

SHIPSTON-ON-STOUR NEIGHBOURHOOD PLAN 2016 - 2031

OFFICER INFORMAL PRE-SUBMISSION HEALTH CHECK – JULY 2017

Introduction

1. I refer to the latest draft of the above Plan sent by Stephen Miles by email on 12 July 2017.
2. I also refer to previous meetings held on 13 July 2017 comprising introductions and site visits and subsequent meeting on 21 July 2017 with John Gordon (Development and Enabling Officer) present. Both meetings were extremely helpful and positive and I believe have helped to progress the Plan.
3. As promised I have carried out a 'sense check' on the current version that I have received. This has involved cross-checking comments previously provided by SDC with the current Plan and also supplementing with my own thoughts. These comments are in addition to the comments already supplied to you by John Gordon and are not intended to supersede them.

Comments

1. My first comments relates to the repositioning of the vision, aims and objectives into the appendix. I would suggest that this gives the impression that these matters are insignificant. In fact these elements are very important providing the justification for the policies, by demonstrating a flow or 'golden thread' running through the document from the vision, through to the objectives and then to policies, thereby showing how the policies will deliver the vision.

2. Vision

"A sustainable, distinctive market town retaining its rural setting and historic character;

Realising its full potential for the benefit of the community and visitors;

With supporting infrastructure and community facilities especially schools,

services and healthcare;

Having flooding risks contained and minimised; and

Housing growth primarily but not exclusively meeting the local needs of the

community."

As SDC have previously noted Visions are normally written as text rather than a set a bullet points for example:

" By 2031 Shipston on Stour will have become a sustainable and distinctive market town which will have retained its rural setting and historic character. It will have realised its full potential for the benefit of the community and visitors with supporting infrastructure and community facilities especially schools, services and healthcare. Flooding will have been

contained and risks minimised. Housing growth will have been primarily, but not exclusively, met the local needs of the community” (just a suggestion).

3. The aims and objectives contained in the appendix do not appear to directly relate to the objectives stated at the beginning of each policy giving the impression of 2 sets of objectives. Would a solution be to rename the ‘aims and objectives’ with ‘the aims’ and then list the policy objectives as ‘the objectives’. (NB I always find it helpful to number/letter bullet points so that Examiner knows exactly what point is being referred to rather than having to refer to say bullet point 2 or 6)

Thus;

Aims

A) Develop the strong sense of place, community and local identity, its character and setting as an historic riverside market town;

B) Maintain and strengthen the role and competitiveness as a Main Rural Centre serving the town and surrounding area and a wider catchment, with a strong retail offer and a broad mix of local and visitor services, amenities and facilities;

C) Champion business growth, employment opportunities, new economic activity and economic diversification whilst protecting and enhancing the natural environment and heritage assets;

D) Enhance, exploit and celebrate the riverside setting and the historic cultural, economic and amenity role that the River Stour has had in shaping the town’s development;

E) Manage growth whilst protecting the town’s integrity, its valued rural setting and green surroundings, and ensure that development respects and enhances the setting, visual identity, and the wider environment;

and so on.....

Objectives:

Policy EC1 Keeping land available for employment uses: (relates to Aim C))

retain in employment use the undeveloped commercial land and vacant commercial buildings within the upper and lower Tileman’s Lane business areas of the town.

Policy EC2 Creating more business space to meet local needs: (relates to Aim C))

create additional business space to meet the needs of growing small businesses and business start-ups.

Policy EC3 Retaining employment components within mixed-use projects: (relates to Aim C))

ensure that employment components within mixed-use developments are retained as such.

Policy EC4 Encouraging employment uses on the former Turbine Blading site: (relates to Aim C))

Objective: encourage a significant business space component within the redevelopment of the vacant former Turbine Blading site.

Policy EC5 Encouraging live/work 15 format developments: (relates to Aim C))

encourage the development of flexible and business-friendly live/work format accommodation meeting the needs of home workers, crafts persons, and small business start-ups.

Policy EC6 Raising the leisure and tourism profile of the town: (relates to Aims A, B and C) to substantially and quickly raise the profile and visitor appeal of the town as a leisure and tourism destination. Expanding the town's tourism 'offer' and increasing the scale of the 'evening economy' will be major components of such promotional activity.

Policy EC7 A better location for visitor and tourism information: (relates to Aim B) to improve the location, accessibility and availability of visitor and tourism information by co-location with an improved town heritage centre.

And so on...

This would provide a clear flow to the Plan- by demonstrating how the objective ties in to the aim. This process often proves to be a valuable cross check to make sure all your aims are covered by objectives and thus policies.

Page 7 Para 1.1.18

This plan includes what are known as 'site allocations', as agreed in July 2014 with the District Council. (this should be deleted).

Page 12 Para 1.3.1.2

Insert in italics

" *Once made* the policies within this plan *will* carry considerable weight in this decision-making".

Page 15 para 2.2.1

"...and travel quite some distance on average"

Could this be quantified in terms of distances?

Page 17 para 2.2.6

Policy: proposals for changes of use to remove employment components from developments with planning permission will not be supported *unless robustly justified*. Suggest adding *unless robustly justified* otherwise the explanation is incorrect as it is not so absolute ... " A valid case will need to be made, and the presumption that permission was originally granted for sound planning reasons should prevail until it is proven otherwise."

Page 18 2.2.7 EC4

Policy "... An exception will be allowed if the redevelopment proposal meets a local need, creates significant local employment, and conforms to objectives and policies elsewhere within this plan".

Do all 3 criteria have to be met? or would it be ok to meet just one or two this needs clarifying.

Page 24 Policy: support will be given to proposals for highways works and related hard landscaping to better and more safely manage traffic flows and parking, and make visiting, working and living within the town centre a better experience.

This is a project and should be in appendix as in jurisdiction of County Council Highways not Parish Council.

Page 25 2.4.4 Policy FLD1 Moving towards 'better than flood neutral' surface water Drainage

It is noted that the text has been modified but it is also considered that the term 'better than flood neutral' should be removed from title of Policy as this goes beyond National guidance and therefore there could be a conformity issue here.

Page 29 "More and better use will be possible of existing public rights of way and a prospective permissive path to complete a circular walk along the western fringes high ground with fine views to the nearby Cotswolds and Feldon"

It is assumed that as this text remains in the explanation that WCC have been contacted and that such a footpath is acceptable and deliverable?

Page 30 Box 4 Local Green Space designation

Box 4 refers to the Cotswold District Council toolkit and whilst SDC does not have specific guidance on this issue it does advocate use of advice offered by Locality and in this instance the publication "Neighbourhood Planning Local Green Spaces" would be of particular relevance.

In this document it states that "care is required.... to ensure proper green space provision." Further "Consideration of whether the green space is local in character and not an extensive tract of land suggests spaces within a locality, rather than, for example, extensive green areas in the countryside". The document outlines a Local Green Space tool which states that Local Green Spaces should be demonstrably special to the local community and should describe ways in which the space is used or enjoyed by the community. The space in question should therefore be a "local facility and not, for example, green space in the countryside..."

I would reiterate previous comments from SDC that "The proposed LGS at Hanson Hill is very extensive and it is not considered the proposed LGS complies with the provisions of para 77 of the NPPF in that it is clearly an extensive tract of land".

The NDP states "Importantly there will not for LGS2 be public access other than along existing public rights of way and, potentially, a new permissive public right of way to complete a circular walk. The designated land will remain in agricultural use."

I cannot comment further on this at this point as I have not had sight of the evidence Environment " Audit and Issues report" which explains the case for the Local Green Space designations.

Page 31 Policy ENV2

SDC previously commented that under "Responding to local character" a further point should be added:

"Proposals that do not positively contribute to local character will be resisted"

Whilst other proposed amendments have been added this one appears to have been missed?

Page 32

Policy ENV3: Ensuring development is in keeping with local character and heritage

SDC previously suggested the reference to local character be removed on the basis that this was covered in ENV 2?

Policy:

Protecting Designated Heritage Assets

1) Proposals which harm the special historic or architectural fabric and interest of listed buildings and scheduled monuments *and their settings* will be resisted.

I would suggest adding "*and their settings*"

Page 33

Policy ENV 4

Explanation

SDC previously asked for clarification on which "relevant National standards" were being referred to, including an explanation on how they have been calculated, what are the combined areas of the zones and evidence to show how it compares to the space standards.

Page 35

2.6.12 To ensure the housing policies within the Neighbourhood Plan are accurate in terms of meeting requirements representatives of the plan-making team met District Council planning policy officers on 08 March 2017. Advice was given by the officers in respect of appropriate policies that would align with the above noted requirements as well as meeting identified local needs in respect of affordability and types of tenure.

I do not think this paragraph is appropriate to include in the NDP as it reads as a report rather than a part of the actual Development Plan.

Page 36

Policy HGS1

SDC has previously asked for clarification on what would be deemed an 'appropriate site'. SDC previously highlighted that the term 'local connection' was not defined and suggested this be included in the Explanation.

Clarification regarding 'in perpetuity' was also requested.

Page 37

HGS2

How will 'suitable sites' be determined?

Page 37

HGS 3

Just a general comment that meeting the needs of older persons is defined in the Plan as 65 plus, however the 'Extra Care' model accepts those aged 55 plus.

SDC previously commented that referring to 'sheltered accommodation' within the 'care accommodation' envelope was incorrect.

Clarification was also requested in the explanatory text on what was meant by terms 'local connection' and 'eligible households'.

Page 38 Policy HGS5

“Proposals that modify or replace the housing development commitments derived from major sites with planning permission but not yet commenced will not be supported.”

This policy is unlikely to be legally enforceable.

Page 40

HGS8

“Policy: to support prospective custom and self-builders on sites of more than 20 dwellings. Developers will supply at least 5% of dwelling plots for sale to custom and self-builders, which dwelling plots will be controlled by the following means:”

The phrase ‘will supply’ should be replaced by “*will be encouraged to supply.*”

I think it is inappropriate to include the phrase “the Local Planning authority may require” as it is inappropriate to predict what the LPA will do in the future in this respect at this time.

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Box 7 Priorities for Action

SDC previously commented that ‘met’ should be replaced with ‘supported’

General Points

I note that Policy EC1 on page 16 calls for a “*development brief for the Tilemans Lane area including vacant adjoining land. We want work on this development brief to happen sooner not later, there is potential to identify housing land here, this is a sensible and sustainable location for such future development, and written representations submitted by Rosconn included lately received evidence from the WCC Development Team that highways access is feasible for about 70 dwellings on land that will be within the area covered by this development brief*”.

I think it would be more appropriate if this were a housing rather than an economic policy?.

I have now had the opportunity to look in more detail into this matter and have consulted planning colleagues regarding correct procedure. This has confirmed concern regarding the inclusion of this site at this late stage into the NDP for 2 reasons:

- 1) The community has not been consulted on it
- 2) It has not been assessed as part of the SEA screening process

These are 2 very important factors. They are by no means unsurmountable but could introduce delays ie by repeating Regulation 14 consultation again and the need for an updated SEA screening opinion. This would also provide the opportunity to consult on a Built up Area Boundary (BUAB). If, as you indicated, that there would likely be public opposition to the site this could adversely impact the referendum results. If not dealt with at this stage they may be picked up by an Examiner or could lead to a legal challenge which could potentially derail the Plan.

It is also relevant that:

- (a) As we discussed at our meeting on 21 July 2017, there is a significant supply of housing likely to be forthcoming from “committed” sites. This has the potential to mop up a lot of the need identified in the 2014 survey (a total of 50 additional homes) subject to appropriate

stock and tenure profiles on those sites. Although those committed sites will be contributing towards meeting District-wide needs, it is reasonable to expect the relevant stock/tenure profiles to prioritise meeting identified local needs first.

- (b) The site has not been the subject of prior community consultation. I am also unclear as to how well its merits and sustainability credentials have been assessed against other potential sites around the edge of the town. Were other sites put forward as part of the Regulation 14 consultation and were the relative merits of each assessed against each other and existing allocated sites? This boils down to one question – why this particular site? and is there robust evidence available regarding site selection on why call sites were either rejected or selected?.
- (c) What would be the triggers for the release of this site- this would need to be included in the policy
- (d) whilst there is an opportunity to include a criterion in any relevant policy allowing for the earlier release of the site for a community-led scheme, it's by no means a foregone conclusion that such a scheme on this site will come forward.

I think it's important to draw the Town Council's attention to the above points as we wouldn't want to see time and effort wasted on the part of any party on pursuing a community-led housing scheme unless those issues are properly addressed first.