

Stratford upon Avon Neighbourhood Development Plan 2015 - 2031

On behalf of The Rosconn Group

Section 1

1. The Neighbourhood Plan (NP) should acknowledge that the Local Planning Authority is Stratford on Avon District Council NOT Stratford District Council.

Section 2

2. The NP should acknowledge that there may be changes to the Core Strategy following receipt of the Inspector's Final Report on the Core Strategy. While the LPA has recently published Proposed Modifications to the Core Strategy these have not been subject to independent examination – and hence should be attributed limited weight. Of particular significance to this NP is the fact that the Objectively Assessed Housing Need for the District has not been determined. As such the NP cannot determine the scale of new housing development that might be considered appropriate for this Category 1 Village to meet the overall housing needs of the District.

Section 4

3. The Framework states that 'Local Plans should be aspirational but realistic' (paragraph 154). A Neighbourhood Plan should similarly reflect this principle. It is considered unrealistic to envisage within the Vision Statement that 'congestion will no longer be an issue'. Peak hour traffic on the highway network into Stratford upon

Avon is likely to give rise to some incidences of congestion. The vision for the NP should be more realistic as to the achievements within the Plan period.

Section 5

4. The criticism that the demand for housing has ‘put pressure on greenfield sites on the periphery of the town creating urban sprawl and development uncoordinated with the necessary infrastructure particularly the town’s road network’ is an unsubstantiated assertion. Growth of the town has largely taken place in accordance with the provisions of the Stratford upon Avon Local District Plan Review 2006. Where sites have come forward for housing outside of the Local Plan process – primarily on the basis that the LPA has failed to maintain a sufficient supply of housing land – planning permission has then been granted by the Local Planning Authority or the Secretary of State with appropriate provision being made for new infrastructure and the delivery of high quality design.

5. While it is noted that ‘There is no current indication that the Housing Allocation for Stratford upon Avon Main Town will increase’, there is similarly no cogent evidence to suggest that the main urban area will not be required to meet further housing needs to achieve the delivery of the OAHN.

6. The emphasis on the re-use of brownfield land is acknowledged within national planning policy. The NP should be transparent and identify suitable brownfield land for new housing. If, as it is submitted, suitable brownfield land for housing cannot be

identified, then the NP should explain to the community that it will be necessary to use greenfield land to accommodate necessary development.

7. An objection is submitted to Policy H1 in the definition of Built-Up Area Boundaries. Figure 14 should be amended to allow for up to 100 new homes to be constructed on land off Knights Lane Tiddington. The suggested Built-Up Area Boundary is shown on the plan attached as **APPENDIX 1**.

Policy H1

8. Policy H1 is objected to on the basis that the wording is contrary to the cost / benefit approach of the Framework. The planning system operates on a plan-led planning system, not a plan-determined system. In consequence ‘other material considerations’ may justify the granting of planning permission notwithstanding the provisions of the development plan or neighbourhood plan. Policy H1 should identify the proposed limits of the urban area only.

Policy H2

9. Policy H2 is objected to as its underlying intent is to restrict housing land supply. No cogent evidence base has been presented in the preparation of the NP to substantiate that there is a requirement for a Strategic Gap policy. The emerging Core Strategy has been prepared without such a policy provision. In identifying the Built-Up Area Boundaries under Policy H1, land beyond this boundary will be subject to countryside policies.

10. The setting and individual character of Tiddington and Alveston can be preserved without the provision of a Strategic Gap policy within a Neighbourhood Plan. Tiddington will remain ‘visibly separate’ from the urban edge of Stratford upon Avon to the south-west with the proposed re-defining of the settlement boundary as shown at **Appendix 1**.

11. It is not accepted that Policy H2 is justified by the contention that ‘infilling parcels of land on the edges of the built up area’ has eroded the character of Tiddington. High quality housing development with provision of new open space can make a positive contribution to the character of Tiddington as exemplified in the proposals for new housing at Knights Lane, Tiddington as demonstrated in planning applications 14/02766/OUT and 15/00920/OUT.

Policy H3 - Local Service Village Allocations

12. There is no justification for Policy H3 which simply seeks to promote less development than set out in the Local Plan and undermine its strategic policies (Framework paragraph 184). The NP cannot at this stage in the preparation of the Core Strategy identify the scale of housing that may be required to be provided at Tiddington to meet overall development needs of the District.

13. No technical or environmental evidence has been adduced in the NP to substantiate that development in excess of around 90 dwellings would not comprise a sustainable pattern of development. No evidence has been adduced that 113 dwellings is an upper limit for sustainable urban growth at Tiddington.

14. In so far as Tiddington is well located to the principal urban area of Stratford upon Avon – and the NP urges ‘best use of existing or planned infrastructure’, Tiddington is considered to be the most sustainable Category 1 Local Service Village in the District. In consequence the NP should properly recognise the locationally sustainability of Tiddington and its potential role in making a greater provision of the District’s housing needs.

Policy H4

15. Policy H4 is not consistent with national planning policy (NPPF). There is no ‘general presumption against the development of greenfield land’. The Framework does not impose a test of ‘exceptional circumstances’ to be advanced by an applicant for the development of greenfield. Policy H4 illustrates the intent of the NP to undermine the strategic policies of the emerging Core Strategy to meet the development needs of the District.
16. The preparation of a Neighbourhood Plan should not be seized upon by a local community to introduce a set of restrictively worded policies which are inconsistent with the Framework. There is no evidence that the Neighbourhood Plan has embraced the presumption in favour of sustainable development as set out at paragraph 49 of the Framework. The provisions of paragraph 49 of the Framework are applicable to a draft development plan, including a draft neighbourhood plan. Paragraph 49 does not simply apply to a plan forming part of the statutory development plan (Woodcock Holdings Ltd v SoS DCLG 2015).

Policy H6 – Affordable Housing

17. Policy H6 is inconsistent with national planning policy in its reference to affordable housing requirements on developments of less than 10 dwellings. No special justification and evidence base is included in the Neighbourhood Plan to justify a more restrictive approach to the provision of affordable housing.

Policy BE3

18. This policy defines ‘large-scale development’ as ‘development of 10 or more dwellings’. This definition is absurd in the context of the scale of development – and inconsistent with the approach taken in national planning policy. The absurdity of this policy is highlighted by the provision of Policy BE3 which requires the use of ‘design codes and master planning’ for schemes of 11 dwellings or more. The application of design codes and master planning imposes considerable extra costs upon applicants. Such provision for design codes and master planning on proposals for 11 dwellings or more imposes an excessive burden upon applicants. Such arrangements should be restricted to schemes of much greater scale, for example proposals in excess of 100 dwellings.

Policy BE4

19. The requirement of this policy is similarly absurd in the context of imposing unnecessary costs upon applicants for small housing schemes. Local design review arrangements enabling comments to be made on applications may be established without imposing the burden upon applicants to coerce the requirements for large scale developments to be subjected to a local design review process.

Policy BE6

20. This policy is out of date. The Government has cancelled Code for Sustainable Homes.

Policy BE8

21. Criterion (d) is not justified by an evidence base. Greenfield land around the periphery of Stratford on Avon, Tiddington and Alveston is generally of best and most versatile agricultural value. There is no reasonable justification for criterion (d) having regard to national planning policy.

Policy BE11

22. This policy fails to accord with the provisions of Statute (Section 66(1)) and fails to have regard to the provisions of the NPPF Section 12. The wording of the policy is far removed from the cost / benefit approach that is set out at paragraphs 133 and 134 of the Framework.

Policy BE12 – Conservation Areas

23. This policy fails to accord with the provisions of Statute (Section 72 (1)) and fails to have regard to the approach set out at paragraphs 133 and 134 of the Framework.

Policy BE14 – Replacement Dwellings

24. This policy is out of date in its reference to Code for Sustainable Homes.

Policy CLW14 – Encouraging local generation of Renewable and Low Carbon Energy

25. This policy is inappropriately worded in requiring ‘All new developments should include proposals for maximising opportunities to install renewable and low carbon energy systems’. There is no evidence base to justify the imposition of a policy in a Neighbourhood Plan that seeks to impose higher standards than the requirements of the Building Regulations.

Tiddington

26. It is submitted that the survey undertaken by the TVRA in July and August 2014 was fundamentally flawed in its distorted representation of development proposals on the periphery of Tiddington. As such little weight should be given to the preferences expressed within the Neighbourhood Plan. The comments made in respect of Site 3 are not a fair representation of the developer’s proposals.