

## Responses to Representations made on the Pre-submission Draft Stratford Neighbourhood Development Plan

### Policy H5

Representations: Total received 26

Number in Support: 15

#### Summary of Representations:

Significant support from residents for this policy, though developers argue it is not in accordance with the NPPF. SDC makes helpful comments.

#### Summary of Response:

It is not agreed that the policy is inconsistent with the NPPF, however some minor changes will be made to meet SDC's comments.

#### Modification Proposed:

The Policy wording will be modified to respond to the District Council's comments.

### Individual Representations and Steering Group Responses

Code Number	Full Name	Organisation represented (where applicable)	Policy H5	Neighbourhood Plan Steering Group Response

### Statutory Consultees' Comments

1001	Stratford District Council	Statutory Consultee	The purpose of the Neighbourhood Plan should be to ensure that development makes a positive contribution to the Neighbourhood Area. It is suggested that criterion (a) is amended so that Policy	Agreed. "Protect ..." to be replaced with "Preserve ...".
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		<p>H5 takes the opportunity in every case to seek to “preserve and enhance” the character of the area and not just “protect or enhance”.</p> <p>There may be a consistency issue between criterion (b) and the Built Environment policies of the Neighbourhood Plan. It is queried as to why garden development must not be “at odds with the existing settlement character or pattern” as stated at criterion (b) but development elsewhere, assessed using the Built Environment policies, must simply respond to local character.</p> <p>The aim of criterion (c) is appreciated, but query whether its practical application would result in no development of garden land. Would the following be a more appropriate form of words that would achieve the same aim: “Not significantly impact upon the amenities of neighbouring properties”? It would also be helpful in the accompanying explanation to set out which considerations would be taken into account e.g. privacy, loss of daylight, noise etc.</p> <p>In criterion (b) suggest replace “is at odds” with “conflicts”.</p>	<p>Criterion (b) will be amended to “are accordance with Policy BE2 of this Plan.”</p> <p>It would be helpful to include this but it is not considered necessary and will make the plan longer.</p> <p>Criterion (b) will be amended as noted above.</p>
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<b>Agents and Developers' Comments</b>				
509	Framptons re: Red House, Tiddington Road	Policy H5	<ul style="list-style-type: none"> <li>The criteria in the policy is overly restrictive and is not directly supported by policies in the LP or the CS</li> <li>The NPPF does not restrict development in</li> </ul>	<ul style="list-style-type: none"> <li>The criteria is not overly restrictive, it actually facilitates appropriate forms of development on garden</li> </ul>

			gardens	<p>land. There does not have to be sister policies in the LP or the CS</p> <ul style="list-style-type: none"> <li>• Policy H5 is completely aligned with para 53 of the NPPF</li> </ul>
517	Framptons re Mr & Mrs Krauze		<p>An objection is made to this overly restrictive policy, paragraph 53 of the Framework states:</p> <p>“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.”</p> <p>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.</p> <p>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.</p>	<p>Policy H5 is in accordance with paragraph 53 of the NPPF and is a criteria based policy. It is not a veto or moratorium on all development on garden land. It permits development providing it complies with a) – d) of the policy.</p>
518	Framptons re Mr & Mrs Shakeshaff		<p>An objection is made to this overly restrictive policy, Paragraph 53 of the Framework states:</p> <p>“Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example</p>	<p>See comments in response to Rep 517 above.</p>

			<p>where development would cause harm to the local area.”</p> <p>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.</p> <p>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.</p>	
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<b>Residents' Comments</b>				
013	Rosanna Dymoke-Grainger		Garden land should be protected. It should be ensured that this is only used when there are no other options,	Supportive - but policy must accord with the NPPF and cannot be too restrictive.
018	Stephen Wreford		This policy is limiting opportunities for development within the Tiddington BUAB where many huge gardens are in evidence. This policy is at odds with NPPF Para 65 i.e. Local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal's economic, social and environmental benefits)	This Policy does not prohibit such development as suggested here. Not considered at odds with NPPF..

025	Jane Dodge		I agree	Supportive
038	Amanda Waters		No view	-
056	Martyn Luscombe	Stratford Voice	Strongly support	Supportive
057	Trevor Honychurch		Agree	Supportive
064	Richard Eden		Housing Needs Survey is essential. How can solutions be devised if the requirements are not clear?	Not relevant to this policy, however HNS is being undertaken to support Policies H6 and H7
074	Roger & Lesley Read		Agree. This is consistent with the Alveston VDS.	Supportive
086	Jenny Fradgley		Support, important to preserve the character of the town. Any development in gardens needs very careful consideration, increase in traffic, parking and compromising important town settings should trigger refusal.	Supportive
095	Eric Ward		Strongly agree	Supportive
116	Thelma Bates		I do not think we should have high density housing with rat runs.	Not relevant to this policy,
135	Kate Bates		Feel far more use should be made of garden sites which tend to involve small sustainable numbers of new build houses to a high design spec.	Supportive. This NDP policy H5 defines clear guidelines
148	MRS NICHOLE SOUTH		Aside from the fact that it is ridiculous to build on Tiddington Fields due to traffic, taking open space from its residents and the planning consultant stating	Not relevant to this Policy – response provided under SSB5

			"he is concerned about erosion of the strategic gap between Tiddington and Alveston along with the related traffic. It would be far more viable to have Knights Lane as the preferred site, as it would mean less traffic on the smaller roads in the village and a genuine strategic gap between Stratford-upon-Avon and Tiddington. e: Tiddington Fields	
174	Sarah Eglin		agree	Supportive
195	Alan John Whiting		I support all the comments made by the TVRA in their response Email on 21/7/2015	Noted
201	Graham John Nicholson	The Inland Waterways Assoc. (Warks branch)	Greater powers are required to stop "garden grabbing"	Supportive - but policy must accord with the NPPF and cannot be too restrictive.
210	Rachel Syson		Agree	Supportive
211	Alex Quinn		The policy should be much stronger on the use of garden sites for development - they should be considered under extremely exceptional circumstances.	Supportive - but policy must accord with the NPPF and cannot be too restrictive.
212	David Tucker		Support, but there must be recognition that some very large gardens are now inappropriate to modern lifestyle and sympathetic development may provide a limited source of housing in sensitive areas such as Alveston.	Supportive. This NDP policy H5 defines clear guidelines
221	Lindsey Quinn		Greater effort should be made to avoid developing garden sites - these should be used in exceptional circumstances, not as an unfortunate side-effect.	Supportive - but policy must accord with the NPPF and cannot be too restrictive.
228	John Campton		Good policy	Supportive

282	Anne Marian Kiely		Look at Shipston or Alcester to see very good example of H5 (a/ b/ c/ d)	Noted
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