

Our Ref: PJF/fm/PF/9371  
(Please reply to Banbury office)  
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27<sup>th</sup> July 2015  
Freepost RTJX-GHEE-ZUCS  
Stratford-on-Avon District Council  
Consultation Unit  
Elizabeth House  
Church Street  
Stratford-upon-Avon  
CV37 6BR

Dear Sirs

**TOWN AND COUNTRY PLANNING ACT 1990**  
**STRATFORD NEIGHBOURHOOD DEVELOPMENT PLAN PRE-SUBMISSION**  
**CONSULTATION**

These representations are made on behalf of Mr and Mrs Krauze of Stratford upon Avon to the July 2015 consultation on the Stratford-upon-Avon Neighbourhood Development Plan 2015 – 2031.

The Stratford-upon-Avon Neighbourhood Development Plan 2015 – 2031 has not progressed beyond Step 3: “Pre-submission publicity & consultation” as set out in paragraph 080 of the NPPG Reference ID: 41-080-20150209. As a result of the consultation now being undertaken, the Town Council are required to consider any representations it receives and amend the Plan as appropriate.

**Local Plan Core Strategy**

The Council submitted the Core Strategy to the Secretary of State for Communities and Local Government under Regulation 22 of The Town and County Planning (Local Planning) (England) Regulations 2012, on 30<sup>th</sup> September 2014 for independent examination. Public hearing sessions were held throughout January 2015 and the Inspector published an Interim Report on 19<sup>th</sup> March 2015. The Inspector invited the Council to carry out further work on the Core Strategy, in particular relation to:

1. The housing requirement
2. The Sustainability Appraisal

A revised timetable for progress toward re-opening the Examination and adoption is currently being determined. In June 2015 the Council published a Core Strategy Proposed Modifications and adopted, on an interim basis, policies that are not subject to significant representations or unresolved concerns.

The neighbourhood plan should be in general conformity with the strategic policies in the development plan in the area in order to meet the ‘basic conditions’. In order to achieve the overall objectives, Stratford-upon-Avon Neighbourhood Development Plan should support Stratford-on-Avon District Council’s Core Strategy

**Neighbourhood Development Plan**

The Stratford-upon-Avon Neighbourhood Development Plan advises that the allocation for housing in the current draft Core Strategy is approximately 2,700 dwellings during the plan period and that the allocations included with the pre-submission Neighbourhood Plan are consistent with that level of development. The Neighbourhood Plan States at page 17:

*“The Submission draft Core Strategy is under Examination and at the time of this Plan’s pre-submission consultation the District Council is required to re-visit its Objectively Assessed Need which may result*

*in an increase in the housing numbers across the District. There is no indication that the Housing Allocation that the Housing Allocation for Stratford-upon-Avon Main Town will increase and we are not making any provision in this Plan above the figure mentioned above”*

Section 12 identifies the following housing allocation sites for Tiddington.

- Policy SSB4 – Home Guard Club – Allocation of up to 32 houses
- Policy SSB5 – Tiddington Fields – Allocation of around 60 houses

The Stratford-on-Avon Core Strategy Proposed Modifications June 2015 identifies Tiddington as a Local Service Village “Category 1 Village”. Appendix 2 of the Core Strategy Proposed Modifications details the methodology which was applied when assessing villages in the District. Category 1 Villages are one of the largest settlements within the District with: general stores that are large with long opening hours; a primary school; and, very good (at least hourly) bus services. Therefore, Tiddington is one of the most sustainable villages within the District. Policy CS.16 states that Category 1 Villages could provide approximately 450 homes of which no more than around 25% should be provided in an individual settlement. This would result in Tiddington being able to deliver up to 113 new dwellings during the plan period.

As stated above, the Neighbourhood Plan has allocated up to 92 dwellings for Tiddington, some 19 short of the 113 that it could deliver. In order to support the Core Strategy the Neighbourhood Plan should include policies that allow for the additional 19 dwellings throughout the village. In any event it is submitted that no technical or environmental capacity assessment has been undertaken to provide a firm basis for the alleged upper limit to development at Tiddington. It is submitted that Tiddington is capable of accommodating further housing growth without undermining its character.

**Policy H5 – Use of Garden Land** states:

*“Development on garden land will only be permitted if it can be demonstrated that proposals:*

- a) Preserve or enhance the character of the area;*
- b) Do not introduce a form of development which is at odds with the existing settlement character or pattern;*
- c) Preserve the amenities of neighbouring properties; and*
- d) Provide satisfactory arrangements for access and parking”*

The explanation of this policy states, at page 22, that:

*“Development within the garden of existing houses can lead to inappropriate development with regard to neighbouring properties and poor means of access. Unless an adequate land area is available or can be assembled and demonstrated to be accessible and sustainable, without causing detrimental harm to the amenity of neighbouring dwellings or the character of the area, then development will be resisted.”*

An objection is made to this overly restrictive policy, paragraph 53 of the Framework states:

*“Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.”*

No evidence has been presented to support a blanket objection to any new dwelling within an existing garden area. A criteria based policy should be introduced.

The Framework does not state that all development of residential gardens is inappropriate and there is

foundation for a blanket ban policy in this Local Plan or Core Strategy. Given the potential shortfall in housing numbers, and the reliance upon windfalls within the Core Strategy, the Neighbourhood Plan should not seek to undermine this potential source of housing land supply.

In conclusion, the Neighbourhood Development Plan has not taken into full consideration of the Core Strategy Proposed Modifications. It has failed to deliver the required level of development required within Tiddington and has failed to provide creative and flexible policies which will both support sustainable growth and protect and enhance the existing character of the area. The Neighbourhood Plan has been prepared without due regard to the provisions of the Framework which has introduced a cost / benefit approach to policies. The Neighbourhood Plan is written in a prescriptive format with the underlying intent to restrict new development.

Yours sincerely

Peter J Frampton

Cc. Mr and Mrs Krauze  
Miss F Mitchell – F's