

Stage 2: Issues and Options.

**LOCAL PLAN REPRESENTATIONS TO PART 1
SOUTH WARWICKSHIRE PLAN**

**LAND SOUTH OF DARLINGSCOTE ROAD,
SHIPSTON-ON-STOUR**

On behalf of Rainier Developments

Date: February 2023 | Pegasus Ref: P17-3074

Author: Pegasus Group



Document Management.

Version	Date	Author	Checked/ Approved by:	Reason for revision
1	22/02/2023	COT	SB/KF	
2	23/02/2023	COT	SB/KF	Client comments



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1. Introduction

- 1.1. These representations are made by Pegasus Group, on behalf of Rainier Developments, in response to the Issue and Options consultation for the South Warwickshire Local Plan.
- 1.2. These representations relate to specific land covering 3.81ha at Land South of Darlingscote Road, Shipston-on-Stour ('the Site'). The Site is identified on the Location Plan at **Appendix 1** and is being promoted as a site which is an available, achievable and deliverable site which could accommodate residential development comprising up to 90 homes.
- 1.3. The Site was promoted through the 2021 Scoping and Call for Sites consultation and is identified on the Council's interactive maps (South Warwickshire Local Plan ([arcgis.com](https://www.arcgis.com))) with Site ref: **460**, noted as being a housing/residential proposal.
- 1.4. The detail of the Site is not repeated within these representations but specific comments are made where appropriate to respond to the questions identified in the Issues and Options consultation.
- 1.5. These representations have had regard to the published consultation document and questions set out therein, accompanying documentation forming the current evidence base, and the national planning context.
- 1.6. The tests of soundness that Development Plans need to meet so as to be legally compliant and found sound, are set out in the National Planning Policy Framework 2021 (NPPF), paragraph 35:
 - **Positively prepared** – providing a strategy which, as a minimum, seeks to meet objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
 - **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
 - **Effective** – deliverable over the Plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and



- **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in the Framework.

1.7. These tests of soundness, along with other legal and procedural requirements associated with the plan-making process provide a contextual framework for these representations. It is noted that the proposed changes to the NPPF published in December 2022 propose to remove the requirement for Development Plans to be ‘Justified’ in order to be found sound. However, at the time of writing and submission of these representations that change has not been enacted and these representations therefore still take this test into account.

1.8. These representations refer directly to the specific questions set out in the Issue and Options consultation document and also respond to the following evidence base documents where appropriate:

- South Warwickshire Local Plan Part 1 Stage 2: Issues and Options Consultation, January 2023
- Sustainability Appraisal (SA) November 2022
- Housing and Economic Development Needs Assessment (HEDNA) November 2022
- Urban Capacity Study, October 2022
- South Warwickshire Settlement Analysis, January 2023
- Evolving the Spatial Growth Options – The Story so Far – Topic Paper, August 2022

1.9. The representations are submitted via email to swlp@stratford-dc.gov.uk and swlp@warwickdc.gov.uk as per the ‘How to Comment’ procedures set out by the Councils.

2. Chapter 3: Vision and Strategic Objectives – South Warwickshire in 2050 Issue

Q-V3.1 Do you agree that the Vision and Strategic Objectives are appropriate?

Q-V3.2 If no, please indicate why

- 2.1. As set out in response to the Scoping and Call for Sites consultation, Rainier supports Stratford-on-Avon and Warwick District Councils in the continued preparation of a Joint Local Plan. Working together provides the Councils with the opportunity to comprehensively develop the vision, strategic objectives, development requirements, spatial development strategy and policies that will shape detailed development proposals, taking into account changes to the national planning legislation, revisions to the NPPF and National Planning Practice Guidance (NPPG) that have occurred since the adoption of the Development Plans, adopted in 2016 (Stratford) and 2017 (Warwick) respectively.

- 2.2. Any joint Local Plan must embrace similarities between the authorities and the opportunities created (such as the provision of strategic infrastructure) whilst also recognising differences. For example, the two administrative areas at present have differing settlement hierarchies where Stratford on Avon has a much more rural population than Warwick and those differences must be taken into account in the strategic nature of spatial policies that are prepared. Notwithstanding, the Joint Plan itself provides the opportunity to set a spatial hierarchy and identification of land for development which ensures the existing character of the area as a whole is preserved and enhanced.

National Requirements for Plan-Making

- 2.3. Paragraph 33 of the NPPF requires local planning authorities to keep policies in their Local Plans up to date by undertaking a review at least once every five years. The joint Local Plan will ensure that an up-to-date Local Plan for 'South Warwickshire' will be in place to support growth and meet future development needs. Rainier supports the Councils' proactive approach to progressing a joint Local Plan to ensure that an up-to-date policy framework exists for the 'South Warwickshire' area, to guide growth to 2050 and to ensure that development is genuinely plan-led.

Vision and Strategic Objectives

- 2.4. The plan's Vision seeks to *"meet South Warwickshire's sustainable development needs to 2050"* and *"provide homes and jobs, boost and diversify the local economy, and provide appropriate infrastructure, in suitable locations, at the right time."* These representations are broadly supportive of the vision as presented, which accords with para 7 of the NPPF which states that the purpose of the planning system is *"to contribute to the achievement of sustainable development."*
- 2.5. The five overarching principles which then set out the basis on which policies will be formed and thus how the Vision will be delivered, do not match the Vision as drafted. For example, the delivery of 'homes and jobs' does not appear in any of the over-arching principles accompanying the Vision. Whilst the detail of the Issues and Options consultation documents goes onto talk about the delivery of growth, an over-arching principle to underpin the Vision should be developed, from which detailed policies will flow. Such a principle would also tie in to the Strategic Objectives which follow, which do set out a number of objectives to deliver South Warwickshire's development needs.
- 2.6. The Vision places significant emphasis on responding to the 'climate emergency'. Although this principle in general is supported, and it aligns with the Government's aspirations for achieving net zero carbon emissions, it is also important that this does not dominate the Vision and Strategic Objectives of the Plan to the detriment of delivering a balanced, sustainable strategy which achieves the delivery of development to meet identified needs.
- 2.7. The Vision also makes reference to 'beauty' stating that this will create spaces where people want to be, which respect and reflect the existing beauty and heritage of the area. This aspiration is supported in principle, and it is acknowledged that national policy is pursuing 'beauty' in planning however there is a concern that as a concept this is not well defined and will need to be supported by more detailed design which reflect on what beauty might mean in practice.

3. Chapter 4: Meeting South Warwickshire's Sustainable Development Needs

Q-I1: Please add any comments you wish to make about the Sustainability Appraisal, indicating clearly which element of the appraisal you are comment on

- 3.1. The Issues and Options document is supported by a sustainability Appraisal ('the SA'), prepared by Lepus Consulting. The purpose of the SA is to assess the sustainable development implications of the proposals presented in the Issues and Options consultation document, where the SA outputs will help the Authorities to identify sustainable development options and prepare a plan which is *"economically, environmentally and socially sustainable"*.
- 3.2. NPPF paragraph 32 identifies that local plans should be informed throughout their preparation by a SA which meets the relevant legal requirements and which should demonstrate how the Plan has addressed relevant economic, social and environmental objectives.
- 3.3. To support the Issues and Options the SA consultation has considered different locational reasonable alternatives. These include the 5 no. growth options proposed, 7 no. new settlement locations (for development of no less than 6,000 homes), 32 no. Broad Locations for development around the Main settlements (to up to 2,000 homes), and 22 no. Small Settlement Locations for development of between 50-500 homes.
- 3.4. The SA then used the SA Framework to evaluate how the different reasonable alternatives perform against sustainability objectives. The Sustainability Objectives are:
 - **Climate Change** – Reduce the SWLP¹ authorities' contribution towards the causes of climate change
 - **Flood Risk** – Plan for anticipated levels of climate change

¹ SWLP = South Warwickshire Local Plan



- **Biodiversity and Geodiversity** – Protect, enhance and manage biodiversity and geodiversity
- **Landscape** – Protect, enhance and manage the quality and character of landscapes and townscapes
- **Cultural Heritage** – Protect, enhance and manage sites, features and areas of archaeological, historical and cultural heritage importance
- **Environmental Pollution** – Mitigate adverse impacts from existing air, water, soil and noise pollution and avoid generating further pollution
- **Natural Resources** – Protect and conserve natural resources including soil, water and minerals
- **Waste** – Reduce waste generation and disposal and support sustainable management of waste
- **Housing** – Provide affordable, high quality and environmentally sound housing for all
- **Human health** – Safeguard and improve community health, safety and wellbeing
- **Accessibility** – Improve accessibility, increase the proportion of travel by sustainable modes and reduce the need to travel
- **Education** – Increase access to education and improve attainment to develop and maintain a skilled workforce
- **Economy** – Ensure sufficient employment land and premises are available to develop and support diverse, innovative and sustainable growth

3.5. The significance of effects is assessed in accordance with Table 2.1 in the SA:

Table 2.1: Presenting likely impacts

Likely Impact	Description	Impact Symbol
Major Positive Impact	The proposed option contributes to the achievement of the SA Objective to a significant extent.	++
Minor Positive Impact	The proposed option contributes to the achievement of the SA Objective to some extent.	+
Negligible Impact	The proposed option has no effect or an insignificant effect on the achievement of the SA Objective.	0
Uncertain Impact	The proposed option has an uncertain relationship with the SA Objective or insufficient information is available for an appraisal to be made.	+/-
Minor Adverse Impact	The proposed option prevents the achievement of the SA Objective to some extent. Mitigation solutions are achievable, and or complex, with a relatively low level of intervention.	-
Major Adverse Impact	The proposed option prevents the achievement of the SA Objective to a significant extent. Mitigation solutions are likely to be complex, if at all possible. A high level of intervention is required.	--

3.6. The principle and broad approach of the SA is supported however it is recognised that at this stage, the SA considers wide areas and therefore the assessments will not apply to each site within these areas equally. As the Plan progresses it will be necessary to undertake more fine-grained, site-based analysis. Further comments are made below and in following sections regarding the sites suitability for development when considered against the SA objectives.

Q-I2: Please select the option which is most appropriate for South Warwickshire:

A: Set out infrastructure requirements for all scales, types and location of development

B: Focus on strategic infrastructure relating specifically to the growth strategy

3.7. It will be necessary for the South Warwickshire Local Plan to consider infrastructure requirements across the plan area, both strategic and non-strategic. It is suggested that the adoption of a consistent approach to infrastructure across the plan area would be beneficial, would provide certainty for those involved in the planning process and would simplify the viability study of the Local Plan which is now a national requirement.

3.8. It is recognised that elements of the growth strategy may require specific strategic infrastructure in order to ensure deliverability and the Plan will need to clearly identify these requirements, along with the delivery mechanisms to secure this. For non-strategic infrastructure, a less detailed approach is likely to be sufficient which considers different



areas and types/scales of development. However, it will be necessary for both to inform the plan-making process going forward.

Q-I3: Please select the option which is most appropriate for South Warwickshire:

A: Establish a South Warwickshire CIL (or emerging Infrastructure Levy) to support the delivery of the Plan

B: Each District to produce its own Levy

- 3.9. It is acknowledged that both Districts currently have CIL and that the charging schedules have been developed independently. It is also noted that the Plan acknowledges that it is possible to charge different rates of CIL in different zones within a single levy. If it is the Council's intention to review CIL then it would be logical to review this jointly alongside the Local Plan process. This allows for infrastructure costs to be properly understood and suitable delivery mechanisms identified, including potentially CIL or developer obligations. This should inform the viability study of the Plan to ensure that obligations do not undermine delivery of the Plan.

Q-I5: Please add any comments you wish to make about infrastructure, viability and deliverability

- 3.10. The NPPF para 34 requires Local Plans to set out the contributions expected from development including affordable housing requirements, plus other infrastructure such as education, health, transport, flood and water management, green and digital infrastructure. The NPPF states that such contributions should not undermine the deliverability of the Plan.
- 3.11. In developing policies that will set out development contributions expected from developments detail viability work must support the Local Plan process. Such viability work should be based on a detailed, site-specific evidence base that will ensure planning applications which comply with development plan policies will be viable, without the need for further viability work to be undertaken at the application stage as intimated at NPPF para 58.

Q-S3.2: Please select the option which is most appropriate for South Warwickshire:

2A: Prioritise brownfield development only when it corresponds with the identified growth strategy, or if it can be provide that the development is in a sustainable location or would increase the sustainability of the area.

2B: Prioritise development on brownfield land, incorporating existing buildings into development proposals wherever possible, irrespective of its location.

2C: None of these.

3.12. It is acknowledged that national policy encourages the reuse and redevelopment of brownfield land. However, as identified by Option 2A, it is important that brownfield development should reflect the identified growth strategy in order to ensure that sustainable development is achieved.

3.13. It should be noted that the Urban Capacity Study (October 2022) established that it is unlikely to be possible to meet current development needs without significant greenfield development. Whilst the reuse of suitable brownfield land, in line with the growth strategy and/or in sustainable locations should be encouraged by planning policy, it will not avoid the need for greenfield development as part of the South Warwickshire Local Plan.

Q-S4.1: Do you think that growth of some of our existing settlements should be part of the overall strategy?

Yes | No | Don't Know

3.14. Growth at existing settlements across the Joint Plan area should form part of the overall Plan strategy, as this would accord with the differing current pattern of spatial development across the two administrative areas.

3.15. Warwick focuses development around its four main urban areas, whilst Stratford's identified Local Service Villages accommodate a proportion of development as well as its main towns.

3.16. In order to develop the most sustainable pattern of development, growth at existing settlements should be in sustainable locations. It is important that appropriate levels of growth are apportioned to existing settlements in order to maintain the vitality and viability of settlements, support new and existing infrastructure requirements and provide an appropriate mix of housing for the area.

- 3.17. Shipston-on-Stour is identified as a town and as such is a sustainable location for development. This Site would allow for a sustainable development close to existing services and public transport.
- 3.18. As set out in the Sustainability Appraisal, the site is within Broad Location 'Shipston-on-Stour North' which the SA shows is the second best performing Broad Location in terms of environmental receptors (see Table at 4.10.1). Shipston-on-Stour North performed best in terms of accessibility, education and economy.
- 3.19. It is clear that this Site (Call for Sites ref: 460) is located in an entirely sustainable location and should be positively considered as a location for growth.

Q-S4.2: Please add any comments you wish to make about the settlement analysis, indicating clearly which element of the assessment and which settlement(s) you are commenting on.

- 3.20. Shipston-on-Stour is subject to a single assessment for the purposes of the Settlement Design Analysis which forms part of the Council's evidence. The site is within Parcel 6. It scores a C in terms of accessibility (amber) which is the joint highest score within this analysis area. The land to the north-west of the site is highlighted in terms of its topography, associated with Waddon Hill. It has places to meet, open space, leisure, recreation and wellbeing, healthcare and education within 800m of the site. The density map notes that the site is opposite an industrial area. The site is also adjacent to the leisure centre and school and it is suggested that the map could helpfully be updated to include a recreation/education item in the key.

Issues S6: A Review of Green Belt boundaries

- 3.21. The Issues and Options consultation document does not set out any specific question on Green Belt matters, but these representations support a review of the Green Belt boundary as part of the Plan making process.
- 3.22. As set out in the NPPF para 136, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation of Local Plans. Moreover, strategic policies should establish the need for changes to Green Belt, and where proposed, the amended boundaries should be able to endure in the long term, i.e. Green Belt boundaries will not need to be altered at the end of the plan period.

- 3.23. NPPF para 137 requires exceptional circumstances to include evidence of the examination of all other reasonable options for meeting an identified need for development. Importantly, in reviewing Green Belt boundaries sustainable patterns of development should be taken into account.
- 3.24. The Green Belt is tightly drawn around, and indeed, washes over, a number of existing settlements across the Plan area. In proposing, assessing and review growth options, where the most sustainable form of development is likely to be around existing settlements, it is therefore imperative that the Local Plan evidence base includes a Green Belt review. The Councils' recognition of this in relation to a number of the proposed growth options is supported.
- 3.25. If a Green Belt boundary review is not undertaken, development will need to 'jump the Green Belt' which would result in an isolated pattern of development.

Q-S7.2 For each growth option, please indicate whether you feel it is an appropriate strategy for South Warwickshire:

Option 1: Rail Corridors – Appropriate strategy | Neutral | Inappropriate strategy

Option 2: Sustainable Travel – Appropriate strategy | Neutral | Inappropriate strategy

Option 3: Economy – Appropriate strategy | Neutral | Inappropriate strategy

Option 4: Sustainable Travel and Economy – Appropriate strategy | Neutral | Inappropriate strategy

Option 5: Dispersed – Appropriate strategy | Neutral | Inappropriate strategy

- 3.26. It is noted that the Issues & Options document has reduced the previous seven growth options presented in the Scoping Consultation to five options as outlined above through refining and combining options, including Option 2 sustainable travel (combination of rail and bus corridor) and Option 3 economy (combination of socio-economic and enterprise hub options). In this consultation document, Option 4 sustainable travel and economy effectively combines Options 2 and 3. It is clear from this process that the growth option to be pursued will represent a combination of all five options outlined above.

- 3.27. The options now presented in the Issues and Options, apart from Option 5: Dispersed, perform broadly similarly to each other in the SA (Table 7.1) suggesting not one option may have significantly more or less impact than any of the others when considered against the SA Framework. At this stage, the SA has not considered any mitigation or site-specific options for growth within settlements identified within the 'dispersed' option (5). There could be significant variance in how each settlement and individual sites would perform against the SA objectives. All of the growth options could deliver sustainable development and a combination of all options will be the most appropriate option for the development of the Plan going forward.
- 3.28. By necessity, the strategy will need to identify areas outside existing settlement boundaries for growth/development. The Urban Capacity Study identifies capacity for 6,145 dwellings within the existing urban boundaries. If the Plan proceeds with the housing figures set out in Table 9 of the Issues and Options consultation at 1,679 dwellings per annum the Urban Capacity Study would only be able to deliver a 3.66 year supply of housing. Land from other sources will therefore be required and it is important that all options are considered in taking the Plan forward.
- 3.29. Combining sustainable travel (including rail) and economy will naturally direct most growth to the larger, more sustainable settlements. However, it is important that appropriate, proportionate growth is directed to smaller settlements in order to support the continued viability and vitality of these settlements going forward. This would include supporting or enhancing sustainable travel options at these locations. This needs to be positively planned for as part of the South Warwickshire Local Plan and as such an element of dispersal should form part of the final growth option. This will require a careful consideration of all of the options, including growth at existing main settlements, growth at smaller existing settlements, proximity to services and jobs, availability of infrastructure or opportunities for infrastructure delivery and a Green Belt boundary review to ensure development is not isolated beyond the defined Green Belt boundaries.

Q-S8.1: For settlements falling outside the chosen growth strategy, do you think a threshold approach is appropriate, to allow more small-scale developments to come forward?

Q-S8.2 For sites coming forward as part of this threshold approach, what do you think would be an appropriate size limit for individual sites?

Limit of 10 | A higher limit | A lower limit

- 3.30. The supporting text for this question confirms that the aim of this approach would be to allow for development within or adjacent to existing settlements. This provides greater scope of these settlements to accommodate growth than the current infill only approach. The proposed approach to allow for suitable development within or adjacent to existing settlements is supported and will allow for suitable growth.
- 3.31. An across the board threshold limit of 10 dwellings is not supported. The amount of development different settlements can accommodate will vary significantly depending on various factors, such as existing services and facilities, local need for housing and the suitability of the proposed site to accommodate a certain level of development.
- 3.32. In addition, developments of 10 or fewer dwellings are exempt from affordable housing. Even where a lower threshold is set, developments of this scale generally result in a commuted sum towards affordable housing elsewhere. This is due to a variety of factors, including that registered providers often will not take on a small number of dwellings in one location. It is clearly preferable to have affordable housing delivered on site wherever possible to meet local needs. Setting a more flexible threshold that would allow for a higher level of development where appropriate would support greater on-site affordable housing provision.

Q-S9: Please select the option which is most appropriate for South Warwickshire

Option S9a: Save all existing settlement boundaries where these are already defined within the Core Strategy, Local Plan, emerging SAP or an NDP.

Option S9b: Within this Part 1 Plan, review which settlements have boundaries defined and which do not, as well as the extent of any such boundaries.

- 3.33. The South Warwickshire Local Plan provides the opportunity to review all settlement boundaries and ensure they will be fit for purpose across the plan period. Saving all existing settlement boundaries is unlikely to be effective in positively planning for plan-led growth across the plan period. This should apply all settlements as part of the exercise will be to assess which settlements which would benefit from a defined boundary.
- 3.34. To be found sound, the Plan must be prepared: Positively, in a way that is aspirational, but deliverable, and it should set out a framework for addressing housing needs and other



economic, social and environmental priorities (NPPF paragraphs 15 and 16). To shape the spatial strategy for the Plan and ensure all reasonable alternatives are considered, a review of existing settlement boundaries will be required to identify sufficient land, in sustainable location to meet the development needs of the Plan.

3.35. In addition, settlement boundaries will need to be reviewed and amended to take account of new allocations.

3.36. For example, development boundary for Shipston-on-Stour should be reviewed which would allow for the inclusion of this Site (Call for Sites ref: 460) within the development boundary to deliver sustainable residential growth.

4. Chapter 6: Delivering homes that meet the needs of all our communities

QH1-1: The HEDNA is proposing that we move away from an approach where future household needs are based on the 2014-based household projections towards a trend-based approach. Do you think that the HEDNA evidence provides a reasonable basis for identifying future levels of housing need across South Warwickshire

Yes | No | Don't Know

- 4.1. Paragraph 11 of the NPPF requires that strategic policies should as a minimum provide for the objectively assessed need for housing as well as any needs that cannot be met in neighbouring areas. Paragraph 60 sets out the Government's objective of "significantly boosting" the supply of homes and paragraph 61 provides additional guidance identifying that strategic policies should be informed by the minimum local housing need identified by the standard method as well as any unmet needs from neighbouring areas.
- 4.2. The Planning Practice Guidance (PPG) (paragraph 2a-002) again confirms that the standard method provides only the minimum number of homes expected to be delivered but it does allow authorities to diverge from the Standard Method where this can be justified by exceptional circumstances: where such an alternative reflects current and future demographic trends including migration and market signals.
- 4.3. The HEDNA supporting the Issues and Options Consultation has assessed matters of housing need and requirements in great detail across the Coventry and Warwickshire Housing Market Area in which 'South Warwickshire' is located. In coming to the recommendations on proposed housing need (dwellings per annum) across the Housing Market Area the report appears to have followed the relevant Government guidance in demonstrating exceptional circumstances supporting a trend-based approach to housing need for the Joint Plan area.
- 4.4. The modelling of new demographic projects which take account of Census data releases and specific matters relating to the population in Coventry in particular, as part of the housing market area, but also including an assessment of Age Structures across the Housing Market Area (HMA), migration and demographic interactions is supported in principle. The trend

based figures, which equate to an overall housing need across the Joint Plan area of 1,679 dwellings per annum is supported in principle.

- 4.5. The HEDNA also identifies that Warwick has the highest levels of migration of population from Coventry, and that Stratford-on-Avon forms part of the Greater Birmingham Housing Market Area and the authorities should respectively consider planning for unmet need from Coventry and the Greater Birmingham HMA respectively. Whilst the number of homes which may be required in Coventry is likely to reduce based on the overall need being lower in the HEDNA than the 2014 sub-regional based household projections, the unmet need in the Greater Birmingham and Black Country HMA in particular is well evidenced.
- 4.6. The GBBCHMA Housing Need and Housing Land Supply Position Statement (July 2020) identifies the housing shortfall of the GBBCHMA as 67,160 dwellings. The now revoked Draft Black Country Plan 2018–2039 showed a shortfall of circa 28,000 homes in the Black Country alone. Birmingham City Council have recently suggested a potential shortfall of over 78,000 dwellings. Further, the ‘Mind the Gap’ Barton Willmore Paper dated March 2021 and ‘Falling Short – Taking Stock of Unmet Needs across GB&BCHMA’ paper by Turley in August 2021, both commissioned by HBF Members concluded that the significant unmet needs in the GBBCHMA exist now, and will continue to exist in the future.
- 4.7. The Black Country shortfall identified is considered to remain relevant to the Plan-making process and the recent letter from the Inspectors examining the Shropshire Local Plan confirms that the scale of need and unmet need remains relevant to Plan-making. Para 14 of that letter (see **Appendix 1**) concluded that *“Despite this new plan making context, there is no reason before us to find that the identified unmet needs in the Black Country area will disappear.”*
- 4.8. It is important to stress that these shortfall figures do not take into consideration the 35% uplift applied to Birmingham introduced in December 2020 as the adopted Birmingham Development Plan. The Black Country housing shortfall also does not consider the 35% uplift applied to Wolverhampton City Council in May 2021. Such considerations should also feed into the proposed housing targets that are set in the South Warwickshire Plan going forward and this could increase the requirement even further.



Q-H2-1: What is the best way to significantly increase the supply of affordable housing across South Warwickshire?

- 4.9. There is an acute recognition in the Issues and Options consultation documents of an affordability problem across South Warwickshire Plan area, where those on low incomes and young people struggle to access the housing market.
- 4.10. Warwick District Council's latest 'Authority Monitoring Report' (AMR) (for the period 2020–2021) indicates that against an annual requirement of 280 affordable dwellings since the beginning of the currently adopted Plan period in 2011 (within its own area), the Council have delivered 841 affordable dwellings (out of a total requirement for 2,800), 30% of the target.
- 4.11. Stratford-on-Avon's latest AMR for the period 2021–2022 (published December 2022) identifies that in the current Core Strategy plan period of 2011–2031, 3,204 affordable dwellings have been provided out of a total 10,019 dwellings (net) built. This equates to 37% of all dwellings and is just above the Plan's affordable housing policy requirement of 35% of all dwellings to be affordable.
- 4.12. Notwithstanding Stratford-on-Avon's marginal reported over delivery, the HEDNA considered the affordability issue across the District further. It identifies at Table 8.45 that the estimated annual need for affordable housing (rented and affordable home ownership) across Stratford-on-Avon and Warwick is 1,386 dwellings per annum.
- 4.13. Whilst it is recognised that these are 'net' figures and not 'newly arising need', PPG paragraph 2a-024 makes provision to encourage local authorities to consider increasing planned housing numbers where this can help to meet the identified affordable need: *"The total affordable housing need can then be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, given the probably percentage of affordable housing to be delivered by market housing led developments. An increase in the total housing figures included in the strategic plan may need to be considered where it could help deliver the required number of affordable homes."*
- 4.14. The Issues and Options consultation recognises that the area has an acute affordability problem and it is suggested that to address this, the Plan could consider providing housing above the 'minimum' need, to boost supply, and in turn deliver additional affordable housing.

Q-H3: Please select all options which are appropriate for South Warwickshire

Option H3a: Do not seek to include minimum space standards in a policy in the SWLP.

Option H3b: Apply Nationally Described Space Standards to developments across South Warwickshire based on locally derived evidence.

4.15. If the Council are to include a policy requiring new developments to deliver dwellings which comply with Nationally Described Space Standards (NDSS), it must be fully justified. Such a requirement must not make development unviable and must set out such evidence in a proportionate manner to justify its inclusion, as set out in Footnote 49 of the NPPF which states that *“Policies may also make use of the nationally described space standard, where the need for an internal space standard can be justified”*.

4.16. Further, the Planning Practice Guidance section on Housing: Optional Technical Standards (paragraph O20) states that:

‘Where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies. Local planning authorities should take account of the following areas:

- *need – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.*
- *viability – the impact of adopting the space standard should be considered as part of a plan’s viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.*
- *timing – there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions.’*

4.17. If the use of NDSS is subsequently justified and pursued through a policy, that policy should be sufficiently flexible to recognise that well-designed house types, which fall slightly below will be acceptable, particularly on sites where the majority of the dwellings comply. The policy



should also make provision for additional flexibility in relation to affordable housing as many registered providers have their own requirements.

Option H3c: Include a requirement to meet optional Building Regulations M4(2)/M4(3) as standard. These are focussed upon ensuring appropriate accessibility standards.

- 4.18. It is unnecessary for the inclusion of an M4(2) and or M4(3) policy. The Building Regulations 2010 'Access to and use of buildings' Approved document Part M already provides specific requirements for M4(2) dwellings in relation to Accessible and Adaptable Homes and M4(3) M4 (3)(2)(a) dwellings in relation to Wheelchair Adaptable Homes housing. As such, it is therefore not necessary for this to be repeated in any policy, also because developers are already aware they need to deliver to this standard.

Q-H4-2: Please add any comments you wish to make about the scale of the shortfall from the Birmingham and Black Country HMA that South Warwickshire should accommodate within the South Warwickshire Local Plan

- 4.19. This is discussed in answer to Question H1-1.

Q-H5: Please select all options which are appropriate for South Warwickshire

Option 5a: Identify a range of specific sites within or on the edge of existing settlements of approximately 5-20 homes in size to be developed only for self and custom build homes

Option 5b: Require large development of, say, over 100 homes to provide a proportion of self and custom-build homes within the overall site.

Option 5c: Rely on a case-by-case approach whereby planning applications for self and custom build homes will be assessed against a range of criteria to determine their suitability

- 4.20. As set out in the Planning Practice Guidance (Paragraph: 016 Reference ID: 57-016-20210208), The Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) sets out the legal definition of self-build and custom housebuilding, and also sets out the requirement for each relevant authority to keep a register and publicise the register. Furthermore, Self-build or custom build will help diversify the housing market, as per PPG paragraph 16a Reference ID: 57-016a-20210208.

- 4.21. Whilst there is no in-principle objection to the concept of self-build/custom housing, any specific policy requiring the delivery of such plots must be carefully considered, fully justified and flexible.
- 4.22. Stratford-Upon-Avon District's Self Build & Custom Housebuilding Register had 278 people on it as of 31st March 2022. Warwick's Register had 95 people on it in 2019, but that is the latest published position.
- 4.23. Table 13.1 of the HEDNA identifies that serviced plot demand for self-build dwellings is 63 plots per annum which is 4% of the purported 1,679 dwelling/annum housing requirement set out in the Issues and options consultation.
- 4.24. The emerging Stratford Site Allocations Plan (SAP) has identified specific sites to deliver self-build and custom housing through allocations. It is suggested that the South Warwickshire Local Plan should continue this approach, bring forward the allocations the SAP identified in the most recent Preferred Options document and identify similar suitable sites in Warwick District to ensure a spread across the plan area.

5. Chapter 7: A climate resilient and Net Zero Carbon South Warwickshire

Q-C4.1: Please select all options which are appropriate for South Warwickshire

Option C4.1a: Do not have a policy and allow new developments to comply with the national regulation requirements, which may change over time

Option C4.1b: Set a higher local standard beyond the building regulations requirements to achieve net zero carbon in all new developments

Option C4.1c: Have a phased approach to net zero carbon, setting a future date by which all new development will need to achieve net zero standards. In the intervening period new development will need to meet building regulation standards

Option C4.1d: None of these

- 5.1. If a net zero carbon policy is to be employed by the Council it must be fully evidenced and justified, and included in viability considerations.
- 5.2. The Building Regulations Part L 2021 Target for Fabric Efficiency would be applicable to all proposed dwellings and sets the Government's standards for energy efficient. The Council does not need to set local efficiency standards to achieve the shared net zero goal.

Q-C6.1: Please select the option which is most appropriate for South Warwickshire

Option C6.1a: Include a policy that required new developments to have a whole lifecycle emissions assessment, with a target for 100% reduction in embodied emissions compared to a 'business as usual' approach to construction

Option C6.1b: Include a policy that has different whole lifecycle reduction targets for different scales and types of developments and for different time periods

Option C6.1c: None of these

- 5.3. Whilst the value of Whole Life-Cycle Carbon assessments is recognized and there is no in principle objection to the need for some forms of post construction, pre-occupation



assessment, if a policy is to be pursued on this matter there are a number of key considerations:

- Once sold, properties will be owned by the purchaser and mortgagees. Any policy would need to be carefully worded such that it would not require the sharing of energy use, air quality and overheating risk data with a third party, where the developer no longer owns the dwelling as this could raise GPDR issues. Enforcement of such a policy for future owners and occupiers could also fail the test of conditions on any subsequent planning permission.
- The purpose of such information would also need to be clearly set out. It will not be possible to post factum make alterations to the constructed buildings, so what would be the benefit or purpose of such a significant amount of data collation? If the purpose is to inform and advise as to future construction methods, then this could be equally achieved by an informed and targeted research exercise by organisations such as the BRE in advising Governments and through amendments to Building Regulations.

Q-C9.1: Please select the option which is most appropriate for South Warwickshire

Option C9.1a: Include a policy requiring new development and changes to existing buildings to incorporate measures to increase biodiversity

Option C9.1b: DO not include a policy requiring new development and changes to existing buildings to incorporate measures to increase biodiversity

Option C9.1c: None of these

- 5.4. Rainier are supportive of the need to address net losses to biodiversity through the provision of enhancement to deliver an overall net gain. The Environment Act will require all development to provide at least a 10% Biodiversity Net Gain (BNG) increase and there would be no objection to this being carried through into a local policy. Indeed, it would reflect one of the core principles of the NPPF to conserve and enhance the natural environment.
- 5.5. Any such policy though, should be drafted to provide as much flexibility as possible. The test is whether the 10% BNG is delivered, not the method by which it is delivered. It is important that the way in which 'net gains' are calculated is given careful consideration and a pragmatic



view should be taken in terms the delivery of biodiversity enhancements where there are clear landscape and habitat improvements, rather than being wholly reliant on the output of a rigid calculator, in particular where this could impede viability and thus the delivery of much needed housing. It should also allow for contributions to be made towards off-site mitigation with suitable receptor sites or projects identified through the Local Plan process to secure the deliverability of development.

6. Chapter 8: A well-designed and beautiful South Warwickshire

Q-D2: Please select all options which are appropriate for South Warwickshire

Option D2a: Develop a South Warwickshire Design Guide

Option D2b: Develop design guides and/or design codes for specific places (e.g. existing settlements or groups of settlements, or an 'area' in the case of a new settlement) where the spatial strategy identifies significant change

Option D2c: Develop design guides/codes for strategic development sites/locations

- 6.1. In principle, the introduction of design guides and design codes would accord with national policy where NPPF paragraph 129 states that "*Design guides and codes can be prepared at an area-wide, neighbourhood or site-specific scale...*"(our emphasis).
- 6.2. The Government also has a National Design Guide and National Model Design Code which are in place to guide the design of development.
- 6.3. Rainier therefore agree that the principle of Design Codes/Design Guides to guide development is acceptable.
- 6.4. However, the development of such policies should be justified in terms of the specifics of the development that would justify the introduction of a site-specific design code/guide that goes beyond the detailed guidance in the National Design Code. This is likely only to be necessary for larger strategic sites or those with particular design considerations, rather than being a default requirement for all sites.
- 6.5. In addition, design codes/guides are not mandatory as set out in the NPPF, and the desire for such a policy tool to be utilised should not hold up development coming forward if such a tool is not in place. Further, even where introduced there needs to be some element of flexibility to allow developments to come forward even if they are not fully strictly in accordance with all criteria. Site specific matters and failure to comply with all criteria, where the alternative would not have detrimental impacts should not be used as a blanket reason to refuse development.

Q-D3: Please select all options which are appropriate for South Warwickshire

Option D3a: Include a policy which underlines the relevance and importance of density, but which does not identify an appropriate minimum density or range of densities across South Warwickshire.

Option D3b: Include a policy which specifies a minimum density require across South Warwickshire, whilst emphasising that the maximum may be exceeded. This minimum could for example be set at a similar level to the existing policy in Warwick District – i.e. minimum 30d.p.h.

Option D3c: Identify appropriate density ranges for different locations/areas across South Warwickshire and specify these ranges in policy. These ranges could be based upon the prevailing characteristics of existing places.

Option D3d: Identify appropriate density ranges for different locations/areas across South Warwickshire based upon accessibility and potential accessibility of these places.

Option D3e: None of these

- 6.6. There is no in principle objection to a potential policy on housing densities. However, a blanket approach to density is unlikely to be effective. Rather, a site specific/flexible approach to density should be considered. A minimum density may be set out, but where additional development could assist the delivery of services and facilities, sites could be encourage to exceed this minimum density where it could be done in a manner consistent with other development plan policies.

Q-D4.1: Do you agree that this is an appropriate range of topics for a policy on the design of safe and attractive streets?

Q-D4.2: If no, please indicate why

- 6.7. The inclusion of a policy on the design of safe and attractive streets is supported in principle. However, any design elements must be fully evidenced and justified and should take into account Warwickshire County Highways Authority design standard, in particular where departure from those standards could affect the future adoption of development proposals.

7. Chapter 11: A biodiverse and environmentally resilient South Warwickshire

Q-B3: Please select the option which is most appropriate for South Warwickshire

Option B3a: Introduce Special Landscape Areas across all of South Warwickshire

Option B3b: Maintain Special landscape Areas within Stratford-on-Avon District but don't introduce them within Warwick District

Option B3c: Discard Special Landscape Areas and bolster general landscape policy

- 7.1. Special Landscape Areas currently only exist within Stratford-on-Avon District and were introduced in the currently adopted Core Strategy (2016), as a result of information provided in the Special Landscape Area Study (2012).
- 7.2. Such designation has no basis in national guidance or policy and are not included in Natural England's approach. Rather, paragraph 174 of the NPPF and others seek to conserve and enhance the local environment, ensure that policies take into account landscape implications arising from development, consider landscape and visual impacts, and protect 'valued landscapes'.
- 7.3. Any landscape policy should reflect the content of national guidance, rather than continuing with or introducing additional policies and designations that have no policy basis, as they are not necessary, are not consistent with national policy and are not justified.

Q-B4: Please select the option which is most appropriate for South Warwickshire

Option B4a: Maintain the current policy approach, without the use of a buffer

Option B4b: Amend the current policy and include a buffer around the periphery of the Cotswold AONB to ensure that great weight is given to any impacts development within this buffer zone may have on the National Landscape

- 7.4. Paragraph 176 of the NPPF requires 'great weight' to be given to conserving and enhancing 'landscape and scenic beauty' in, inter alia, Areas of Outstanding Natural Beauty (AONB). It

also requires “...development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.”

- 7.5. The requirement for development within the 'setting' of AONBs to be sensitively located and designed renders the provision of a policy on this matter unnecessary. National policy guidance seeks to protect AONBs and their setting, and a policy on this matter would be repetitive and is unnecessary.

Q-B8.1: Do you agree that the plan should include a policy avoiding development on the best and most versatile agricultural land, unless it can be demonstrated that the harm to agricultural land is clearly outweighed by the benefit of development?

Yes | No | Don't Know

- 7.6. Para 174 b) of the NPPF states that “*planning policies and decisions should contribute to and enhance the natural and local environment by ... recognising the intrinsic character and beauty of the countryside ... including the economic and other benefits of the best and most versatile agricultural land.*” In addition, PPG paragraph 001 Ref ID 8-001-20190721 states that the quality of farmland should be utilised to inform choices about its future use within the planning system.
- 7.7. Any policy should avoid taking a blanket approach as there will be circumstances where development on best and most versatile land is appropriate. This may also apply to some allocations. The policy should be sufficiently flexible and allow for cases when the planning balance favours approval.

8. Chapter 12: Plan Content

**Q-P1.3: Do you agree with the selection of policies to be addressed in the Part 1 plan? Yes
| No | Don't Know**

Q-P1.4: If not, please indicate why

- 8.1. There is no in principle objection to the proposed list of policies as set out in the Issues and Options consultation. However, in developing a robust and justified evidence base the Plan should not rule out identifying sites for development that are not 'strategic' in the Local Plan Part 1. This could assist in facilitating the delivery of sites in advance of the Local Plan Part 2 and would also come out of the settlement boundary review that these representations suggest is required to inform the Local Plan Part 1. This would clearly fall within the remit of allocation of other sites as necessary for short-term development.
- 8.2. There is a degree of overlap between the proposed content for the Part 1 and Part 2 Plans, particularly regarding strategic allocations and smaller and non-strategic site allocations which effectively appear in both. The Plan will need to be clear which sites are being proposed for allocation now, what is being left for Part 2, why this has been done and the justification for this approach.

9. Land South of Darlingscote Road, Shipston-on-Stour

- 9.1. Rainier Developments is promoting land south of Darlingscote Road for residential development, inclusive of on-site play and green infrastructure.
- 9.2. The land comprises a single agricultural field which is defined by boundary vegetation. The existing farm building in the north-west corner of the site are excluded from the site boundary. The site is adjacent to the built edge of Shipston-on-Stour which comprises a mix of commercial uses to the north and is a majority residential settlement. In total the site comprises of 3.81ha (please see Site Location Plan enclosed at **Appendix 2**).
- 9.3. The site has previously been promoted through the emerging South Warwickshire Local Plan and the Stratford Site Allocations Plan (SAP).
- 9.4. The accompanying Concept Masterplan (see **Appendix 3**) demonstrate how the site could accommodate circa 90 dwellings and shows how walking routes could provide connections to the adjacent leisure uses. It also shows an area of play located adjacent to the boundary with the leisure centre to co-locate and consolidate the recreational use in this area. This has been informed by a Constraints & Opportunities Plan (included for reference at **Appendix 4**).

Sustainability Appraisal SA

- 9.5. This site is located in area identified as Broad Location Shipston-on-Stour North. The site adjoins the existing built-up area boundary adjacent to the existing leisure centre. The site is shown as unconstrained and would form a logical extension to Shipston-on-Stour.
- 9.6. The assessment of Broad Location Shipston-on-Stour North against the SA objectives is presented at Section B.18 of Appendix B. It is acknowledged that, at this stage, the assessment covers a wide area and the ratings will not be applicable to each part of the Broad Areas. Each SA Objective is considered with specific reference to the site below:
- 9.7. **SA Objective 1 Climate Change:** The site would deliver circa 90 dwellings in a sustainable location, close to existing development, services and facilities, and public transport links. The Site would support the delivery of 20-minute neighbourhoods to reduce travel to meet

everyday needs as it would benefit from access to existing service and facilities in Shipston-on-Stour.

- 9.8. **SA Objective 2 Flood Risk:** The site is entirely within Flood Zone 1, land at lowest risk of flooding. There is a small amount of surface water flood risk along the site's north-western boundary which runs parallel with the existing farm access road. This area is shown on the accompanying indicative masterplan as undeveloped green space, demonstrating that this small area of surface water flood risk can be avoided as part of any residential development.
- 9.9. **SA Objective 3 Biodiversity, Flora, Fauna and Geodiversity:** The site is not designated as a Special Conservation Area (SAC), Site of Special Scientific Interest (SSSI), National Nature Reserve (NNR), ancient woodland, Local Nature Reserve, Local Wildlife Site, Local Green Space (LGS) or priority habitat. The site is located in the vicinity of the Shipston High School Sheep Field Local Wildlife Site however this could be mitigated by suitable design and landscape scheme. The SA notes that the SSSI Impact Risk Zone for Midsummer Meadow SSSI is triggered by proposals of 100 or more dwellings. The indicative masterplan for this site shows a maximum of 90 dwellings and therefore does not meet this threshold.
- 9.10. **SA Objective 4 Landscape:** The main concern under this objective for the Broad Location is landscape sensitivity and notes that the area includes high and medium sensitivity landscapes. It is acknowledged that this has necessarily been considered at a large scale at this stage and that landscape sensitivity will vary within the Broad Locations. Previous landscape evidence has been provided specifically for this Site (enclosed at **Appendix 4**) which sets out that despite the site's location on the middle plateau, higher than the town, it has a limited range of intervisibility with publicly accessible routes in the wider area and the screening provided by the topography. Notably, the Site does not interrupt long distance views across the landscape. The recommended landscape strategy includes retention of existing boundary vegetation and careful consideration of building heights and materials. The concept masterplan shows how this could be achieved on this site.
- 9.11. **SA Objective 5 Cultural Heritage:** The closest designated heritage assets to the site are the Grade II Listed Buildings Shipston House and Our Lady & St Michael Church, both located between Darlingscote Road and Tilemans Lane. These are separated from the site by existing development and there would be no intervisibility between the site and the assets.



- 9.12. **SA Objective 6 Pollution:** The site is not located within or close to an Air Quality Management Area. The SA notes the proximity of the A4300 and the River Stour as potential minor negative impacts however these are located the other side of the Broad Location to this Site and are separated by the existing settlement.
- 9.13. **SA Objective 7 Natural Resources:** The site is shown on Natural England mapping as Grade 3 agricultural land. The Site would only result in a minor loss of agricultural land. The Site is within a Mineral Safeguarding Area (MSA) however development of the Site would be a minor in the context of the large MSA designation and would require consultation with the Country Council.
- 9.14. **SA Objective 8 Waste:** A development of up to 90 houses would generate a level of household waste however this can be managed with provision of suitable recycling facilities for all households.
- 9.15. **SA Objective 9 Housing Provision:** The Site would deliver housing in a sustainable location. This would include affordable housing.
- 9.16. **SA Objective 10 Health:** The site benefits from an excellent location to the north of the settlement, close to the existing GP surgery and adjacent to the leisure centre. The site is also located close to the wellbeing zone identified in the Neighbourhood Plan to facilitate resident wellbeing and access to outdoor greenspace.
- 9.17. **SA Objective 11 Accessibility and 12 Education:** The site is adjacent to the High School and within a 6-minute walk of the Primary School. The site is well-located to sustainably access a variety of services and facilities which are primarily located in the north of the settlement. The closest bus stops are located on Darlingscote Road which are served by the 50, 51 and 75 routes which provide a good service to Stratford where onwards services can be accessed, including trains to Birmingham.
- 9.18. **Objective 13 Economy:** The site is well located to benefit from existing economic and employment opportunities associated with existing employment uses in the north of the settlement.

Summary

- 9.19. In accordance with national policy, this section sets out the suitability, achievability and deliverability of this Site.

Suitability

- 9.20. The accompanying Concept Masterplan indicates how a scheme of up to 90 dwellings can be achieved having regard to the site constraints and opportunities.
- 9.21. The site benefits from a highly sustainable location on the edge of Shipston-on-Stour and is well placed to meet the housing needs of Shipston-on-Stour and the surrounding area. The site is well-placed to ensure easy access to a range of services and facilities, particularly employment, education and recreation.
- 9.22. More detailed landscape evidence has been provided to demonstrate that the site is capable of being development without undermining the character of the landscape.
- 9.23. The site is not subject to any statutory nature or heritage designations. The site is entirely within Flood Zone 1 which represents the lowest risk of flooding. The Site could deliver sustainable drainage systems (SuDS) as part of any development.
- 9.24. In view of the above, there are no known constraints which would prevent development of this site.

Deliverability

- 9.25. Rainier have a land interest in the Site and are promoting the site for residential development. The Site has already been submitted as part of the Call for Sites exercise associated with the Scoping Consultation in 2021, and accompanying representations were also submitted.
- 9.26. Rainier is a strategic land and development company operating across the UK and with a strong track record for delivering high-quality development.
- 9.27. Rainier's willingness for residential development to be delivered on this site is demonstrated through the submission of this representation and previous representations throughout the preparation of the South Warwickshire Local Plan.



9.28. As set out above, there are no known constraints which would prevent the delivery of residential development on this site.

Availability

9.29. Rainier have a land interest in this Site and are actively promoting the Site for residential development. The site is immediately available and could deliver housing in the early part of the Plan period.



10. Conclusion

- 10.1. This representation has been prepared by Pegasus Group on behalf of Rainier Developments.
- 10.2. Rainier are promoting Land South of Darlingscote Road, Shipston-on-Stour for residential development. The land is sustainably located adjacent to the built development edge of Shipston-on-Stour, a sustainable town within the District. This land is suitable, available and deliverable and should be identified as a location for future residential development as part of the South Warwickshire Local Plan.
- 10.3. These representations have set out that there are no significant constraints that would preclude the development of the site for residential development. The Concept Masterplan shows how circa 90 dwellings can be accommodated on the site, along with on-site open space and sustainable drainage.
- 10.4. Rainier welcome the opportunity to comment at this early stage of the plan preparation. If the Council require any further information in respect of the site to assist in the accurate assessment of this site, this can be provided upon request.



Appendix 1 – Shropshire Local Plan Inspector Letter

ID28

Shropshire Council. Examination of Shropshire Local Plan 2016-2038

Inspectors: Louise Crosby MA MRTPI, Carole Dillon BA (Hons) MRTPI and Nick Palmer BA (Hons) BPI MRTPI

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Mr West
Planning Policy
Shropshire Council
PO BOX 4826
Shrewsbury
SY1 9LJ

15 February 2023

Dear Mr West

Inspectors' Interim Findings following stage 1 hearings sessions

1. Set out below are our interim findings in relation to a number of matters following the stage 1 hearing sessions in July last year and January this year. Some of these findings require the Council to do additional work and some are just confirming Main Modifications (MMs) that were agreed at the hearings and other matters that were discussed, such as updating the evidence base.

Duty to Cooperate (DtC)

2. Following the hearing sessions, we wrote to you on 26 July 2022 (ID17) asking for you to provide more information in relation to the DtC and the activities that took place in relation to this prior to the submission of the Plan for examination.
3. We have now received this and had a chance to consider it and hear from the Council and representors on the matter at a further hearing session on 17 January 2023. Consequently, we can confirm that we are satisfied that the Council has met the legal duty set out in Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended), in so far as it imposes a duty on a local planning authority to co-operate with other local planning authorities, the County Council and prescribed bodies or other persons by engaging constructively, actively and on an ongoing basis in relation to the preparation of a development plan document so far as relating to a strategic matter to maximise the effectiveness of the activity of plan preparation. Therefore, the examination can proceed.

Next Steps

4. Before we proceed to stage 2 hearing sessions there are a number of matters where we consider more work is necessary to make the plan sound and these are set out below. We have also taken this opportunity to set out our thoughts on other matters which we said we would give further thought to at stage 2 of the examination.

Plan Period

5. During the matter 1 hearing session the Council agreed to consider whether the Plan period and Local Housing Needs Assessment should be aligned along with any implications of doing so, including those relating to the Housing Requirement set out in policy SP2 and the supply of sites identified in Policies S1 to S21. Please advise what stage the Council have reached with this.

Saved Policies

6. During the matter 3 hearing session the Council agreed to review the means by which the necessary SAMDev policies would be “saved” to ensure that they will, as intended, remain extant for Development Management purposes should the Plan be adopted. Can you please provide further information on how the Council intends to do this, along with any necessary MMs.

Gypsy and Traveller Transit Site Provision

7. During the matter 5 hearing session the Council agreed to provide a cabinet report and minutes regarding new transit site provision for the Gypsy and Travelling community. Can this please be placed on the examination website.
8. Also, as part of the matter 5 hearing session, the Council provided an updated position in respect of the need and supply of pitches. Using this data can the Council please update Table 7.9 and the GTAA conclusion and executive summary as an addendum to the 2019 GTAA Update – Final Report. The Plan’s relevant supporting text should be reviewed in view of this.
9. The Council will be aware of the judgment *Lisa Smith v SSLUHC* [2022] EWCA Civ 1391 of 31st October 2022, regarding the interpretation of the Planning Policy for Traveller Sites and the application of that policy to Gypsies and Travellers who have ceased to pursue nomadic lifestyles. Can the council please consider whether, in light of this judgment, they wish to review the traveller site needs in the GTAA, and if not, the justification for this?

Unmet Housing and Employment Land Needs of the Association of Black Country Authorities (ABCA) and Policy SP2

10. The Council has identified the need for housing in the County as being 28,750 homes (1430 dwellings per annum) over the Plan period, based on the ‘high growth scenario’ and 300 ha of employment land based on a ‘balanced employment growth scenario’, as set out in the Sustainability Appraisal and Site Assessment Environmental Report, dated December 2020 (SA). The housing

requirement figure in policy SP2 is around 30,800 homes (1400 dwellings per annum) and the employment land requirement is around 300ha. The increase in the total quantum of housing is to take account of the different time period. The annual requirement is virtually the same. However, it is the Council's intention that the Plan should provide 1,500 new homes and 30ha of employment land over the plan period in order to help address a need for housing and employment land in the Black Country, that would otherwise not be met. We consider the question of this unmet need further below.

11. At the hearings, the Council suggested that these 1,500 new homes and 30ha of employment land is accounted for within the aforementioned housing and employment land requirement in policy SP2. We cannot see how. They are not mentioned in the SA and form no part of the growth scenarios considered therein. Consequently, we are concerned that there has been a conflation of housing need and housing requirement and also employment land need and employment land requirement – but these are two distinctly different things.
12. You will appreciate that we need clarity on this point, and the Plan itself must also be equally clear. We therefore ask that the Council provides us with a Topic Paper that unambiguously sets out the need for housing over the plan period and the local plan's housing requirement and the same for employment land. On the face of it, it seems to us that the latter is likely to be the sum of Shropshire's housing/employment need plus the 1,500/30ha homes/employment land relating to unmet need in the Black Country – whatever the case may be, these requirement figures should be made clear in the Plan, through a main modification to policy SP2.
13. This strategic issue crosscuts a number of important matters, including the Plan's development requirements, spatial distribution, Green Belt release and site allocations. As such, it has resulted in a great deal of discussion during the hearing sessions to date. The Council's approach to identifying the housing and employment land needs derived within Shropshire itself is sound. In principle, the Council's intention to address some of the Association of Black Country Authorities (ABCA) unmet needs (1500 homes and 30ha of employment land), aligns with the spirit of the DtC. It is clear that the Council and the ABCA authorities are all content with this contribution and this is set out in a Statement of Common Ground (SoCG), signed prior to the submission of the Plan for examination. We recognise that there is a lack of any prescribed formula in national planning policy for calculating any uplift to Shropshire's housing need to meet some of this externally derived unmet need.
14. Since the initial stage 1 hearings the joint plan making arrangements for the ABCA Councils have materially changed as these four separate councils are now preparing individual plans. The councils are all individually preparing their respective evidence bases, but utilising some of the existing joint evidence that has already been prepared. As a consequence, their anticipated adoption dates will be later than that of the previously proposed joint plan. Despite this new plan making context, there is no reason before us to find that the identified unmet needs in the Black Country area will disappear.

15. However, we are mindful that confirmation of the exact quantum requires the examination of these plans which is some time away and other councils will also be assisting in meeting some of the unmet needs since it is not and should not be the sole responsibility of Shropshire Council to meet all of ABCAs unmet needs for housing and employment land. This would be highly unlikely in any event given the emerging scale of unmet need, the Green Belt constraint within Shropshire, particularly in the part closest to the boundary with ABCA areas and also the AONB constraint in the southern part of the plan area. Nonetheless it remains an important strategic cross boundary matter that should not be deferred.
16. It is clear is that the unmet housing and employment needs being accommodated in Shropshire is the starting point as there is agreement to revisit the unmet need with a view to providing further assistance once the local plans for the ABCA councils have been examined and adopted. As set out above this is likely to be a number of years away given the stage they are currently at.
17. However, it was not until a point between the Regulation 18 and 19 stages of the plan making process that the Council agreed to accommodate 1500 dwellings and 30ha of employment land to support the unmet needs emerging in the ABCA area. This was after most of the evidence base had been completed, including the SA.
18. Regulation 12 of The Environmental Assessment of Plans and Programmes Regulations 2004 requires that an environmental report for the purpose of the regulations must identify, describe and evaluate the likely significant effects on the environment of implementing the plan policies and of the reasonable alternatives, taking into account the objectives and geographical scope of the plan. The SA will need to show how these requirements have been met as well as recording the wider assessment of social and economic effects.
19. We are concerned that the objectives and geographical scope of the Plan changed when the Council agreed to accommodate some of the unmet needs of the Black Country, but unfortunately the SA was not revisited. The SA is based on meeting only the needs of Shropshire. It tested different housing and economic growth options as well as different distribution options, but these were all based on just meeting the needs of Shropshire.
20. Further SA work therefore needs to be undertaken to assess the likely effects of the proposed strategy – which is based on meeting Shropshire’s housing and employment needs and contributing towards unmet needs from the Black Country. In carrying out this work, consideration also needs to be given to the selection of the preferred strategy when judged against reasonable alternatives. For example, by testing a scenario which includes the originally envisaged ‘high growth scenario’ and a contribution towards unmet housing needs.
21. If the intention is to contribute towards the unmet need from the Black Country, then for effectiveness this distinction needs to be set out in the housing and employment land requirements in the Plan. In doing so the Council will also

need to consider which site or sites in the Plan will be identified to meet that need. This also needs to be subject to sustainability appraisal to reflect the objectives and geographical scope of the Plan.

22. If, following the additional SA work, the Council chooses to pursue the same growth option as before then it follows that the housing and employment land requirements will increase, and more sites will be required. Consideration will also need to be given to the distribution of development since accommodating some of the unmet needs may result in more sites being required in the part of Shropshire nearest the Black Country. It would therefore be helpful if, once the Council has carried out the additional SA work, the proposed strategy in relation to the housing and employment land requirement is set out in the topic paper requested at paragraph 12 above. The Plan should also make clear what the Council's strategy is, through main modifications.
23. Given the Council were planning on releasing Green Belt land to meet its own needs, it seems unlikely that the unmet needs of the Black Country could be met without the release of Green Belt land. Can the Council please provide a revised Green Belt Topic Paper setting out the exceptional circumstances for releasing Green Belt land to meet its own needs and as a separate exercise the exceptional circumstances for releasing land to meet the unmet needs of the Black Country.
24. Great importance is placed on Council's having up to date plans by national planning policy. As set out above there is a requirement to carry out additional work on the SA and to produce topic papers and some main modifications to the Plan once the SA work is complete and there a clear way forward. This is likely to require a pause in the examination whilst the work is undertaken. Once the work has been undertaken, we will take a view on whether we consider further public consultation is required. The need to carry out this additional work will delay the examination and adoption of this Plan. However, we are unable to identify an alternative remedy that would avoid such a delay unfortunately. The additional work we have identified is necessary for us to find that the Plan is sound.
25. Regardless of the outcome of this work, it is likely that there will be a further request from the individual Black Country authorities in the future to meet some more of the unmet needs, but this could be dealt with by way of an early review trigger built into policy SP2 or by relying on the statutory 5-year review process set out in the Framework. We would welcome the Council's formal views on these alternative approaches.
26. Furthermore, we note that the related indicators and targets set out in the Plan's monitoring framework only focus on delivery within the Plan area against the Plan's overall proposed development requirements. In addressing some of the unmet needs of ABCA then the Plan's performance in doing so needs to be monitored. A failure to do this would undermine the effectiveness and therefore soundness of the Plan's approach to meeting housing and employment needs. The monitoring framework will need to be reviewed in light of this concern.

27. Any changes to the Plan as a result of the above will need to form the basis of Main Modifications which should be submitted to the examination.

Habitat Regulations Assessment

28. The matter of the River Clun and nutrient neutrality was discussed at the hearings in July. Shortly after the hearings the Government issued a Written Ministerial Statement (WMS) entitled '*Statement on improving water quality and tackling nutrient pollution*'. The Council's letter of 16th September 2022 (GC16) addresses the WMS. This suggests that the WMS may alter the position of Natural England and the Environment Agency on this matter. Can the Council please approach these organisations with a view to preparing updated SoCG. Once this is done can the Council advise on the implication of the latest position for the Plan and whether any outstanding issues could be dealt with by MMs.

Green Belt – RAF Cosford

29. The Council's Green Belt Topic Paper sets out the exceptional circumstances for the release of land from the Green Belt. This includes 214.2 ha of land at RAF Cosford which is a strategic site in the Plan (policy S21). The Council proposes to inset RAF Cosford in the Green Belt, in recognition of its existing and future operational areas and requirements. Para 7.18 of the Plan says that this will enable numerous and complementary development opportunities and that in turn these will complement and facilitate delivery of the Economic Growth Strategy for Shropshire and the objectives of the Plan.
30. One of these development opportunities is the development of the Midlands Air Ambulance Charity headquarters, however we understand that this now has planning permission despite it being in the Green Belt, demonstrating that this was not a barrier to development. The RAF base has grown and developed over many years and is now also home to the RAF Museum Cosford. There is no evidence before us to demonstrate that the site's Green Belt status has in anyway prevented it being developed in a manner consistent with its use as an RAF base or indeed related activities such as training facilities and domestic accommodation.
31. Paragraph 143(b) of the Framework which advises that when defining Green Belt boundaries, plans should not include land which it is unnecessary to keep permanently open. However, it seems that the site has large areas of undeveloped land which, if developed, could harm openness of the surrounding Green Belt land. It would also make it more difficult for the Council to control future non-military related development on the site as other general development management policies would apply.
32. To summarise, we find that exceptional circumstances do not exist to justify the removal of this site from the Green Belt. Consequently, the Council will need to draft a MM to ensure that this site remains within the Green Belt and make any necessary map changes.

Infrastructure Delivery Plan (IDP) and Strategic Funding Statement (SFS)

33. We still have some concerns about the gaps in the IDP and would urge the Council to treat this as a living document and aim to keep populating it when new figures become available.
34. In terms of the SFS, as set out at the hearings this should be forward facing rather than backward looking. The PPG advises that *“this should set out the anticipated funding from developer contributions, and the choices local authorities have made about how these contributions will be used. At examination this can be used to demonstrate the delivery of infrastructure throughout the Plan-period”*¹. Can the Council please provide a timescale for updating the SFS.

Five-year Housing Land Supply

35. The Council has requested that we confirm their 5-year housing land supply as part of the examination of the Plan policies. However, the PPG² advises that, among other things, *“when confirming their supply through this process, local planning authorities will need to be clear that they are seeking to confirm the existence of a 5-year supply as part of the plan-making process and engage with developers and others with an interest in housing delivery”*. Crucially, the Council have confirmed that they did not do this and therefore we cannot confirm the 5-year housing land supply through the local plan examination process.
36. In addition, the matter of 5-year housing land supply will be considered at stage 2 of the examination once we have examined the site allocations in the Plan. We still have serious doubts over whether we can fully consider this matter and come to a conclusion on whether the Council have a 5-year supply of housing land given that many of the sites the Council are relying on are allocated in the SAMDev plan and therefore are not before us.

Housing Requirement

37. The housing requirement in the Plan is expressed as ‘around’ 30,800 new homes and the employment land as ‘around’ 300ha. In our view these development requirements should be expressed as definitive minimum figures for both monitoring and effectiveness.

Specialist Housing/Older Persons Housing

38. Paragraph 62 of the Framework requires that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies, including older people. The Council’s evidence shows that there is a much higher number of older people residing in the Plan area than the national average.

¹ Paragraph: 059 Reference ID: 61-059-20190315

² Paragraph: 010 Reference ID: 68-010-20190722

39. Whilst there is a requirement within policy DP1 to provide older persons housing on sites of 50 dwellings or more, the amount that will need to be provided is not quantified and it is also not clear why the threshold of 50 dwellings has been chosen. The PPG advises that “*plan-making authorities should set clear policies to address the housing needs of groups with particular needs, such as older and disabled people. These policies can set out how the plan-making authority will consider proposals for the different types of housing that these groups are likely to require. They could also provide indicative figures or a range for the number of units of specialist housing for older people needed across the plan area throughout the plan period (our emphasis)*”³.
40. Whilst the PPG advises that Council’s ‘could’ provide indicative figures, we consider that as there is clear evidence of a higher-than-average need for such accommodation in this particular instance, either the policy should include indicative figures, or the Plan should contain a specific policy to deal with specialist housing.
41. Also, neither this Plan, nor the SAMDev plan appear to make any provision for this sector of the community, by allocating land for specialist housing or requiring it to be provided in some of the larger allocations. This would be another positive way in which the Council could address this matter. Please can the Council give some further consideration to this important matter.

Policy SP4 – Sustainable Development

42. The Council agreed during the hearings that they would introduce a MM to delete policy SP4 from the Plan and instead rely on national planning policy to ensure that development in the district is sustainable. This needs to be included in the list of MMs.

Policy SP5 – High-Quality Design

43. The Council agreed to look at the wording of policy SP5 and whether it should contain a reference to the National Design Guidance. Can the Council please confirm if they have done this and what the outcome was. Any changes will need to be set out as a MM.

Policy SP6 – Health and Wellbeing

44. A discussion took place at the hearings regarding criterion 5a. of this policy and whether it should refer to ‘improved’ health facilities and criterion 10 and its requirement for a Health Impact Assessment for all major development proposals. The Council agreed to give the wording in these 2 criteria further consideration. Can you please confirm the outcome of this and whether any MMs are being advanced as a result.

³ Paragraph: 006 Reference ID: 63-006-20190626

Policy SP10 – Managing Development in the Countryside

45. It was agreed during the hearings that this policy wording needs to clarify that it does not apply to sites in the countryside that are allocated for development in this Plan or any other adopted development plan. This revised policy wording will need to be set out in as a MM.

Policy SP12 Shropshire Economic Growth Strategy

46. We do have some concerns about the effectiveness of this policy as a great deal of it seems to be more of a vision rather than a strategic policy. Can the Council please review this policy in the context of the advice in relation to strategic policies set out in paragraphs 20 to 23 of the Framework. Proposed changes will need to be set out as MMs.

Policy SP13 – Delivering Sustainable Economic Growth and Enterprise

47. It was agreed at the hearings that the text box 'Figure SP13.1', should be incorporated into policy SP13. This will need to be included as a MM.

Strategic Settlements and Sites

48. We have set out our concerns above regarding the removal of the RAF Cosford site from the Green Belt. We have no further comments to make on policy S21 or policy S20 which relate to the former Ironbridge Power Station site.
49. Turning to Tern Hill and policy S19, we have concerns about the deliverability of the affordable housing that would be required in connection with the development of this proposed site allocation given the evidence set out in the Council's Viability Study 2020 (EV115.01) and the fact that the trajectory shows that 400 of the 750 proposed dwellings will be delivered after the Plan period.
50. This also leads us to find that there is a lack of evidence to demonstrate that this proposed allocation will be capable of supporting the necessary infrastructure and services planned. Given the site's location away from any main settlements, it is important that it contains a range of services to limit trips by private car. Therefore, we require evidence which demonstrates that the appropriate necessary infrastructure would be delivered at the appropriate stages in the delivery of this site to serve its occupants.
51. Finally, as discussed in detail at the relevant hearing session we have some concerns about the vagueness of some of the policy wording in policy S19. The Council agreed it would look at this with a view to improving its precision and certainty for the benefit of developers and local residents. These changes should be advanced as MMs.

Strategic Flood Risk Assessment

52. The issue of whether the Council's Strategic Flood Risk Assessment (SFRA) was up to date in terms of hydraulic modelling and fluvial flood risk was raised at the relevant hearing session. It was agreed that the Council would provide a note of clarification regarding the methodology and data relied upon and whether any updating is necessary. Also, the Council should review whether the SoCG with the Environment Agency needs to be updated in view of this.

Local Development Scheme

53. During the matter 1 hearing session the out of datedness of the Local Development Scheme (LDS) and the reasons for that were discussed. We would be obliged if the Council would keep the LDS under review and arrange an update. A note to this effect should be placed on the Council's examination website to inform web users of this.

Overall Conclusions

54. For the reasons set out above, as things stand, the development strategy set out in the Plan is unsound and further work and main modifications will be required to progress the examination. We appreciate that there is a lot in our letter for the Council to consider. Therefore, we have not set a deadline for a response. However, it would be helpful if you could provide an indicative timescale for a response. When you respond in full to our letter can you please also provide a timetable for the additional work that is required for soundness.
55. Once we have a timescale for any additional work, we can then agree some provisional dates for the stage 2 hearings. At these hearings it is likely we will first need to re-consider some of the stage 1 matters as then the development management policies in the plan and the site allocations.
56. The Council and participants should be aware that the above comments do not represent our full findings on these matters, which shall be set out in our final report having considered any representations made in response to further public consultation and/or further hearing sessions which may be required in due course.
57. We are not inviting comments to this letter from representors, they will be given an opportunity to comment on the above matters in due course, either through representations to consultation organised by the Council, through hearing statements, appearing at hearing sessions or through the opportunity to comment on MMs.
58. Should the Council require any further clarification on any of the above matters you can contact us through the Programme Officer.

Louise Crosby, Carole Dillon and Nick Palmer

Examining Inspectors



Appendix 2 – Site Location Plan



88.4m

92.0m

93.3m

86.3m

Whaddon Farm

Pond

Leisure Centre

DARLING'S COTE ROAD

1
2
3
4
5
6
7
8



Appendix 3 – Concept Masterplan



- LEGEND**
- SITE BOUNDARY
3.81ha
 - DEVELOPMENT BLOCK AND INDICATIVE DWELLING
 - PUBLIC OPEN SPACE
0.87ha
 - EXISTING AND PROPOSED TREES
 - EXISTING HEDGEROW
 - PRIMARY ROUTE
 - SECONDARY ROUTE
 - PRIVATE DRIVE
 - FOOTPATH LINK
 - VEHICULAR/ PEDESTRIAN ACCESS

Schedule

Total developable area	= 2.94ha
Public open space	= 0.87ha
Potential dwellings @30dph	= up to 89
POS requirement (including amenity greenspace, unrestricted natural accessible greenspace and children's equipped play facilities)	= 0.46ha

REV A: Indicative dwellings added (CM 12.01.18)
REV B: Increased offset to farm building (CM 09.03.18)



LAND SOUTH OF DARLINGSCOTE ROAD, SHIPSTON-ON-STOUR | **CONCEPT MASTERPLAN**



Appendix 4 – Constraints & Opportunities Plan



LEGEND

- SITE BOUNDARY
3.81ha
- POTENTIAL LOCATION FOR ATTENUATION
- > GENERAL SLOPE DIRECTION
- INDICATIVE EXISTING TREES
- ~ INDICATIVE EXISTING HEDGEROW
- OVERHEAD CABLES (POTENTIAL TO BE RE-ROUTED)
- ~ ADJACENT LEISURE CENTRE & PLAYING FIELD
- ~ ADJACENT FARM BUILDING
- FARM ACCESS
- > POTENTIAL VIEWS FROM WADDON HILL
- > EXISTING SITE ACCESS

Note:
Plan based on desktop survey. A full topographical survey would be required to provide a detailed assessment of constraints and opportunities.



LAND SOUTH OF DARLINGSCOTE ROAD, SHIPSTON-ON-STOUR | OPPORTUNITIES AND CONSTRAINTS

TEAM/DRAWN BY: CM | APPROVED BY: SW | DATE: 12/01/2018 | SCALE: 1:1250 @ A3 | DRAWING REF: P17-3074_001_01 | CLIENT: RAINIER DEVELOPMENTS



Appendix 5 – Landscape Position Paper

Land at Darlingscote Road, Shipston-on-Stour

Landscape Position Paper

edp5176_r001a

1. Introduction and Purpose

- 1.1 The Environmental Dimension Partnership Ltd (EDP) has been appointed by Rainier Developments Limited to prepare a Landscape Position Paper that examines the potential impact of future development on existing baseline landscape and visual resources on Land at Darlingscote Road, Shipston-on-Stour (the site). The site is located within Stratford-on-Avon local government district, which acts as the statutory planning authority.
- 1.2 EDP is an independent environmental consultancy providing advice to landowner and property development clients in the public and private sectors in the fields of landscape, ecology, heritage, arboriculture and masterplanning. The Practice operates throughout the UK from offices in Cirencester, Cardiff and Shrewsbury. Details can be obtained at www.edp-uk.co.uk.

Site Context

- 1.3 A site visit was undertaken by a Chartered Landscape Architect on 4 September 2018, during which the character of the site in respect of the surrounding landscape was recorded. The existing site comprises a parcel of land covering an area of 3.97 hectares (Ha). **Figure EDP 1.1** provides an aerial view of the site along with a description of the local context.



Figure EDP 1.1: Existing site and two potential access points from the farm lane and Darlingscote Road. The surrounding landscape context includes Shipston-on-Stour to the south-east, open countryside to the north and west. A large farm lies slightly higher up on the ridgeline to the immediate west.

Purpose of the Position Paper

- 1.4 The purpose of this position paper is therefore to examine the site against the District Councils Draft Strategic Housing Land Availability Assessment (SHLAA) published in August (2018) which updates and supersedes previous versions of the SHLAA that provided inputs towards the identification of housing allocations in the Stratford-on-Avon Core Strategy (2011-2031).
- 1.5 The Land Parcel Assessment schedule that includes the site and settlement of Shipston-on-Stour is named 'Main Rural Centres'.
- 1.6 The site for consideration, otherwise referred to as 'SHIP.01' in the Draft SHLAA, was assessed alongside 14 other land parcels within the town of Shipston-on-Stour as shown in **Figure EDP 1.1**.

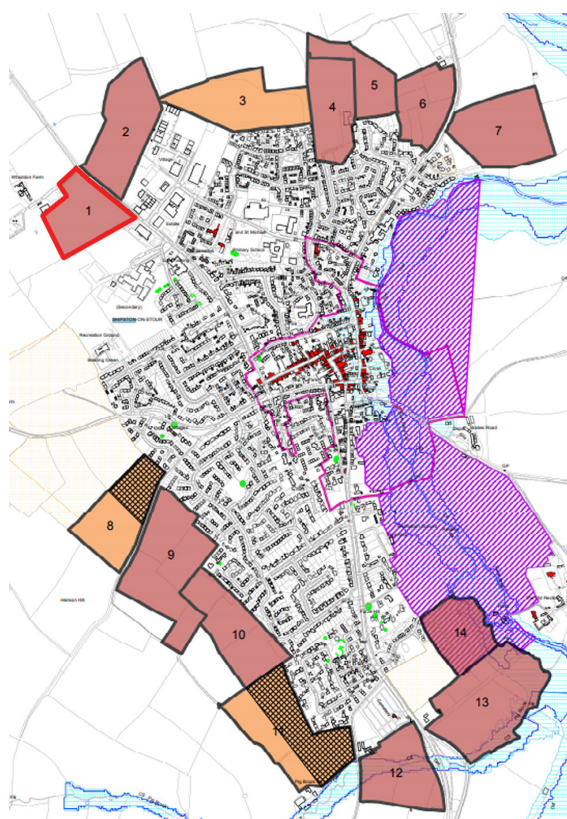


Figure EDP 1.1: Extract of Stratford-on-Avon Draft SHLAA for Shipston-on-Stour showing the different land parcels in the assessment. The site, numbered parcel 1 (identified as SHIP.01 in the report), is marked by a red line boundary.

2. Planning Context and Relevant Considerations

Draft Strategic Housing Land Availability Assessment (SHLAA) (August 2018)

- 2.1 The Stratford-on-Avon Draft SHLAA has been produced to inform the identification of reserve housing sites as required by the Core Strategy and whether a site possesses potential for development. A 'sub-regional methodology' was applied to the assessment of land parcels with refinements applicable to the criteria to the character of Stratford District. The site evaluation criteria is provided in **Appendix EDP 1**.
- 2.2 The methodology used to assess the individual land parcels covered a range of environmental aspects which were subdivided into: major planning considerations, other planning considerations, availability assessment, achievability assessment and concluded with an overall assessment. A red-amber-green (RAG) system was used to assess each site against a given criteria.
- 2.3 The following considerations were accounted for in determining the suitability for housing within a land parcel as outlined by Stratford-on-Avon District Council in the Draft Strategic Housing Land Availability Assessment (SHLAA) Explanatory Note (August 2018):

- *“Policy designations, such as Green Belt, Area of Outstanding Natural Beauty, Special Landscape Areas;*
- *Protected areas of acknowledged importance, eg. Sites of Special Scientific Interest, Scheduled Ancient Monuments, Conservation Areas;*
- *Potential impact upon local features including landscape, settlement character, natural and heritage assets;*
- *Physical problems or limitations, including access, infrastructure, flood risk, contamination;*
- *Environmental conditions which would be experienced by prospective residents;*
- *Adverse impacts of development on nearby land uses; and*
- *Loss of existing uses on the site.”*

- 2.4 The assessment criteria relevant to landscape which deemed the site ‘Not deliverable’ were Landscape Sensitivity and Settlement Character. The overall Environmental Suitability Assessment highlighted potential landscape impact and impact on settlement character as reasoning for this conclusion.
- 2.5 Despite this, all other landscape planning considerations assessed were deemed ‘Definitely deliverable’ or ‘Likely to be deliverable’ in regards to potential development within the site. The overall Availability Assessment highlighted that the site was ‘Definitely deliverable’. The overall Technical Suitability Assessment highlighted that the site is ‘Likely to be deliverable’ depending on the provision of vehicle access - which is not addressed in this landscape position paper.
- 2.6 The Overall Deliverability for potential development within the site was assessed by combining the Availability, Environmental Suitability and Technical Suitability of the land. The SHLAA concluded that the site was deemed ‘Not deliverable’ in response to this methodology.
- 2.7 To determine the Overall Deliverability of a land parcel, the SHLAA Explanatory Note (August 2018) states (with EDP emphasis) that *“coming to an overall conclusion for each parcel involves **making a judgement** as to the **relative importance of each factor, taking into account any designation** that covers the land and the **nature of any physical or environmental constraints** that have been identified”*.
- 2.8 The relevant Landscape Sensitivity Study for Shipston-on-Stour informed the judgement on Environmental Suitability for the site and surrounding landscape.

Landscape Sensitivity Assessment of Main Settlements including Areas of Restraint Assessment (July 2011)

- 2.9 The Landscape Sensitivity Assessment of Main Settlements, undertaken by White Consultants, was developed in order to “assist the District Council to determine the most appropriate locations for development to be identified in the Local Development Framework, whether in the form of strategic sites allocated within the Core Strategy, or as other sites to be allocated in the Site Allocations Development Plan Document”.
- 2.10 Within the study, land cover parcels (LCPs) have been defined for assessment which surround the existing settlement of Shipston-on-Stour. The landscape sensitivity of the site has been assessed as part of a larger zone and falls within LCP Sh11. LCP Sh11 has been assessed as having a high sensitivity to housing development as shown in **Figure EDP 2.1**.

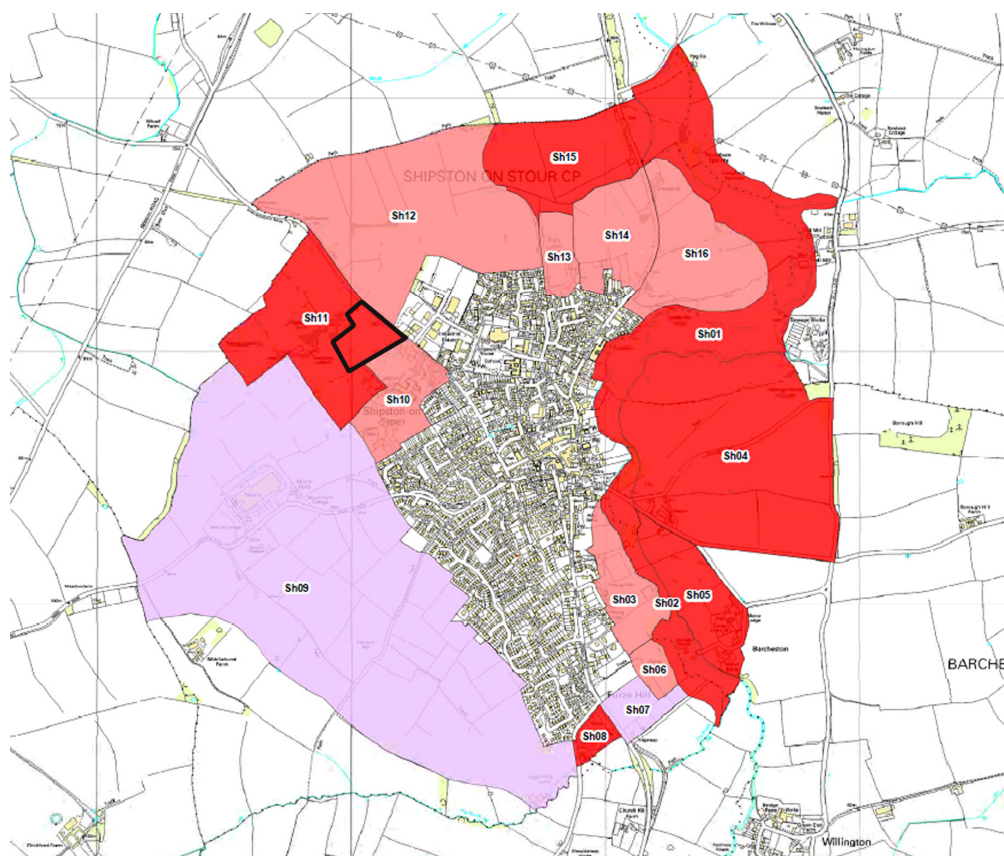


Figure EDP 2.1: Extract from the Landscape Sensitivity Assessment of Main Settlements, showing the different LCPs within Shipston-on-Stour. The site falls within LCP Sh11 and is marked by a black line boundary.

- 2.11 LCP Sh11 is described (with EDP emphasis) as being located on “**the top and sides of Waddon Hill which defines and acts as the backcloth to the north western edge of the settlement. It is a small scale pastoral landscape with a well defined, regular pattern of fields. A wireless mast is a local detractor**”.

- 2.12 The sensitivity study draws upon the existing landform and slope aspect of LCP Sh11 as reasoning for categorising the landscape a high sensitivity to housing development. Despite this, LCP Sh09 contains the south west of Shipston-on-Stour where the landform is of a hilly nature and includes both the recent development at Mount Pleasant (see Image **EDP 2.1** below), which peaks at 114m above Ordnance Datum (aOD), and Hanson Hill which peaks at 116m aOD.



Image EDP 2.1: View south-west in which new development in Mount Pleasant (orange arrow) lies on a saddle of high ground in the context of the ridge line of the ironstone hills.

- 2.13 The highest point on the site is at approximately 100m aOD, significantly lower than landform present within LCP Sh09 and land within LCP Sh11 further west and north. Therefore, it would not be logical to assess the site as having a higher landscape sensitivity than LCP Sh09 when the landform within LCP Sh11 is not as visually prominent and is topographically lower.
- 2.14 The site is located along the eastern boundary of LCP Sh11, adjacent to the settlement of Shipston-on-Stour. **Plan EDP L1** illustrates with hill shading how Waddon Hill itself merges into the valley sides on which the town has expanded. The site occupies the same side as the town but importantly, this much smaller area does not lie on the top of Waddon Hill, unlike much of the wider LCP Sh11. This backcloth has a visual and physical relationship with the existing settlement. In contrast, the neighbouring LCP Sh09 was assessed as having medium sensitivity to housing development despite completely blanketing Waddon Hill, with the western portion therefore being physically and visually divorced from the town by Waddon Hill.

- 2.15 Consequently, there are inconsistencies within the assessment between neighbouring LCPs (LCP Sh09 and Sh11) as landform was the main criteria in which LCP Sh11 had been labelled a landscape with high sensitivity. As a result, LCP Sh11 should have a reduced landscape sensitivity to remain consistent with the methodology and assessment criteria. And within that larger area, the site's location away from the top of Waddon Hill should be a key consideration in lowering the sensitivity further.

3. Published Landscape Character Assessments

National Landscape Character

- 3.1 The landscape of England has been subject to a nationwide Landscape Character Assessment, 'The Character of England: Landscape, Wildlife and Natural Features' (Natural England). The site falls within National Character Area (NCA) Profile 96: 'Dunsmore and Feldon'.
- 3.2 While the accompanying description is broadly representative of the wider landscape, it is too generic to provide specific characterisation of the site. For the scale of the site and potential developable area the description of landscape character undertaken at the sub-regional level is more relevant in establishing the landscape resource baseline.

Local Landscape Character

Warwickshire County Council Landscape Character Assessment and Guidelines (1993)

- 3.3 At a local level, the 'Warwickshire County Council Landscape Character Assessment and Guidelines' (the 'LCA') published in 1993 remains the definitive landscape character assessment for the District of Stratford-on-Avon. At over 20 years old, this should now be considered out of date. The site is located within the Landscape Character Type (LCT) 'Ironstone Fringe' (an extract from the Warwickshire Landscapes Project Plan is shown in **Image EDP 3.1** below).



Image EDP 3.1: The site (circled red) is located on the edge of the LCT adjacent to the settlement.

3.4 The overall character of the LCT is described as being “a remote, rural landscape of large, hedged fields and small, strongly nucleated ironstone villages”. This was found to be broadly true of the area in which the site lies. The key characteristic features of the LCT are listed as:

- A large scale, rolling tableland punctuated by prominent ironstone hills;
- A large scale, strongly hedged field pattern;
- Deserted medieval village sites surrounded by extensive areas of ‘empty’ countryside;
- Pockets of permanent pasture with ridge and furrow;
- Large isolated manor farmsteads;
- Small ironstone villages, often situated on rising ground;
- Wide roadside verges bounded by tall, thick hedgerows;
- Steep hillsides with semi-natural grassland and scrub.

3.5 Whilst these are generally true of the wider area, Shipston-on-Stour is no longer a small ironstone village – as it might have been in 1993 – and has since grown to become, as the Council’s SHLAA acknowledges, a ‘main settlement’. The site’s location lower down and away from the top of Waddon Hill and its steepest sides would ensure that, with careful Masterplanning and consideration of building heights, potential development of it would be accommodated without unacceptable harm to the ‘prominent ironstone hills’. This approach seems to be the case taken by the Council given the acceptability of new development at Mount Pleasant, in the saddle of higher ground to the south-west of the town (see **Image EDP 2.1** further above).

3.6 The management strategy for Ironstone Fringe is to “*conserve and enhance the overall structure and remote rural character of the landscape*”. The ‘remote character’ of the landscape varies according to the topographical relief, with the hills creating distinctive separation between land that encloses settlement and the land beyond. The land to the north and west, beyond Waddon Hill, is far more remote than the land shared by the site and the town on the sloping eastern sides of the hill. The focus of the management strategy has the potential to focus on protection of the hedgerow structure and maintaining a clear skyline to Waddon Hill.

EDP Description of the Site

3.7 Existing development parcels around the settlement exhibit the strongly hedged character of the Ironstone Hills LCT. The site shares the same characteristic which, if retained, would maintain the field boundary pattern. The site survey has identified the following landscape features:

- **Topography:** the site lies on a middle plateau below the top of Waddon Hill and away from the steepest sides;
- **Land Use:** the site is used for grazing, which forms the setting to the town surrounding the settlement. It is therefore not unique or unusual;
- **Landscape Fabric:** mature, well managed hedgerows form the site’s boundaries. The southern boundary is notable for scattered mature hedgerow trees;
- **Tranquillity and Sensory:** the site is overlooked by the modern working farm to the south-east with access down the farm lane. Darlingscote Road provides the only access into the town from the west, resulting in regular traffic passing the site. Views from the site include the modern industrial estate to the north-east;
- **Recreation:** the site is not designated as a park and there are no public rights of way passing through it. It does however have local access to PRoW, ensuring it can provide connectivity with wider countryside. It also lies immediately adjacent to the town’s leisure centre.

3.8 Taking these matters into account, the site’s most sensitive landscape features are the field boundary hedgerows and trees, the uppermost part of the site where it forms part of the transition towards the steeper slopes of Waddon Hill. Hedgerows should be retained within sufficiently wide buffers to allow the framework to be legible as a pattern in the wider landscape.

4. Visual Amenity

4.1 The site lies within farmland at the immediate arrival at Shipston-on-Stour from the west. This is currently characterised by the industrial estate to the north and top of the leisure centre building to the south, immediately beyond the site's southern boundary hedgerow and trees. Within this visual context, the key visual receptors will include:

- Users of PRow no. SS122 to the north where the route lies alongside the industrial estate (see **Image EDP 4.1** further below); for much of this route where the site is seen, the industrial estate erodes the sense of tranquillity;
- Users of PRow no. SS162 to the north-west, which runs along the top edge of the ironstone hills. Generally, the view is screened towards the site and the town, with the exception of occasional views at field accesses (see **Image EDP 4.2**). The views from these locations are very broad and far reaching, within which the site forming a minor part of the overall view. Its containment by Waddon Hill and strong hedgerow boundaries, ensures it does not read as being spatially divorced from the town or in the remote part of the countryside. This is also relevant in terms of maintaining the nucleated character of the settlement;
- Users of Darlingscote Road on the approach to the town. Much of the site is screened at road level, due to intervening roadside vegetation and topography, following which it is immediately seen in the context of the settlement edge (see **Image EDP 4.3**). The western portion is however visually exposed on this approach;
- Users of Fell Mill Lane and Shakespeare's Way (PRow no. SS166c) to the west of the town. The minor road and PRow follows higher ground with views looking down into Shipston-on-Stour from sections of the routes (see **Image EDP 4.4**). Much of the town is experienced as development on the hill side and within the valley. The new residential development at Mount Pleasant is clearly seen in the saddle of higher ground on the horizon.

4.2 Despite the site's location on the middle plateau of land, higher than the town, it has a limited range of intervisibility with publicly accessible routes in the wider area, chiefly due to the small number of PRow and roads in the vicinity, and the screening provided by topography. Notably, the site does not interrupt long distance views across the landscape, ensuring the sense of place and geographic identity with the ironstone hills is not undermined. The elevation of the site should however be carefully considered in relation to building heights.



Figure EDP 4.1: View from north in which the site (orange arrow; screened by hedgerow) lies below the top of Waddon Hill. The radio mast is a local detractor.



Image EDP 4.2: View from the PRoW to the north-west along the ridge, in which the site is also seen below the steepest slopes of Waddon Hill and adjacent to the settlement edge, where the industrial estate buildings benefit from screening by reinforcing hedgerows.



Image EDP 4.3: View on approach to the town. The northern portion of the site blankets the localised high ground, but much of the site is screened in local views.



Image EDP 4.4: View from the west towards Shipston-on-Stour in which the town has expanded up the sides of Waddon Hill. The site's location away from the steeper slopes ensures it does not break the skyline

5. Design Recommendations and Landscape Strategy

5.1 Key constraints, issues and opportunities have been illustrated on **Plan EDP L1**, attached. The site benefits from a strong hedgerow structure, however in this location on elevated land, density and building heights will play a key role in reducing the visual impact of the scheme. The landscape management strategy published for the Ironstone Fringes LCT is “*conserve and enhance the overall structure and remote rural character of the landscape*”, although the focus is on conserving the overall structure in this settlement context. The following design recommendations and landscape strategy are proposed, underpinned by the preliminary findings in relation to the site’s landscape and visual baseline resource:

- Retain existing boundary hedgerows and trees and provide adequate buffers to development parcels, underground services and utilities;
- Reinforce these boundaries with additional native species, introducing locally native trees where these are appropriate;
- Avoid development on the western, steeper parts of the site and ensure building heights maintain the appearance of the ridge line of the hills forming the backcloth to the town;
- Use visually recessive materials and roof tiles to better assimilate the development into the landscape;

5.2 The outcomes of these recommendations will be to conserve the key characteristic of the Ironstone Fringe LCT. Suitable buffers with sufficient off-sets to development parcels will ensure the hedgerows continue to read as part of the strong hedged field pattern, whilst combining with existing and new trees to provide softening of future development parcels.

6. Conclusions

6.1 The Environmental Dimension Partnership Ltd (EDP) has been appointed by Rainier Developments Limited to prepare a Landscape Position Paper that examines the potential impact of future development on existing baseline landscape and visual resources on Land at Darlingscote Road, Shipston-on-Stour (the site).

6.2 Analysis of the LPA’s sensitivity study has found that its broad-brush approach in defining a large parcel, SH11, does not fully account for the detailed understanding of the specific sensitivities of the site. At the core of the judgement of sensitivity, the LPA’s methodology uses the physical landscape, in this case topographical relief, to assign a high sensitivity to the wider parcel SH11 containing the site. Meanwhile in contrast it evidently ignores this landscape feature in judging that parcel SH09 which completely blankets Waddon Hill, only has a medium sensitivity. Instead, it is recommended that this judgement is switched so

that parcel SH11 is defined as having medium sensitivity. Within this parcel, the site may result in a further lowered sensitivity due to its containment by the higher ground.

- 6.3 In landscape terms, the site does not lie on the steepest slopes of Waddon Hill, it does not interrupt views towards the ironstone hills and its strongly hedged character is limited to the site's boundaries. It is spatially and visually well related to the town, compared to other recent schemes in the area. There are opportunities to reinforce the existing hedgerow adding suitably wide buffers to maintain the appearance and condition of the strong hedged network.
- 6.4 In visual terms the site's location within the middle plateau of ground results in it having visual intervisibility within the general context. However there are a limited number of publicly accessible routes from which it can be seen. The landscape strategy proposal includes careful consideration of appearance of materials and building heights and use of hedgerow trees to soften the scheme.
- 6.5 Taking these matters into account, and accounting for implementation of the design recommendations and mitigation, there is no reason to suggest that the site could not be developed without undermining the character of the Ironstone Fringe landscape.



Appendix EDP 1
Stratford-on-Avon Draft SHLAA

Landscape sensitivity to housing development high

This zone consists of the top and sides of Waddon Hill which defines and acts as the backcloth to the north western edge of the settlement. It is a small scale pastoral landscape with a well defined, regular pattern of fields. A wireless mast is a local detractor. The slopes fall away quite steeply on all sides and any new development would be very prominent, especially when viewed from the adjoining hills to the south and from the east. Housing development would be inappropriate in this area.

Landscape sensitivity to commercial development high

This zone consists of the top and sides of Waddon Hill which defines and acts as the backcloth to the north western edge of the settlement. It is a small scale pastoral landscape with a well defined, regular pattern of fields. A wireless mast is a local detractor. The slopes fall away quite steeply on all sides and any new development would be very prominent, especially when viewed from the adjoining hills to the south and from the east as well as impractical on the hill slopes. Commercial development would be highly inappropriate in this area.

Landscape characteristics

	LDU level
Physiographic	Soft rock lowlands
Ground type	Wet claylands
Land cover	Arable farmlands
Settlement pattern	Villages and estate farms
	LDU level
Cultural sensitivity	Moderate
Ecological sensitivity	Low
Visual sensitivity	High

Land Cover Parcel data

Land Use	Pastoral
Pattern	Medium/large_regular
Origin	Farmland_planned

Designations**Landscape/planning**

Green Belt Parks, Gardens and Amenity Green Spaces Ancient woodland TPO

Biodiversity

SSSI Local Wildlife Sites Local Nature Reserves Warks Wildlife Trust Reserves

Historic/archaeology

Cons. Area SAMs Historic Parks/Gardens Listed Buildings Registered Battlefield

Other

Flood

Characteristics

Landform low steep sided hill

Landcover pastoral

Field boundaries

Type Hedgerows Hedgebanks Stone walls Wet ditches

Species Thorn Elm Mixed Ancient

Condition Good Poor Redundant Relic

Management Trimmed Outgrown Mixed

Hedge/Stream Trees

Extent Dense Scattered Insignificant None

Age of mixture Mixed Age Overmature Immature

Other Trees

Extent Prominent Apparent Insignificant None

Age of mixture Mixed Age Overmature Immature

Patch Survival

Extent Widespread Localised Relic

Management Intense Traditional Neglected

Ecological corridors

Condition Intact Declining Fragmented

Intensity of Use

Impact High Moderate Low

Pattern

Settlement pattern Farmstead

Other built features -

Presence of water n/a

Scale small **Sense of enclosure** open

Diversity simple

Skyline

Prominence/ importance prominent **Complexity** simple

Comments Waddon Hill forms a prominent north western backcloth to the settlement

Key views

To settlement False **From settlement** False
Landmarks - **Detractors** wireless mast

Intervisibility

Site observation high **...to key features** **...from key place**

Comments widely visible hill

Tranquillity

Noise sources roads

Views of development one side 180 **Presence of people** infrequent

Summary medium

Comments the hill is intervisible with the school and commercial estate and has a wireless mast which reduces its tranquillity

Functional relationship of area with settlement, wider landscape or adjacent assessed area

Corridor?

Comments managed as part of wider farmed unit

Visual relationship of area with settlement, wider landscape or adjacent assessed area

Setting?

Comments provides part of rural hill backcloth to the settlement

Are adjacent assessed areas mutually reliant...

... visually?

...functionally?

Comments Sh09 continues rural hill backcloth

Settlement edge

Pre C20 edge

C20-21 edge

Nature of edge negative

Form of edge moderately indented

Comments school/sports club and commercial estate are unattractive buildings. The former also register as the highest buildings on this edge of town, but they are at least set within a green context

Receptors

Receptors

Sensitivity

long distance/public footpaths

high

roads/rail/cycleways

high

Comments main receptors are PROW views looking across/beyond the settlement to hill and adjacent road views

Other

Other factors -

Potential for landscape enhancement

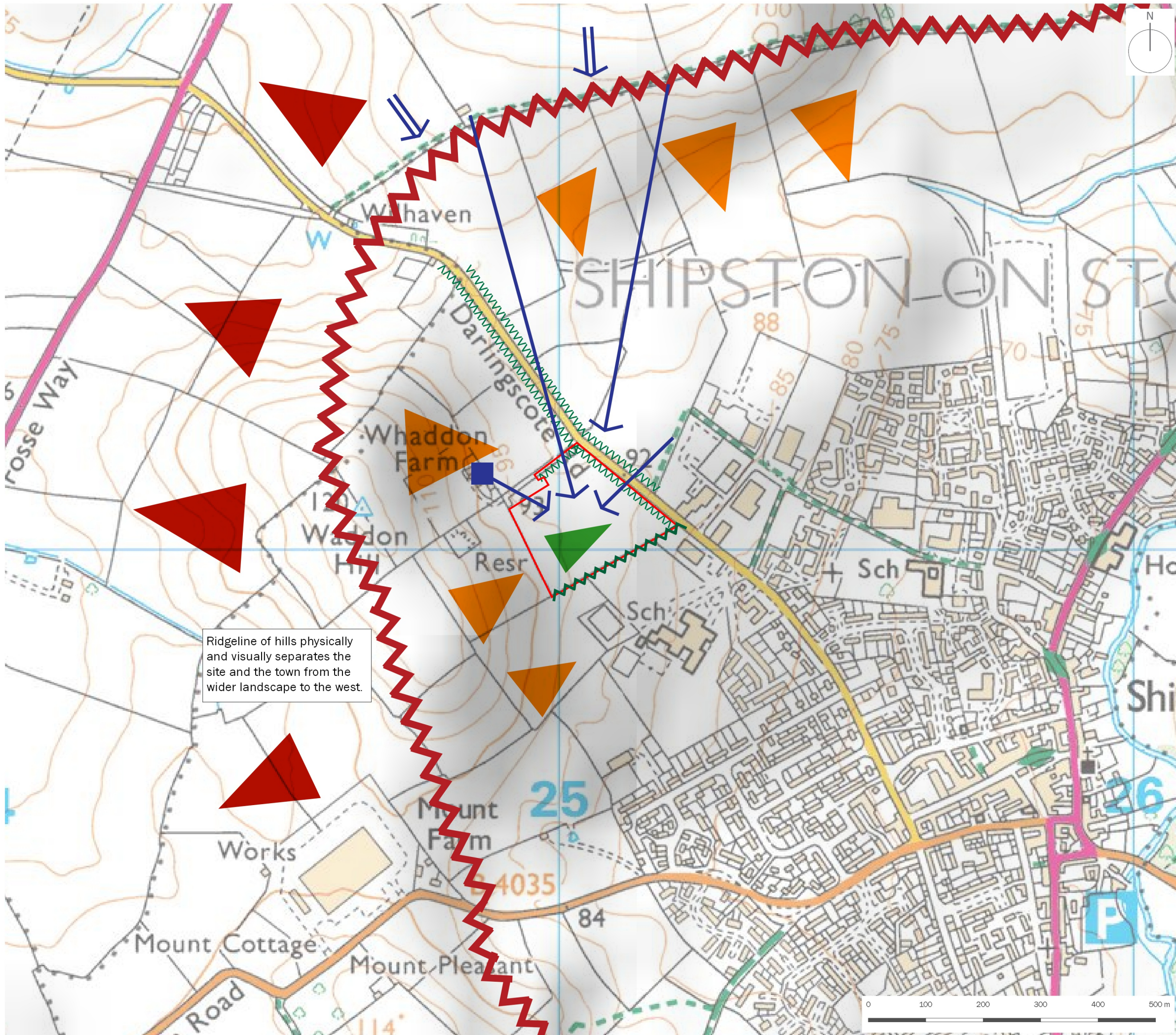
-

Potential mitigation if area potentially suitable for development











-

Plans

Plan EDP L1 Preliminary Opportunities and Constraints
(edp5176/d001 11.09.2018 OW/MJ)



Ridgeline of hills physically and visually separates the site and the town from the wider landscape to the west.

-  Site Boundary
-  Views Generally Curtailed by Vegetation
-  Open Partial Views from Sections of PRoW
-  Views from Farm Building
-  Open Aspect to Countryside where Remoteness is Strong
-  Steepest Slopes form Backdrop
-  Gentler Slopes within Lower Part of Waddon Hill
-  Ridgeline of Ironstone Hills
-  Mature Hedgerow and Trees
-  Trimmed Hedgerow with Trees

client	Rainier Developments Limited		
project title	Land at Darlingscote Road, Shipston-on-Stour		
drawing title	Plan EDP L1: Preliminary Opportunities and Constraints		
date	12 SEPTEMBER 2018	drawn by	LB
drawing number	edp5176_d001	checked	MJ
scale	Refer to scale bar	QA	MC



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