available to everyone. Spaces could be open to abuse as there would be no policing or monitoring.	Disagree with concept of Council adopting POS.	Comments noted. Any open space transferred to either the Parish or District Council will be accompanied by a 30-year maintenance payment to enable the Council to undertake appropriate management of the open space.	No changes to be made.
Resident – Paul Stainton	General	Support for proposal that all public open space should be managed by the District Council. Also believe that non-completed existing POS should be included and adopted by SDC, including Old Stour development. Should be uniformity of approach.	Include non-completed POS.	Comments noted. The provisions within the revised SPD Part L will be effective on new developments from adoption and cannot be applied retrospectively to existing areas of open space on development already granted permission. Open Space provided on existing developments will be subject to any maintenance arrangements agreed for that particular development.	No changes to be made.
Residents - Mr. & Mrs. S. & K SANKAR	General	Fully support that SDC adopt all POS around the Old Stour Development in Alderminster, Stratford upon Avon.	None	Comments noted. The provisions within the revised SPD Part L will be effective on new developments from adoption and cannot be applied retrospectively	No change

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				to existing areas of open space. Open Space provided on existing developments will be subject to any maintenance arrangements agreed for that particular development.	
Bishops Itchington Parish Council	General	No objections, however, clarity for open space requirement; why do people in Stratford have approx. 6 times the space provided versus people in outlying villages.	Provide	Comments noted. The quantum of required provision is based on evidence of need across the District and established in the Core Strategy. The need for access to open space is higher in the urban area of Stratford	No changes to be made.
Resident – John Cooknell	Concerns with SUDS	<p>Often SuDS dominate the open space provision with little space for recreation.</p> <p>In some developments, the SUDS infrastructure is poorly designed and does not comply with CIRIA SuDS Manual.</p> <p>Parliament has chosen to make local water companies responsible for adopting SuDS assets instead of Councils.</p> <p>The Respondent references a Water UK guidance document 'Sewerage Sector Guidance -A changed approach to surface water sewers, and which includes</p>	Suggestion to amend policy to make high quality design integration of SUDS a requirement.	<p>Comments noted, agree that reference to the CIRIA SuDS manual would be helpful. In addition, Part V (Climate Change Adaptation and Mitigation) of the SPD provides more detailed guidance on the design and integration of SuDS into new developments.</p> <p>The detailed design of SUDS is part of a planning application that will be assessed by case officers in accordance with advice</p>	<p>Reference to the CIRIA SuDS manual and Sewerage sector in response (and incorporated taking advice from Warwickshire County Council in Section L12. Cross reference Part V (Climate Change Adaptation and Mitigation) is now included in Section L2.2</p> <p>Updates are included to address the role of the County and need for engagement in Section L5.1</p>

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		<p>examples of high quality SuDS integration.</p> <p>Water-UK-SuDS-brochure.pdf</p>		<p>from the lead (Warwickshire County Council) flood authority.</p>	
Goldfinch Town Planning Services	General	<p>Particularly object to use of CS Policy CS.27 as well as use of Core Strategy in general.</p> <p>Concerns that the SPD is based on out of date evidence and the SPD is unreasonable, unsound, inflexible and highly onerous. Core Strategy is now out of date and based on pre-Covid economic data, therefore should not be used to shape new SPD. Conflicts with p. 31, 35, and 82 of NPPF.</p> <p>SPD does not conform with planning policy approach of p.31 of NPPF.</p> <p>Considers that the implications of forthcoming economic recession on housing and economic land delivery has been given insufficient level of policy consideration.</p>	<p>Need to update evidence base/ Core Strategy before preparing SPD. Economic data needs updating.</p>	<p>Comments noted. Disagree that the Core Strategy is out of date, it has been deemed to be in compliance with the NPPF and is the adopted strategy on which planning applications are determined. Work on a new South Warwickshire Local Plan has commenced, but the Core Strategy is still appropriate for decision making purposes.</p>	<p>No changes required.</p>
National Highways	General	<p>No comments.</p>	<p>None</p>	<p>No changes to be made.</p>	<p>No change</p>
Resident – Max Bright	General	<p>Don't need new development criteria to enhance developers</p>	<p>Disagrees with concept of document.</p>	<p>The document will, once adopted, be used to</p>	<p>No change</p>

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		<p>strategy to destroy open spaces by development.</p> <p>All decisions must be approved by 50% of the population.</p>		<p>inform planning application proposals and decision-making in order to ensure that new open space is incorporated into new development and appropriately maintained.</p>	
Shipston Town Council	L1	<p>Objects to the following inclusions in the definition of open space:</p> <ul style="list-style-type: none"> - street trees - visitor parking areas - communal driveways - areas for communal bin stores <p>Object on basis these are not useable as open space that would be suitable as recreational spaces. Their inclusion would allow developers to manipulate their required provision to reduce the amount they actually have to provide for the benefit of the town as a whole.</p> <p>Do not meet the requirements of the boxed policy at the bottom of the page.</p> <p>If SuDS are to be included, the specific provisions required of a SuDS feature must be part of the planning application.</p>	Remove these areas from definition of OS.	<p>This type of infrastructure is integral to the functionality of the open space. However, the sections of the SPD related to the design address the need to provide quality open space – including in relation to the design of SUDs</p>	

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St Joseph's	General	<p>St Joseph strongly object to the transfer of ownership of public open spaces to the Council by reason of the following:</p> <p>I. It is not the place of planning guidance to require the transfer of land ownership and we would question the legal basis for such a request.</p> <p>II. St Joseph want to remain as the sole owner of the public open space within their developments in order to maintain and manage the condition and specification to their high sought-after standards. St Joseph would like to emphasise this point as we maintain our open spaces above and beyond the reasonable condition, and standard conforming of good horticultural practice.</p> <p>III. St Joseph are hesitant about the transfer of space to the council as they are uncertain how the council will maintain the open space and to what standard they do so. We are also tentative to how often they will tend to the open space and also maintain any biodiversity or drainage (list not exhaustive) features set within to the necessary standards.</p>	<p>Include following wording in SPD to cover instances where developers request to retain ownership: "It may be preferred by the Developer to keep sole ownership of the Public Open Space, and manage these areas privately to continue place making, and commitment to area. Therefore, agreement and assurance will be provided during the application consultation."</p>	<p>Comments noted.</p> <p>It is considered appropriate for the Council to set out in guidance the expected arrangements in relation to long term maintenance and management of open space given the importance of securing this at the outset. The Council will operate an approach whereby, depending on the typology, the open space will be offered to the Parish Council then the District Council and finally a management company if the Parish and District Councils are not in a position to take on the open space land for long-term management and maintenance.</p>	<p>Section L5 now provides for the maintenance and management of open space by a management company – where quality standards can be met and where any costs to residents is reasonable.</p>

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William Davies Homes	General	<p>Welcomes that open space provision is to be discussed and updated in the round, questions timing of this consultation.</p> <p>Considered unnecessary to be consulting at the early stage of the South Warwickshire Local Plan. Stratford has a robust land supply which means that very few, if any major applications will be determined before the adoption of the SWLP, making the SDP updates ineffective.</p> <p>Government are also progressing notion of nationally set standards, therefore inappropriate to bring forward another layer of development management.</p>	Progression should be halted until such time there is new policy place within the SWLP.	<p>Comments noted, the South Warwickshire Local Plan is at an early stage of preparation and is not due to be adopted until 2027.</p> <p>Having up to date guidance that informs current planning proposals and planning decisions in advance of any new policy direction in the emerging Local Plan is important and is the purpose of this SPD Part L review.</p>	No change

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Resident – Anna Corser	L1	Broadly support the proposals. Should be more of an emphasis on the wildlife corridor. Liase with highways e.g. on verges. Leave more areas wild. Warwickshire Wildlife should be main organisation consulted.	Add more emphasis on wildlife corridors.	Comments noted. The purpose of this part of the SPD is to clarify the different types of open space, and how they will be secured and maintained, this includes natural accessible greenspace where habitat creation can predominate. Part N of the SPD focuses specifically on biodiversity and green infrastructure associated with new development and addresses the importance of wildlife corridors and how they can be integrated.	No change
Alcester Town Council	L1	Concerns about definition of OS to include street trees, SuDS, areas of planting and landscaping, visitor parking, communal driveways, and bin stores.	These areas should be called 'amenity space' and taken out of open space definition.	This type of infrastructure is integral to the functionality of the open space. However, the sections of the SPD related to the design address the need to provide quality open space – including in relation to the design of SUDs	Section L2 address design quality
William Davies Homes	L1	Supports notion that SuDS can be defined as open space.	None	Comment noted.	No change
Goldfinch Planning	L1	Not all green spaces provide ecologically important areas and areas of value for green	Note that not all green spaces are ecologically important, be more	These comments relate to the location of new housing developments	No change

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		<p>infrastructure e.g. areas of intensive farming and horse grazing.</p> <p>Stratford-on-Avon District Council's Planning Policy Team should have a considerably more pro-active planning policy approach at supporting new housing development proposals coming forward in these areas, particularly where Biodiversity Net Gain (BNG) enhancements are being delivered.</p> <p>Housing developments coming forward within areas of intensively farmed open countryside can have important role in helping to replace threatened Priority Wildlife Habitat features e.g. small wildlife ponds and natural greenspace SUDS</p>	supportive of housing developments that help wildlife.	<p>and the potential for biodiversity net gain on certain sites.</p> <p>This is outside the scope of this SPD Part L update but is being considered in a more strategic context through the emerging South Warwickshire Local Plan.</p>	
CEMEX	L3	Supports intention to provide clarity on the infrastructure to be provided by CIL and that covered by S106. However, the SPD lacks clarity to avoid double charging across S106 and CIL contributions.	Improve clarity to avoid double charging CIL/S106 contributions	Comments noted. CIL is a standardised levy charged to certain types of development across the District to support the impact of growth within the District taking into account cumulative effects. S106 contributions are to mitigate site specific impacts on a particular development scheme. Regulations control how	

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				these developer contributions are used and it is not considered appropriate for this SPD Part L to provide further detail on this. Part U of the Development Requirements SPD sets out how and when S106 Agreements will be used and the CIL Charging Schedule sets out how CIL is to be applied.	
William Davies Homes	L3	<p>The SPD refers to the Council's Infrastructure Funding Statement (IFS) and provides a link for this to be viewed. Planning Practice Guidance (PPG) is clear in stating: "The infrastructure funding statement should identify infrastructure needs, the total cost of this infrastructure, anticipated funding from developer contributions, and the choices the authority has made about how these contributions will be used."</p> <p>The IFS as published fails to do this. It is not fit for purpose and the basis for any additional focus in the SPD is therefore unfounded.</p>	Do not use IFS as basis for SPD.	<p>The IFS is not used as a basis for the SPD. The IFS is required to set out annually the infrastructure projects or types of infrastructure that the authority intends to fund wholly or partly by CIL.</p> <p>This SPD addresses requirements that will be secured through Section 106</p>	No change
Goldfinch Town Planning Services	L4	We maintain the view the Council's existing Open Space, Sport and Recreation Assessment now provides heavily out-of date	Update evidence base.	The SPD does not contain policy, rather it provides additional guidance on the	No change

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		evidence, and should therefore not be relied upon to shape policy in the Open Space SPD		application of policy as set out in the adopted Core Strategy.	
Wellesbourne and Walton Parish Council	L4	Support the inclusion of the types of open spaces included with the document. Well designed open spaces are vital for health, wellbeing and biodiversity. Inclusion of allotments is important.	None.	Comments noted.	No change
Shipston Town Council	L4	Comment on who will decide on who adopts POS if the Town Council refuse to accept maintenance. No mention is made of introducing a requirement to address existing substantial shortfall of recreational POS as identified in CS Policy AS.6 to achieve standards in CS.24. Developers provide the bare minimum.	Clarify who will be final arbiter of who adopts OS if Town/Parish Councils refuse. Add requirement to address shortfall of POS.	Agree that greater clarity would be aid implementation. If the Parish/Town Council does not wish to take on the open space associated with a new development then it will be taken on by either the District Council or, should the Council not adopt the space, by a private management company. Requirements for the amount of open space required on new development is set out in Policy CS.25 of the adopted Core Strategy, this is based on an assessment of need. It is not possible for this guidance document to introduce additional	Add clarity on the process for determining which organisation will take on the various typologies of open space required as part of a new development – see Section L5. No Change

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				requirements on developers.	
CEMEX	L4 Table L1	Suggest that the table lacks clarity, it would benefit from an additional column expressly confirming the proposed mechanism to secure each type of open space to avoid confusion.	Add a column to table to confirm proposed mechanism.	Comments noted. Revisions now clarify the mechanisms by which transfers will be sought.	Section L5 and L6 revisions explain transfer requirements for different open space typologies.
CEMEX	L5	Whilst CEMEX agrees with the aspiration for large residential sites to provide open-space on-site it may not be possible or desirable for all large residential sites to achieve the required standards on site, therefore the option to provide a financial contribution or off-site provision should be available for all sites having regard to site specifics and existing and proposed provision off site.	Provide option for off-site or financial provision for all sites.	The SPD does include provision for offsite contributions or payments in lieu of on-site provision in exceptional circumstances where it is agreed that on-site provision is not possible or appropriate.	No change
Resident – P Squire	L5	There are areas of POS around Old Stour development that should be considered for adoption under your proposals, e.g. public playground should be adopted.	Include adoption of existing POS that is unfinished by developers.	The SPD Part L relates to new planning proposals. Any existing open space provided as part of a development will have existing maintenance and management arrangements in line with the Council's policy at the time the development was granted planning permission.	No change
Sport England	L6	The table states "Additional pitch/facility requirements on the	Provide clarity in table on how sports	Core Strategy Policy CS.25. Core Strategy	Revisions clarify the strategic approach to

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		<p>basis of Sport England’s Playing Pitch Strategy Guidance and the Council’s needs assessment.” though the Playing Pitch Strategy Guidance does not set out an approach to identifying requirements from new developments. As such clarity is sought as to what is meant in relation to this paragraph.</p>	<p>requirements will be calculated.</p>	<p>Policy CS.25 ‘Healthy Communities’ identifies outdoor sports facilities. While there will be instances where requirements for this typology arise, this is omitted from the standard calculation. This is because demand for this type of facility, and provision to address need, is assessed at a strategic level based on the methodology defined by Sport England. The latter takes account of a range of factors including the need for outdoor sports provision at the strategic level as part of playing pitch strategy and in infrastructure delivery plans to support the implementation of the Core Strategy (and future local plan).</p>	<p>securing playing pitch provision in line with Core Strategy (see Section L3)</p>
CEMEX	L6	<p>It would be helpful to understand where the figures for average occupancy are derived. It is important to understand how to calculate this provision.</p>	<p>Explain where figures for average occupancy come from.</p> <p>The SPD should detail how the 10% management fee</p>	<p>The average occupancy figures have been updated to reflect 2021 census data.</p>	<p>Revisions address the changes sought providing greater clarity on transfer requirements of open space along with detailed cost</p>

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		<p>It is not clear whether all Town or Parish Council's would be willing to agree to adoption and how this will be determined. The approach should be on a case-by-case basis rather than an arbitrary approach across all sites.</p> <p>There is a lack of clarity as to how the Council has arrived at the proposed 10% management fee or how the annual cost, including inflation, will be calculated.</p> <p>There is also a lack of clarity as to what checks and balances the Applicant would have on the level of service that would be provided for maintaining the site in the event that it is adopted, this should be out in the SPD.</p> <p>The trigger for provision of on-site open space should also be bespoke to the scheme and likely construction phasing relative to layout and the proposed location of amenity space., the proposed approach of the 50th unti or 85th percentil for smaller schemes appears to be arbitrary. Instead, the trigger should be determined on a case by case basis subject to the proposed site layout and the specific circumstances of the required land preparation and design and construction phases,</p>	<p>threshold has been determined. Additionally, it is important for there to be clarity on the calculation process, this should be evidenced as part of the Open Space SPD and available for scrutiny as part of the consultation process.</p> <p>The Council should set out whether there is an opportunity for third parties to secure the work in order to avoid it being self-managed by the Council.</p> <p>Lastly, the trigger for provision of on-site open space should also be bespoke to the scheme and likely construction phasing relative to layout and the proposed location of amenity space, the proposed approach of the 50th unit or 85th percentile for smaller schemes appears to be arbitrary. Instead, the triggers should be determined on a case-by-case basis subject to the proposed site layout and the specific circumstances of the required land</p>	<p>The 10% management fee used in the SPD is a benchmark cost level</p> <p>The SPD is now updated with source data from Spon's External Works and Landscape Price Book 2024 or the option of seeking three quotes. Changes</p> <p>The triggers for delivery have now been simplified.</p>	<p>information and the sources of this (Section L5 and L6).</p> <p>The SPD now clarifies delivery triggers (see Section 4).</p>

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		rather than the approach based on unit numbers alone.	preparation and design and construction phases, rather than an approach based on unit numbers alone		
Goldfinch Town Planning Services	L6	<p>Goldfinch Town Planning Services (West Midlands) maintains its view that the planning policy assumption being progressed within the SPD are based on heavily-out-of-date policies from the existing Core Strategy, which was adopted nearly 7 years ago.</p> <p>Goldfinch Town Planning Services (West Midlands) maintains its view the above policy thresholds are far too low and should be significantly increased for housing schemes over 40 residential units. The current proposed planning policy position thresholds will have a damaging impact on the future viability and deliverability of small and medium scale new housing schemes coming forward across the district, at a time when the local area is experiencing a severe 300-year-economic-recession-event.</p>	Increase threshold to housing schemes of over 40 units.	<p>The threshold is in accordance with the adopted Core Strategy which still holds precedence until the South Warwickshire Local Plan is in place. Therefore, the threshold is still valid and follows current adopted Council policy.</p> <p>The planning process does allow for viability considerations to be made on planning proposals in certain circumstances and the Council works within this context.</p>	No change
William Davies Homes	L6	<p>The Respondent would like to object to this in the strongest manner.</p> <ul style="list-style-type: none"> To suggest an additional burden of such complexity and scale is way beyond the capable remit of the LA. 	<p>Triggers for commuted sums should be established through negotiation of S106 on a site by site basis.</p> <p>It is appreciated the</p>	The revision to the SPD provides clarity to developers on the likely costs associated with delivering public space – the requirement for which is established in	We have been updated to clarify costs and the source of these costs and the process in respect to management and maintenance

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		<ul style="list-style-type: none"> • Open space evidently will either be under and/or slowly maintained. Clearly this will have an impact on sales rates and values as the open space quality will be reduced. Therefore, fundamentally not aligning with Governments' objective of "significantly boosting the supply of homes". • Management Companies, which are established and initially forward funded by the home builder then funded/reviewed by residents is a well-established principle and successfully delivers on the vast majority of schemes. Providing opportunity for residents to regularly review and potentially renegotiate on how their area is shaped. To amend this principle is totally unnecessary and, for reasons outlined above, will prove completely unsuccessful. Ultimately leaving areas unsightly and unable to fulfill the core purposes of open space provision. <ul style="list-style-type: none"> - To add further burden to house builders in terms of additional S106 payments could cause sites to become unviable. Equates to either a reduction in on-site affordable homes delivery or non-delivery of allocated sites. • it is suggested that the SPD is acting in a manner ultra vires to its purpose. SPDs, by 	<p>wording of the SPD is such that "should" is used in opposition to "must," however, given the SPD provides this flexibility it can be accepted there is no need for quantitative direction at all.</p>	<p>the Core Strategy and has been tested through this process and the timing of these. To provide greater clarity costs using Spon's External Works and Landscape Price Book 2024 (a recognised source of cost information), or a process of deriving costs (from quotes) are set out in the SPD</p> <p>The SPD supplements the Core Strategy requirements and is intended to provide greater clarity and certainty on the process for developers and decision makers – expediting decision making. It is further noted that transfer of open space to a Parish/ Town Council or to the District is established practice in Stratford on Avon already. The SPD also now includes references to management by a developer or management company – albeit the priority is for management by a</p>	<p>matters (see: Section L5 and L6)</p>

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		<p>National Planning Policy Framework (NPPF) definition, are supplementary and “not part of the development plan.” They are not scrutinized or means tested in the same manner as a Policy document and therefore cannot lawfully suggest new Policy. Therefore, the notion that open space should be transferred and adopted by a Council (Local, Town or Parish) must be set out in Local Plan Policy and openly reviewed and examined before an Inspector.</p> <p>Paragraph 4 – ambiguity in stating “whichever option is chosen” suggests there is no determiner to who chooses and potentially stalemate where no party comes forward. Would add complexity and delay to housing delivery.</p> <p>Paragraph 4 notes triggers for when commuted sums will be paid. These are arbitrary and take no account of other provisions.</p>		Parish/Town Council or the District Council.	
Resident – Sam Donovan	L6	Support for the proposal for the District or Parish council to take on new open space but sites that have still not been finished by developers also need to be passed over e.g. Old Stour.	Include existing sites that have not yet been signed off by SDC.	The SPD Part L relates to new planning proposals. Any existing open space provided as part of a development will have existing maintenance and management	No change

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				<p>arrangements in line with the Council's policy at the time the development was granted planning permission.</p>	
<p>Napton Parish Council</p>	<p>L6</p>	<p>Minimum dwellings should be 10 not 50. It is not made clear how the land will be dealt with once the 20 year commuted sum provided by the developer has concluded. The Parish Council should be able to decide not to take on the land. The Parish Council considers that the payable 20 year commuted sum for maintenance and management of the open space is too short.</p>	<p>Minimum dwellings should be 10 not 50. Extend timeframe for payment of commuted space.</p>	<p>The draft SPD identified 10 dwellings (other than in relation to early delivery of open space). The revised SPD still specifies that the 10 or more dwellings is the normal expectation as it is considered appropriate and achievable for sites of that size to provide open space for its residents.</p> <p>There is no requirement for the Parish Council to take on the open space, they are invited to take on the land in the first instance and encouraged to do so but there is no requirement.</p> <p>The length of time for the commuted sum payment has now been extended to 30 years. This still falls within the range of periods adopted by other local authorities. It is also</p>	<p>No change, as the 10-dwelling requirement applies. The SPD now clarifies delivery triggers (see Section 4).</p>

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				aligned with the 30 period associated with new legal requirements for biodiversity net gain.	
Wellesbourne and Walton Parish Council	L6	<p>Agree that open spaces in developments should be offered to the Parish Council.</p> <p>Having clear guidelines about calculating the commuted sums is a sensible provision with S106 documentation. Within the quoted sum there should also be built in an inflation figure.</p>	Require commuted sums payments be linked to inflation	<p>Comments noted.</p> <p>Agree that financial payments should be linked to inflation.</p>	Text is now included within Section L5 of the SPD and L6 of the revised SPD addressing the need to financial payments and indexation matters.
William Davies Homes	Table L2	<p>Objects to minimum garden sizes as places additional burden on sites and could impact density and costs on end user. Each plot should be considered in situ. Town houses require higher densities than smaller village projects</p>	<p>The extant SPD states, in the para above table L" these garden sizes are "a starting point" implying negotiation. This contradicts the inclusion of a minimum garden area. Therefore, it is requested that all reference to minimum garden areas is removed.</p>	<p>The garden sizes identified provide general guidance as to the minimum sizes the Council expects, they are indicative, and the supporting text provides flexibility for variations depending upon the specific circumstances of a scheme.</p> <p>It is considered appropriate to retain this information within the SPD Part L.</p>	No change
Goldfinch Planning	L7	<p>Considers residential rear gardens are excessive and should be more flexible to take into account individual circumstances.</p>	Have more flexible garden requirement	<p>Disagree. The minimum garden sizes are not considered excessive and the supporting text confirms that they are indicative and that there is flexibility depending</p>	No changes

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		<p>Has concerns SDC are forcing through unreasonable, unsounds, onerous and inflexible set of policies within the SPD which are based on the out of date Core Strategy.</p> <p>Approach taken to developer obligations and OS charging schedule is not robust enough, is not sufficiently flexible taking into account current economy. On this basis, the proposed policy approach being taken within the emerging SPD (November 2022) is in direct conflict with paragraphs 31, 35 (indent b), and 82 (indent d) of the Revised NPPF (2021).</p>	<p>Fundamental concerns over SPD as a whole</p> <p>Make charging schedule more flexible and robust.</p>	<p>upon the circumstances of a particular site.</p> <p>Disagree, the guidance set out within the revised SPD Part L is based on the Council's adopted Core Strategy policies which is not out of date.</p> <p>The planning process does allow for viability considerations to be made on planning proposals in certain circumstances and the Council works within this context. Disagree that the approach taken in the Revised SPD Part L is in conflict with the NPPF in this regard.</p>	
Wellesbourne and Walton Parish Council	L7	<p>Wording on design is not strong enough. Consider that developers should have to produce detailed planting schemes when putting forward outline plans, including details of what is to be planted and a detailed maintenance scheme.</p> <p>Links to pedestrian and cycle routes should be references and maximised.</p>	Comments on design are not strong enough.	<p>The SPD addresses design matters and can be updated to strengthen this. Walking and cycling connections are already addressed in the Core Strategy, which this guidance supplements.</p> <p>Comments on a need for a range of playspace to cater to different age groups are noted and</p>	The revised SPD has been restructured to lead with design issues and addresses as far as practical the need for plans to be detailed. Guidance on playspace – including for different groups is given greater emphasis..

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		<p>Play space tends to be aimed towards small children and no provision is made for teenagers. In a large development, provision for all ages groups should be made and insisted on at the planning stage.</p> <p>Private open spaces in new dwellings seem to be getting smaller and smaller, people need secluded open space fit for purpose.</p>		amendments to text are proposed to address this.	
CEMEX	L7	<p>CEMEX supports the intention for Table L2 to be considered as a starting point for discussion on private gardens for dwellings. However this could place unrealistic requirement.</p> <p>CEMEX supports the intention for Table L2 to be a starting point for discussion on private communal open space for flats, however this could place requirements that are undeliverable and difficult to deliver on new developments, especially where there are other constraints.</p>	The size of gardens should also be reviewed in the context of the extent and location of communal amenity space provision and the desirability of retaining existing landscape features across a site.	<p>The garden sizes identified provide general guidance as to the minimum sizes the Council expects, they are indicative and the supporting text provides flexibility for variations depending upon the specific circumstances of a scheme.</p> <p>It is considered appropriate to retain this information within the SPD Part L.</p>	No change
Kineton Parish Council	L7	Lighting of play spaces should be appropriate as well as adequate. E.g. if light is close to residences light spillage might be unpleasant. If space is for very young kids, lighting may not be needed at all or for very short period.	Make requirement for lighting to be appropriate to area and use.	Agree	Amended wording on lighting in children's play areas is included in L2.2 and requires impact on adjacent residential occupiers to be considered

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Resident – Julie Staunton	L7	Comment on development proposal next to wood in Kenilworth.	Not relevant to SPD	Comments noted. Comments are out of scope of this consultation.	No change
Harbury Parish Council	L9	<p>Concerned that the Parish Council should not be forced to accept responsibility for any SUDS as part of POS transfer. SUDS is a specialist area which requires a specialist contractor. Would like special provision to made for circumstances where SUDS is maintained separately by principal authority.</p> <p>With regard to commuted sums, we would like assurance that the money would be paid direct to the parish council which is the POS rather than it be paid to SDC initially due to the process to retrieve the money.</p>	<p>Make provision for cases where SuDs is maintained by principal authority.</p> <p>Clarify that commuted sums will be paid directly to Parish Council</p>	<p>Comment noted. There is no requirement for Parish Councils to take on maintenance of SuDS.</p> <p>The specific arrangements for transfer of monies will be agreed and set out within an individual S106 Agreement and may vary from one development to another, as such it is not considered appropriate to prescribe requirements on this aspect within the SPD.</p>	Incorporate text within the SPD to clarify that SuDS maintenance is expected to be via a management company or potentially the Local Lead Flood Authority (Section L5.1)
CEMEX	L9	L9 refers to Part U of the DRSPD for further details of how POS can be secured, however Part U does not provide clarity on this.	<p>Part L should provide detail of how POS can be secured through CIL, S106 contributions and planning conditions.</p> <p>The evidence and justification for the indicative costs should be provided at consultation stage for scrutiny, also the periods for the Council producing and providing the indicative fees</p>	The revisions to the SPD provides clarity to developers on the likely costs associated with delivering public space – the requirement for which is established in the Core Strategy and has been tested through this process. To provide greater clarity costs using Spon's External Works and Landscape Price Book 2024 (a recognised source of	Section L5 and L6 revisions address the changes sought providing greater clarity on transfer requirements of open space along with detailed cost information and the sources of this.

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			<p>should be pre-determined and set out in the SPD.</p> <p>The legal terms of transfer of open spaces for adoption by the Council should be reviewed on a case-by-case basis rather than set out in the SPD.</p>	<p>cost information), or a process of deriving costs (from quotes) are set out in the SPD</p> <p>The SPD supplements the Core Strategy requirements and is intended to provide greater clarity and certainty on the process for developers and decision makers – expediting decision making. It is further noted that transfer of open space to a Parish/ Town Council or to the District is established practice in Stratford on Avon already. The SPD therefore provides greater transparency on the process.</p>	
Sports England	L9	<p>The existing Stage A PPS is not sufficient to inform contribution requests from developments.</p> <p>As it stands the council do not have access to the play pitch calculator. The comments need to be reflected in the SPD to ensure clarity and certainty for all parties. The authority could future proof the document to state that once an adopted Playing Pitch Strategy is in place the authority will utilise the</p>	Reflect comments in SPD	Comments noted, it is considered that in light of the comments from Sport England it would be better to remove the existing section on Playing Pitch Requirements as unnecessary and potentially confusing. Reference to outdoor sport calculations being based on Sport England’s Playing Pitch	Remove specific section on playing pitch requirements. The strategic approach to calculation including reference to Sport England Methodology is now included in Section L3

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		<p>Playing Pitch Calculator. Its results should be used alongside the finding of an assessment of need for the area.</p> <p>The section also makes comment of pooling restrictions which no longer exists so needs to be updated.</p>		<p>Strategy guidance and the Council's needs assessment is set out in the table on Page 8 of the revised SPD and this is considered to be sufficient.</p>	
Shipston Town Council	L9	<p>Clarification is required as to what Council is being referred to.</p> <p>Simplistic to state that POS can be secured through CIL and S106 when in practice such contributions have not reflected true cost of land that might need to be secured to achieve this.</p>	<p>Clarify which Council is being referred to.</p>	<p>Comments noted. Agree that clarity on where reference to Council is made, it is clear whether this is Parish or District Council.</p> <p>Open Space requirements as set out in the adopted Core Strategy policy will be secured through developer contributions, as such this statement within the SPD is considered to be correct and appropriate for inclusion.</p>	<p>Ensure references to 'council' throughout the SPD clarify whether this is Parish or District Council.</p>
CEMEX	L10	<p>It is not clear what evidence base the open space charging schedule figures are derived from.</p>	<p>The charging schedule evidence should be published with the SPD and subject to scrutiny.</p> <p>Noting rising inflation and impact this is having on the development industry and economy, the Council should set</p>	<p>The revisions to the SPD provides clarity to developers on the likely costs associated with delivering public space – the requirement for which is established in the Core Strategy and has been tested through this process. To provide</p>	<p>Section L5 and L6 revisions address the changes sought providing greater clarity on transfer requirements of open space along with detailed cost information and the sources of this.</p>

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			<p>out why the CPI is deemed to be the appropriate index for open space. This should be revised as it would be more appropriate for the Council to agree the index at the point of signing the S106.</p>	<p>greater clarity costs using Spon's External Works and Landscape Price Book 2024 (a recognised source of cost information), or a process of deriving costs (from quotes) are set out in the SPD</p>	