

Loxley Neighbourhood Development Plan

Regulation 16 Representations: By Contributor

Rep.No.	Name	Policy/Section	Representation	NDP Response
LOX. 01	Wood, on behalf of National Grid	General comment	<p>Specific comments</p> <p>An assessment has been carried out with respect to National Grid’s electricity and gas transmission apparatus which includes high voltage electricity assets and high-pressure gas pipelines.</p> <p>National Grid has identified the following high-pressure gas transmission pipelines as falling within the Neighbourhood area boundary:</p> <p>FM02 – Churchover to Wormington</p> <p>FM23 – Newbold Pacey to Honeybourne</p> <p>From the consultation information provided, the above gas transmission pipeline does not interact with any of the proposed development sites.</p> <p>Gas Distribution – Low/Medium Pressure</p> <p>Whilst there are no implications for National Grid Gas Distribution’s Intermediate/High Pressure apparatus, there may however be Low Pressure (LP)/Medium Pressure (MP) Gas Distribution pipes present within proposed development sites. If further information is required in relation to the Gas Distribution network, please contact plantprotection@cadentgas.com.</p> <p>Electricity distribution</p> <p>Information regarding the distribution network can be found at www.energyworks.org.uk.</p>	Noted. No action necessary.

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LOX.02	Historic England	General	<p>Thank you for the invitation to comment on the Submission Neighbourhood Plan. Historic England is supportive of both the content of the document and the vision and objectives set out in it and are pleased to note that the Plan evidence base is well informed by reference to the Warwickshire Historic Environment Record. The emphasis on the conservation of local distinctiveness through good design and the protection of landscape character including green spaces and important views is to be applauded. The Village Design Statement at Appendix 1 is also commendable in its detail and will no doubt prove invaluable as a context and evidence base for the current Plan and in guiding future development.</p> <p>Overall the plan reads as a well-considered, concise and fit for purpose document which we consider takes a suitably proportionate approach to the historic environment of the Parish.</p> <p>Beyond those observations we have no further substantive comments to make on what Historic England considers is a good example of community led planning.</p>	Noted. No action necessary.
LOX.03	Natural England	NE2	Natural England has reviewed the Regulation 16 version of the Loxley Neighbourhood Development Plan. We welcome the amendment to Policy NE2 – Biodiversity, which now includes the specific mention of the Site of Special Scientific Interest.	Noted. No action necessary.
LOX.04	The Coal Authority	General comment.	Having reviewed your document, I confirm that we have no specific comments to make on it.	Noted. No action necessary.
LOX.05	Canal and River Trust	General comment.	The plan area is not within close proximity to our network and therefore the Canal and River Trust has no comments to make.	Noted. No action necessary.
LOX.06	Highways England	General comment.	I can confirm we have no comments to make on this at this time.	Noted. No action necessary.

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LOX.07	Network Rail	General comment.	Network Rail has no comments to make.	Noted. No action necessary.
LOX.08	Sport England.	General comment.	<p>Government planning policy, within the National Planning Policy Framework (NPPF), identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process. Providing enough sports facilities of the right quality and type in the right places is vital to achieving this aim. This means that positive planning for sport, protection from the unnecessary loss of sports facilities, along with an integrated approach to providing new housing and employment land with community facilities is important.</p> <p>It is essential therefore that the neighbourhood plan reflects and complies with national planning policy for sport as set out in the NPPF with particular reference to Pars 96 and 97. It is also important to be aware of Sport England's statutory consultee role in protecting playing fields and the presumption against the loss of playing field land. Sport England's playing fields policy is set out in our Playing Fields Policy and Guidance document. http://www.sportengland.org/playingfieldspolicy.</p> <p>Sport England provides guidance on developing planning policy for sport and further information can be found via the link below. Vital to the development and implementation of planning policy is the evidence base on which it is founded. http://www.sportengland.org/facilities-planning/planning-for-sport/forward-planning</p> <p>Sport England works with local authorities to ensure their Local Plan is underpinned by robust and up to date evidence. In line with Par 97 of the NPPF, this takes the form of assessments of need and strategies for indoor and outdoor sports facilities. A neighbourhood planning body should look to see if the relevant local authority has prepared a playing pitch strategy or other indoor/outdoor sports facility strategy. If</p>	Noted. No action necessary.

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			<p>it has then this could provide useful evidence for the neighbourhood plan and save the neighbourhood planning body time and resources gathering their own evidence. It is important that a neighbourhood plan reflects the recommendations and actions set out in any such strategies, including those which may specifically relate to the neighbourhood area, and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support their delivery.</p> <p>Where such evidence does not already exist then relevant planning policies in a neighbourhood plan should be based on a proportionate assessment of the need for sporting provision in its area. Developed in consultation with the local sporting and wider community any assessment should be used to provide key recommendations and deliverable actions. These should set out what provision is required to ensure the current and future needs of the community for sport can be met and, in turn, be able to support the development and implementation of planning policies. Sport England's guidance on assessing needs may help with such work.</p> <p>http://www.sportengland.org/planningtoolsandguidance</p> <p>If new or improved sports facilities are proposed Sport England recommend you ensure they are fit for purpose and designed in accordance with our design guidance notes.</p> <p>http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance</p> <p>Any new housing developments will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then planning policies should look to ensure that new sports facilities, or improvements to existing sports facilities, are secured and delivered. Proposed actions to meet the demand should accord with any approved local plan or neighbourhood plan policy for social infrastructure, along with priorities resulting from any assessment of need, or set out in any playing pitch or other indoor and/or outdoor sports facility strategy</p>	

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			<p>that the local authority has in place.</p> <p>In line with the Government's NPPF (including section 8) and its Planning Practice Guidance (Health and wellbeing section), links below, consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing planning policies and developing or assessing individual proposals.</p> <p>Active Design, which includes a model planning policy, provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity. The guidance, and its accompanying checklist, could also be used at the evidence gathering stage of developing a neighbourhood plan to help undertake an assessment of how the design and layout of the area currently enables people to lead active lifestyles and what could be improved.</p> <p>NPPF Section 8: https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities</p> <p>PPG Health and wellbeing section: https://www.gov.uk/guidance/health-and-wellbeing</p> <p>Sport England's Active Design Guidance: https://www.sportengland.org/activedesign</p>	
LOX.09	Mr Gibbon	General	<p>The purpose of a Neighbourhood Development Plan is to allow the community to influence future development within its area subject to the planning policies and guidelines in place. Personal interests are unavoidably evident in the plan as originally conceived by the authors and in its amended successors drawn up after the consultation periods. But, the guidelines are there to ensure equal and consistent treatment for all parties and should only be contravened in exceptional</p>	

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		Policy H1	<p>circumstances. There are a number of instances in the submission version of the Loxley NDP where it is at variance with the relevant regulations and guidelines. The Plan does not apply these consistently and so appears, perhaps inadvertently, to be discriminatory. I request that these discrepancies are removed before the plan is put to a referendum.</p> <p>In 2017, SDC compiled a draft version: https://www.stratford.gov.uk/doc/206631/name/BUABs%2016OCT17.pdf</p> <p>of the built-up area boundary for Loxley (now called the village boundary) without involvement from councillors, developers or landowners etc... and which was based solely on the applicable guidance. The NDP alters this by cutting out parts of some village gardens while at the same time adding a large area around Loxley Hall in addition to the sites designated for new development.</p> <p>When asked to justify these changes Loxley Parish Council responded thus – “In defining the Village Boundary the working group has relied on the guidance provided by an independent planning consultant. While the NDP Village Boundary differs from the SDC proposed BUAB it has been carefully conceived. Part of the changes are necessary to include the site allocations within the boundary. Where the boundary has been drawn more tightly to that proposed by SDC, it has been done deliberately to exclude large gardens on the edge of the village. The NDP proposes a Village Boundary whereas SDC propose a Built-up Area Boundary. The NDP is entitled to draw its own development boundary even if this differs from the Council’s own proposed boundary. This was confirmed in the recent Examiners report for the Claverdon NDP where the Examiner accepted a different (tighter) boundary in the NDP to that proposed by SDC.</p> <p>The NDP insists that it is entitled to define its own boundary and justifies its actions by claiming that it is merely removing large gardens on the edge of the village in line with its policy. This explanation does not fit the facts and SDC has described the</p>	<p>The QB maintains that it is entitled to draw a BUAB</p>

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		Policy LC2	<p>exclusion of the 3 gardens within the village as perverse. These gardens are not situated on the outskirts of the village, and the boundary which has been drawn through them is inconsistent with the rest of the boundary. It is also totally arbitrary. It ignores curtilage and established practice and is unidentifiable on the ground as it is not marked by any physical features such as fences or hedges.</p> <p>The inconsistency is most vividly illustrated by the different treatment given to 2 contiguous plots. The NDP brings Site B within the village boundary to allow 2 rows of new homes to be built. Immediately adjacent to Site B, and to the north, the garden of Loxley House and 2 others have been cut back to prevent the building of 'houses behind houses'. Apparently the obligation to preserve the linear characteristic of the village does not apply to one plot but is sacrosanct for the next. Again, at Hillside the children's swings are designated to be outside its curtilage, while at Orchard House the boundary is purported to run through the middle of a flowerbed a few metres from the back door.</p> <p>Two other gardens have also been excised. Those at Loxley Barn and Pedders Way may be said to be on the northern periphery of the settlement but are certainly not large. It is difficult to understand the necessity or the rationale behind these adjustments which are similarly arbitrary and without justification.</p> <p>Placing the village boundary in the position shown in the NDP unfairly and unreasonably hinders the potential to develop these gardens with small scale infill development.</p> <p>While suggesting that it draws a tighter village boundary than SDC the NDP in fact envisages a very much larger area by bringing in a tract of land and buildings around Loxley Hall. This enlargement does not relate to land which has been allocated as a site for development but is made without any elucidation – even the independent consultant escapes mention. However, the arbitrary lines which have been drawn to indicate the revised village boundary are indefensible. As one example, the wooded</p>	<p>around the village in which it sees fit. There are countless examples of where an NDP has defined a different development boundary or BIAN than the host planning authority. A recent example is the Claverdon NDP which is also in Wychavon. The Claverdon NDP passed examination with a different BUAN to the one Stratford District Council had drawn up.</p> <p>The gardens refer to in this communication are very large and clearly outside the settlement pattern of linear development in that part of the village. The gardens have been deliberately excluded to ensure that inadvertently, large areas of 'white land' within the development boundary is not created where the principle of potentially</p>

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			<p>area along the road past the church does not qualify for inclusion under any interpretation. It lies beyond the old stable yard and buildings well away from Loxley Hall itself, and is clearly not part of its curtilage.</p> <p>A further example of where the Plan fails to show that the required criteria are met is in the designation of Local Green Spaces when dealing with the Pub Field.</p> <p>Paragraph 100 of the NPPF specifies that Local Green Space designation should only be used where the green space is: “in reasonably close proximity to the community it serves; demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and local in character and is not an extensive tract of land”.</p> <p>When it was pointed out that in order to qualify as a Local Green Space the Pub Field must be a “green area which is demonstrably special to a local community” the NDP evaded the issue by responding “What constitutes ‘social’ (sic) is something of a grey area. However, very few residents have pushed back on inclusion of this site. In the questionnaire Nov/Dec 2017 over 90% were in favour of this site being designated an LGS”.</p> <p>The issue, of course, is whether it qualifies by having the required characteristics and not whether it was supported in a questionnaire. No doubt it is seen as special by the occupants of the half dozen houses which surround it but it is inaccessible and not demonstrably special to the rest of the community. It can only be glimpsed from the road through gaps between the properties and has not been used for recreation since occasional events staged by the pub landlord in the distant past. The NDP has not offered the evidence needed to validate its case.</p> <p>Summary</p> <p>The Loxley NDP does not meet the required standards in at least 2 respects. The</p>	<p>harmful development is supported under policy H1.</p> <p>The QB submits that LGS3 meets the designation criteria in the NPPF and has significant public support.</p> <p>The QB respectfully</p>

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			<p>village boundary delineated by the NDP is inconsistent and does not conform to the set guidelines while one of the designated Green Spaces is not properly qualified.</p> <p>The Loxley NDP quotes the Claverdon NDP Examiner to support its divergence from the regulations and established practice. I submit that the verdict of the Stratford-upon-Avon NDP Examiner when determining the case of Hillside, Alveston is more directly applicable. She said "I consider that A BUAB for any settlement should be consistent in terms of the manner by which it is set and that it should not be unduly restrictive. The Alveston BUAB unnecessarily cuts through land at Hillside and concur that it should be redrawn to enclose the entire domestic garden within the built-up area."</p> <p>The regulation 16 response concerning Hillside, Alveston may be found at https://www.stratford.gov.uk/doc/206600/name/Stratford%20on%20Avon%20NDP%20table%20of%20reg%2016%20reps%20by%20contributor.pdf where it will be seen as directly comparable to the case of Hillside, Loxley etc. and where the planning argument is cogently expressed.</p>	<p>disagrees with this statement.</p> <p>The Alveston case is not comparable to Loxley, where planning permission now exists for development which was originally excluded from the draft BUAB of Alveston.</p>
LOX.10	Environment Agency	General	<p>We are broadly in support of the aims and objectives of the NDP and we wish to make the following comments:</p> <p>The NDP area is located in an area entirely within Flood Zone 1 on the Flood Map for Planning (Rivers and Sea). There is an Ordinary Watercourse which runs through the village, however there does not appear to be any mapped flood extents for this watercourse. No detailed assessment e.g. hydraulic modelling of the flood risk from the Ordinary Watercourse running through the village has been undertaken to determine the flood extents and therefore we would recommend any new development adjacent to the watercourse to access the potential flood risk to ensure flood risk is not increased.</p> <p>The Ordinary Watercourse running through the village is under the jurisdiction of the Lead Local Flood Authority, who in this area is Warwickshire County Council, and we</p>	

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		NE2, 5.12	<p>would advise that they are also consulted on this NDP as they are responsible for managing flood risk from local sources including ordinary watercourses, groundwater and surface water.</p> <p>The NDP does not include any policies which refer to flood risk and we would strongly recommend including a policy for flood risk, which includes climate change and surface water drainage.</p> <p>All proposals for new development must demonstrate that existing flood risk will not be increased elsewhere (downstream), ideally by managing surface water on site and limiting runoff to the greenfield rate or better. The use of sustainable drainage systems and permeable surfaces will be encouraged where appropriate. Consideration should also be given to the impact of new development on both existing and future flood risk. Where appropriate, development should include measures that mitigate and adapt to climate change.</p> <p>In addition, new developments should seek to control and discharge all surface water runoff generated on site during the 1 in 100 year plus climate change rainfall event. For Greenfield development sites, the surface water runoff generated as a result of the development should not exceed the Greenfield runoff rate. For Brownfield development sites, developers are expected to deliver a substantial reduction in the existing runoff rate, and where possible, reduce the runoff to the equivalent Greenfield rate.</p> <p>We recommend additional wording to the following policies to ensure the protection and enhancement of biodiversity in line with NPPF paragraph 170:</p> <p>Protected buffer margins should be incorporated to protect waterbodies from development, to promote habitat connectivity within the wider landscape for both people and wildlife to use.</p>	<p>NDP Response</p> <p>Policy NE5 of the NDP refers to flood risk. Additionally, surface water flood risk is adequately covered in Core Strategy policy CS.4. There is no need for the NDP to repeat existing planning policy.</p> <p>Noted. This requirement would be captured by CS.4</p> <p>Noted. The QB has no objection to this paragraph being added to 5.12.</p>

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			<p>Point D – maintenance to all SuDS features should be considered in all new developments, to ensure the long term operation and efficiency of SuDS.</p> <p>The policy should be developed to include the following point:</p> <ul style="list-style-type: none"> - The requirements set out in the following documents should also be adhered to in all cases: <ul style="list-style-type: none"> • Warwickshire County Council’s Flood Risk Management Standing Advice document, which can be found online at: http://apps.warwickshire.gov.uk/api/documents/WCCC-1039-73 • The National Planning Policy Framework (NPPF) • DEFRA’s Non-statutory technical standards for sustainable drainage • The Planning Practice Guidance (PPG) - Flood attenuation areas must be located outside of flood zones and surface water outlines to ensure that the full capacity is retained. - On smaller development sites where the discharge rate is below 5l/s, these rates are achievable through water reuse, protected orifices, and better design. 	<p>included to futureproof the NDP.</p> <p>Noted. See comments above about first bullet point. Referring to specific documents... Reference to NPPF and PPG is not deemed necessary.</p> <p>The QB would have no objection to the inclusion of the second and third bullet point if the Examiner felt it was necessary to meet the basic conditions.</p>
LOX.12	Stratford Homes	H1	<p>The Avon Planning site appraisal for Site A suggests up to 6 dwellings. Our own studies show similar potential. Policy H1 suggests 2-3 dwellings, which would appear to have arisen from a desire to maintain the village’s linear nature (NDP outcomes 06/02/2018). However, adjacent sites for Peddler’s Way and Loxley Barn have deeper curtilages and are set back further from the road in non-linear arrangements. A Courtyard style development, as suggested in Avon Planning’s appraisal, may be</p>	<p>Noted. The BUAB as drawn will allow sufficient space to enable a linear form of development with a safe mean of access so does not need to be</p>

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			appropriate for the site and would enable safer access arrangements, with turning space within the courtyard rather than direct road frontage. We would ask for more of the site to be included in the BuAB to allow potential for more dwellings, safer access, and also to provide space within the site for landscape buffering. The "right" solution may still be a linear development, but alternative options should not be precluded at this level; all proposals will still be assessed on their own merit.	enlarged.
		H2	Support.	
		H3	Support.	
		H4	Support.	
		H5	Support.	
		NE1	Support.	
		NE2	Support.	
		NE3	Support.	
		NE4	Support.	
		NE5	Support.	
		LC1	Support.	
		LC2	Support.	
		LC3	Support.	
		TT1	Support.	
		TT2	Support.	
			Support.	
			In relation to our above comments on Policy H1, Site A, we note that, to support safe	There is no evidence to suggest that the size of

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			vehicular access and egress to the site, direct frontage access may not be ideal; a courtyard form of layout with turning space within the site would be preferable.	the site as indicated in the NDP will not provide for sufficient space to enable vehicles to enter and leave in a forward gear.
LOX.13	Stratford on Avon District Council	Page 12, Policy H1 Figure 2, page 13	<p>SDC's comment made at Reg 14 was as follows:</p> <p>The policy makes reference to 'Village boundary'. The village boundary is a built-up area boundary with three large (ish) rear gardens excluded...with no explanation on the rationale behind this decision. The exclusion of only these 3 gardens is considered inconsistent in how the remainder of the 'line' has been drawn (and presumably been assessed/evidenced?). Paragraph 2 of policy H1 states that 'all areas outside the Development Boundary are classed as countryside'.</p> <p>SDC has made a further comment as below:</p> <p>It would appear that (Figure 2) still excludes three back gardens.</p> <p>There is a lack of methodology of how the land is being included and excluded within the Development Boundary. E.g. is residential land being included/excluded? Due to there being an unclear methodology there would appear to be an inconsistency in the approach in that entire curtilages are being included in the village but elsewhere the garden land is being deliberately severed without any clear justification.</p>	<p>The 3 gardens excluded are exceptionally large (whereas other gardens included are comparatively very small) so the QB does not consider its approach to drawing a relatively tight boundary around existing development is inconsistent. Whilst SDC's BUAB may indicate the extent of the built up area of the village, which they consider to include gardens, the proposed village boundary in Policy H1 is not intended to represent the built up area but moreover, it is intended to represent a</p>

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		Page 12, Policy H1	<p>The Site Allocations Plan (SAP) which has recently gone out for consultation makes reference to a Built up Area Boundary for Loxley and this differs to the boundary identified in Loxley's Neighbourhood Plan. The Built up Area Boundary in the SAP is based on SDC's own methodology (Appendix 1). A link to the SAP is below:</p> <p>https://www.stratford.gov.uk/doc/208537/name/SAP%20PUBLISHED%20VERSION.pdf</p> <p>It is noted that there is a note contained within the policy with regards to housing numbers and that this has been amended. However, the density figure for a number of the proposed allocations sites is very low. The Plan seems to be promoting smaller (2-bed) dwellings, and also acknowledges the need to meet sustainability standards. Together, these objectives could lead to higher density development than being promoted through Policy H1.</p>	<p>development boundary where the principle of development is acceptable.</p> <p>The SAP was produced by SDC without consultation with the QB or any regard to the local evidence base underpinning it. The SAP has in effect ignored an advanced NDP. The SAP is draft and carried limited weight. It has not been examined and there are outstanding objections to it.</p> <p>The density of the village is very low and therefore the figures specified in the allocations reflects the local character. To impose higher densities would create a development significantly more dense</p>

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		Page 13, Figure 2	It should be identified on Figure 2 that a public footpath runs through site A.	than the established character of the village. Noted. This can be amended if the Examiner feels it is necessary in order to meet the basic conditions.
		Page 15, para 4.12	Whilst it appears that a site assessment has been carried out and is published on the website it is unclear as to why some specific sites have been rejected or included. For example, sites I, G and M which have good potential have not been included within the plan.	All sites have been assessed and publically consulted upon during public events and Reg 14. The sites were ruled out for a mixture of reasons including technical site assessment and public responses.
		Page 16, Policy H2	It would appear that larger sites are not included within the site allocations and therefore does not trigger a requirement to provide affordable housing. However, it is noted that the Parish has identified that there is a slight requirement for affordable housing which they propose to allocate through rural exception sites, however these sites have not been identified within the plan.	Policy H2 merely provides the mechanism and policy hook for support for a rural exception scheme should one come forward.

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		Page 17, Para 4.17	<p>SDC made the following comments at Reg 14 stage:</p> <p>The requirements are only limited to people within the Parish or connection to. Consideration needs to be given to people in the vicinity of the Parish, especially if no-one comes forward to meet the specified requirements. Further text could be incorporated to connections within the district.</p> <p>It is essential that for any affordable housing scheme preference should be given to allocations/nominations to people with a local connection in the first instance, via a S106 Agreement, but allowing flexibility to cascade beyond if there are no bidders with a qualifying local connection. This flexibility is essential, otherwise housing associations will be unable to acceptably mitigate risk and therefore be unwilling to develop. Setting out this approach would be preferable to including detailed local connection criteria, which may change in detail over time anyway.</p>	<p>Given the very small size and population of Loxley, the very small number of identified local housing need and the lack of facilities within the village it is not deemed appropriate to provide affordable housing in the village for those with a current need from outside the parish. If the village has a wider range of everyday facilities, then the local connection criteria could justifiably be widened. But this is not the case.</p>
		Page 17, Para 4.17 & 4.18	<p>SDC have made further comments following the Reg 16 consultation below:</p> <p>Paras 4.17 and 4.18 are read in a somewhat confusing manner, and may be unclear to third parties. Failure to address this matter could harm the prospects for successful delivery of 'Local Need' housing schemes. It is recommend that paragraphs 4.17 and 4.18 be deleted and replaced with:</p>	

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			<p data-bbox="831 320 1619 352">Delete and replace existing paragraphs 4.17 and 4.18 as follows:</p> <p data-bbox="927 389 1821 667">“4.17 The Parish Council note numerous recent examples of community-led housing schemes that have been successfully developed within Stratford-on-Avon District. They are keen to work with all interested parties to enable the delivery of a similar scheme or schemes to meet their own local need: whether that outlined above or identified in any subsequent surveys they may commission.</p> <p data-bbox="927 842 1800 954">4.18 In the interests of effectiveness and efficiency in connection with the implementation of Policy H2 through the drafting of the required S106 Agreement and subsequent management:</p> <p data-bbox="1021 994 1821 1066">(a) The tenure profile will reflect the current identified need as closely as possible, and</p> <p data-bbox="1021 1106 1809 1177">(b) Standard practices for regulating the occupancy of homes will be applied as follows:</p> <ul data-bbox="1120 1217 1794 1353" style="list-style-type: none"> • Households who have a housing need AND a local connection to Loxley parish will be prioritised both initially and subsequently for the letting or sale of all homes. 	<p data-bbox="1832 389 2157 794">The QB would not object to the inclusion of this paragraph if the Examiner felt it was necessary to meet the Basic Conditions. However, paragraph 4.17 in the NDP should not be replaced or rewritten in respect of the definition of local connection.</p> <p data-bbox="1832 834 2157 1153">The QB is happy with some aspects of this rewording but does not agree with the widening of the local connection definition to include adjoining parishes for the reason set out above.</p>

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		Page 20, Policy H5	<ul style="list-style-type: none"> • If this is impossible in respect of any individual property on any occasion, the home will be let or sold to a household with a housing need and a local connection strictly in the following order of preference (or 'cascade'): <ul style="list-style-type: none"> ○ A local connection to named adjoining parishes, followed by; ○ A local connection to the rest of Stratford-on-Avon District, followed by; ○ A local connection to a recognised strategic housing market area (if any), and finally; ○ A local connection to the remainder of England. • A 'local connection' will be defined by reference to a standard set of criteria currently based on at least one household member satisfying any one or more of the following: <ul style="list-style-type: none"> ○ Birth; ○ Current residency; ○ Previous residency; ○ Current work; ○ Current residency of close family members". <p>It is noted that Criterion A and C have been amended slightly from the initial pre-submission consultation document in May 2018. However the explanatory text and the policy are considered to be too restrictive. There is no requirement in law for a replacement dwelling to be constructed on a similar footprint to the original. An owner has the right to submit a revised application for a dwelling anywhere within</p>	<p>The QB respectfully disagrees with SDC. The policy is sufficiently flexible but at the same</p>

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			<p>their lawful curtilage. Each application should be assessed on its merits and if it is concluded that the new site would cause no harm to street scene, landscape character, neighbouring amenity etc, there should be no lawful reason to refuse a revised location beyond a 'similar footprint'. Para 4.33 has been amended to say that as a guide, the plan considers that replacement dwellings should be no more than 40% larger in volume. In the pre-submission document this number was 30%. Therefore, para 4.31 where the Plan claims it is not intending to 'overly restrict people's freedom of expression' is incorrect. Overall this policy is far too restrictive and affects an individual's 'rights and freedoms' to do what they want with their own property.</p>	<p>time makes it clear that the new dwelling should be commensurate with the size of the plot which represents good planning.</p> <p>Whether there is or isn't a law about the replacement dwelling being on the same footprint is irrelevant. There are countless examples of Development Plan policies stipulating this requirement See South Worcestershire Development Plan 2016 Policy RES18. The 40% figure is generous and a guide. Without it there will continue to be examples of very small properties being demolished and replaced with very large dwellings which over time results in</p>

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		Page 21	<p>Policy H5 should be in accordance with the policy within the Core Strategy (CS.20) for replacement dwellings. It is unclear as to what is meant by 'locality' within this policy. Is it referring to the 'Built Up Area Boundary'?</p> <p>The designated valued landscapes need to be supported by robust, up-to-date, evidence (i.e. LVIAs). The assessment methodology 'An Approach to Landscape Character Assessment', confirmed by Natural England in 2014, incorporates the assessment processes set out in the 2002 guidance note 'Landscape Character Assessment Guidance for England and Scotland'.</p> <p>However, it appears that the policy refers more to Important Views and therefore 2. In Policy NE1 should be altered to Important Views and Figure 3 should be renamed Important Views.</p> <p>There is no evidence to suggest that a Landscape and Visual Impact Assessment (LVIA) has been carried out.</p>	<p>the erosion of the smaller housing stock which in a district like Stratford means a greater affordability gap rather than a narrowing of it.</p> <p>With respect it should not. The NDP does not have to conform to non-strategic policies in the Core Strategy.</p> <p>The requirement for an LVIA is excessive. Numerous NDP's have passed examination with Valued Landscapes.</p> <p>The QB objects in the strongest possible terms to the amendments suggested by SDC. The policy specifically refers to Valued Landscapes NOT important views. If there is confusion due to the</p>

Rep.No.	Name	Policy/Section	Representation	NDP Response
		Page 30, CIL	It is noted that the Plan does not list priorities, i.e. community assets, green spaces, which the Parish may want to use CIL funding towards. A number of already adopted NDP's have listed these.	annotation on Figure 3 then the word View can be replaced with "Valued Landscape". Noted. A new appendix could be provided listing the projects which CIL receipts could be used on.
		Page 34, Policy TT1	It is considered unreasonable and unsustainable, to provide a parking space per bedroom. For example, a 5 bedroom house would require 5 parking spaces even though it's for family of 4 (2 adults, 2 children). Since Loxley submitted their NDP the District Council has adopted a Development Requirements SPD within which is a section on car parking standards. Reference should be made to this document as there is currently limited robust evidence to support the NDP's proposal to provide 1 car parking space per bedroom. A link to the document can be found here: https://www.stratford.gov.uk/doc/208508/name/PART%20%20clean%20version%20Cabinet%20June%202019.pdf	It is disappointing that SDC are continuing to resist local car parking standards in NDP's. The NDP is entitled to impose local standards as per para 105 of the NPPF. There is sufficient justification in the NDP for this imposition.
		Page 35, Policy TT2	This policy is considered to be too restrictive for validation/determination requirements and is too vague to be able to apply it consistently.	Noted. Suggest adding the words "Where necessary..." at the beginning of the policy

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				would overcome this issue.