
Wickersley Neighbourhood Plan Draft Submission Version



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1. Introduction

- 1.1. This response is on behalf of our client, the Warde-Aldam Estate, with regard to the Wickersley Neighbourhood Plan Draft Submission Version which is currently out for consultation.
- 1.2. As you may be aware, our client is a significant longstanding landowner within the Civil Parish of Wickersley and therefore welcomes the opportunity to comment on the draft Neighbourhood Plan and associate Design Code to ensure that the village evolves in a way that respects its particular character and continues to respond to local needs and aspirations.
- 1.3. Wickersley is one of the most desirable places to live in Rotherham and it is important for this to remain the case going forward. However, this needs to be balanced with appropriate planning policies that will not hinder or stifle future development.
- 1.4. As set out at paragraph 13 of the 2021 National Planning Policy Framework (NPPF), Neighbourhood Plans should support the delivery of strategic policies contained in local plans. Furthermore, Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies (paragraph 29 of the NPPF). We therefore make comments on the following draft policies set out within the Wickersley Neighbourhood Plan Draft Submission Version.

- Plan Period
- Vision
- Aims and Objectives
- Policy GP1: High Quality Design
- Policy GP2: Stone Walls
- Policy GP4: Locally Listed Buildings
- Policy GP5: Design & Development in the Conservation Area
- Policy H1: House Type and Mix
- Policy H2: Building for a Healthy Life and Lifetime Homes
- Policy GS1 Biodiversity and Green Infrastructure
- Policy VC1: Drinking Establishments
- Policy VC2: Shop Frontages
- Design Code

Plan Period

- 1.5. Firstly, we fully support the Neighbourhood Plan covering the same period as the adopted Rotherham Metropolitan Borough Council Core Strategy (adopted 2014) and Sites & Policies Document (adopted 2018) up to 2028. This means that the Neighbourhood Plan, when formally 'made' (adopted), can be updated and refreshed at the end of this period to reflect any changes in circumstances and the scope and content of a new revised / reviewed Core Strategy / Local Plan.

Vision

- 1.6. Our client supports the Vision of the Neighbourhood Plan as it is important to ensure that Wickersley continues to be a thriving community which provides high quality housing. However, this should be for existing and future residents and not just based on existing local needs.
- 1.7. For a community to remain thriving, 'new blood' is required to be welcomed into the area and, as such, housing be available for existing and future residents.

Aims and Objectives

- 1.8. In terms of the Aims and Objectives set out on page 17 in the consultation document, we can confirm that our client supports these, in principle.

2. General Policies

Policy GP1: High Quality Design

- 2.1 With regard to Policy GP1: High Quality Design, our client agrees that having a Design Code will help ensure that future development proposals responds to local character. However, it is vital that the need to include a local character appraisal for future planning applications is commensurate in detail with the size of the proposal.
- 2.2 Whilst we note that the amendments made to the Plan via previous consultation evens has lead to a note being included within the supporting text to explain that character appraisals should be commensurate in detail and size of the proposal and only required for new dwellings or commercials development, it is considered that such text should be carried over to the policy text direct for clarity.
- 2.3 In terms of our thoughts on the draft Design Code, please see our comments in Section 6 below for detail.

Policy GP2: Stone Walls

- 2.4 It is agreed that existing traditional stone walls are retained, wherever possible, where planning permission is required, as they are a distinguishing feature of Wickersley. However, where some removal is required to facilitate development, this policy should not be a prerequisite to preclude or stifle development.

2.5 We welcome acknowledgement and confirmation within the Statement of Consultation which sets out that this policy is not designed to stifle development or to prevent development taking place and therefore the policy was adapted and revised to include statement requesting justification for changes and to establish that all reasonable efforts have to retain such walls have been considered with a note added to confirm that this policy does not seek to prevent development.

2.6 It is considered fair to request justification for changes to be made to the stone walls to help understand and establish that all reasonable efforts to retain such walls have been considered as part of any planning application. We therefore support the inclusion of justification to be included within the supporting text of the draft Policy, but again, this policy should not be used to prevent development taking place and it is considered that some of the supporting text included within the Submission Draft is included within the actual policy text to make this explicitly clear within the Plan.

Policy GP4: Locally Listed Buildings

2.7 Our client is the owner of properties (No. 2) 266 Bawtry Road, and (No. 29) 1 Quarryfield Lane as identified in the draft policy which are proposed to be included as Locally Listed Buildings.

2.8 It is noted that these buildings will be subject to policy SP45 of the adopted Rotherham Local Plan. Whilst we appreciate Policy SP45 is not subject to consultation, the supporting text of Policy SP45 does state that an appraisal of the architectural or historic interest of a building, followed by a process of public consultation, should be undertaken before the designation of a new building of merit. We therefore welcome this opportunity to comment on the proposed local listings.

2.9 The Rotherham Local Plan states that following criteria will be used for designation of Locally Listed Building's:

1. *Any building or structure which dates from before 1840;*
2. *Later buildings or structures which are considered to be of definite quality and character, including the work of important architects or builders, both local and national. Particular attention will be paid to buildings which:*
 - *Have important historic associations, in terms of famous people or events;*
 - *Illustrate an important aspect of social or economic history or use;*
 - *Represent an exceptionally good example of a specific and distinctive architectural style;*
 - *Demonstrate excellence in building craftsmanship, use of materials, technical innovation, architectural features and detailing;*
 - *Form part of a distinctive and cohesive group of buildings;*
 - *Retain its original architectural interest and integrity, and not subject to insensitive alterations;*
- *Have landmark quality or make a unique and positive contribution to the quality of the townscape or an open space*

2.10 We note that (No. 2) 266 Bawtry Road was built around 1830's and therefore falls within the above criteria.

- 2.11 In terms of (No. 29) 1 Quarryfield Lane, it is acknowledged that this forms part of a row of early 19th century workers cottages, built of sandstone with a Welsh slate roof. It is agreed that these properties have been well maintained and contain their original door and window openings both front and back.
- 2.12 If our client's buildings are included within the Policy that it is vital that the policy takes a practical approach to any future alteration of locally listed buildings to comply with the disability discrimination act 2005 and subsequent amendments. We therefore welcome the 'action' noted on page 19 of the Statement of Consultation that Policy GP4 does now include a statement recognising disability discrimination act 2005 and subsequent amendments and that it supports a practical approach to future alterations.

Policy GP5: Design & Development in the Conservation Area

- 2.13 It is noted that new buildings, and extensions and alterations to existing buildings, within or affecting the setting of the Conservation Area, should reflect its distinctive local characteristics. This assertion is supported, however, this policy should not be a mechanism to prevent any future development or stifle development that seeks to adapt buildings for future change of use or modernisation.
- 2.14 In terms of any new build, the policy should not allow pastiche development only. Modern design can actually enhance Conservation Areas and therefore this policy should allow each planning application to be assessed on its own individual merits. As it stands, we object to criteria B within draft Policy GP5.
- 2.15 The key principles of a Conservation Area is about its overall form and the quality of the materials. It should be about quality, not necessarily a particular style. This policy shouldn't simply seek new development be repetitive of the local vernacular and instead seek to improve on what already exists in the area.
- 2.16 This appears to be acknowledged in the Wickersley Design Guide which states that the document does not intend to stifle innovative, creative and contemporary design, nor does it prescribe a duplication of historic design, however, this does not appear to transfer through to the Policy text in Policy GP5 of the Neighbourhood Plan.
- 2.17 As per Chapter 16 of the NPPF, we should look for opportunities for new development within Conservation Areas and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably. However, it is vital to remember that not all elements of a Conservation Area will necessarily contribute to its significance (para 207 of the NPPF).
- 2.18 It is pleasing to note that some of the suggestions to the previous consultation were taken in to account as part of the policy evolution for Policy GP5 and that our previously suggested amendments to criteria C, D, E, G have been included in revised policy.

- 2.19 Whilst we also note in the Statement of Comments that the “*wording of Criteria B will be softened to ‘Development is encouraged to take account of existing architectural detailing such as roof forms, coursing and pointing of stonework, the proportions of window openings, joinery profiles and opening pattern of new and replacement windows and doors;’*”, based on the above comments to draft Policy GP5, it is suggested that the Policy is further amended as follows so that it reads:

“A) Layout should reflect the traditional building pattern of the conservation area and building heights, scale and massing should respond to and reinforce the character of the conservation area;

~~B) Development is encouraged to take account of existing architectural detailing such as roof forms, coursing and pointing of stonework, the proportions of window openings, joinery profiles and opening pattern of new and replacement windows and doors;~~

C) Use of quality materials, such as natural stone, that reflect the interest of the area and sit harmoniously with the existing building fabric and respect the uniformity in the colour and texture of the built form of the conservation area;

D) Retention of existing stone boundary walls, gates, gateposts and railings and incorporation of new means of enclosure in a way which complements those already in existence using similar materials and details where possible;

E) Retention of other architecturally or historically interesting features that testify to the evolution of the structures and are of good quality in their own right where possible;

F) Where traditional features have been replaced by modern alternatives, the reinstatement of original traditional features should be the presumed aim of conservation;

G) Retention of mature trees and vegetation where possible.”

- 2.20 Whilst we fully agree that future development should respond to the distinctive character of Wickersley, it is vital that this policy is not a restriction to future development design evolution which already, by in large, requires considerable consideration due to being located in a Conservation in the first place by the Planning (Listed Buildings and Conservation Areas) Act 1990.

3. Housing

- 3.1 As per our comments to the Vision of the draft Neighbourhood Plan, it is vital that the Plan does not create a barrier to new development and that, for a community to remain thriving, ‘new blood’ is allowed to be welcomed into the area via new development.
- 3.2 It is therefore important that new housing should be available for existing and future residents and this is acknowledged in Chapter 3 ‘Housing’ of the consultation document which confirms that Wickersley has an ageing population and it is important to provide homes that are able to meet a variety of needs both now and in the future.

Policy H1: House Type and Mix

- 3.3 It is acknowledged and supported, in principle, that new housing developments of 10 or more dwellings will be required to provide a mix of house types and sizes to meet the needs of the local community.
- 3.4 Whilst we support the above statement, in principle, we do not support that proposals should include, as a minimum:
- 30% of dwellings to be no more than 2 bedrooms
 - 30% of dwellings to be 3 bedrooms
- 3.5 It is important that each site/planning application should be considered on its own individual merits, at the time of its submission and, as part of the application process should be assessed by an up to date housing needs survey which is prepared by the Local Planning Authority.
- 3.6 This Neighbourhood Plan is to cover the period up to 2028 and, as such, the housing need for Wickersley could change over this period of time. Therefore stipulating in the policy that for all development of 10 units or more the housing mix should include 30% of dwellings to be no more than 2 bedrooms and 30% of dwellings to be 3 bedrooms is likely to be out of date over the next 7 years.
- 3.7 Whilst the supporting Wickersley Parish Council Housing Needs Assessment (HNA) is helpful as a snapshot in time, if not updated regularly, it will become out of date. This could lead to development being restricted to include a housing mix that does not follow market demand or meet needs of the area over the full plan period.
- 3.8 We therefore propose that the two bullet points currently drafted in the policy should be removed / deleted and that they should be replaced with policy text that requires proposals to comply with up to date housing needs surveys at the time of submitting a planning application. Such surveys can include the Rotherham Strategic Housing Market Assessments and any up to date Wickersley Parish Council Housing Needs Assessment (HNA) subject to viability.
- 3.9 Whilst we note that the draft policy text currently states that for proposals that do not meet these minimum requirements, applications will be expected to demonstrate why an alternative mix is considered appropriate and should be supported by up to date housing market evidence and a viability assessment, it is considered the policy as it stands, with the inclusion of the two bullet points, is overly onerous.
- 3.10 In short, the housing mix should be set by up to date evidence instead of a pre-determined quota. Housing need in terms of mix is subject to change. It is vital for housing sites to not only be viable but suitable based on up to date evidential need rather than being restricted to policy set out at a particular point in time in the Neighbourhood Plan that will cover up to 2028.
- Policy H2: Building for a Healthy Life and Lifetime Homes*
- 3.11 It is not considered appropriate for plan-making bodies set minimum requirements for accessible housing. As such, we strongly object to this policy.

- 3.12 Following the Government's 2015 'housing standards review' Lifetime Homes standards were replaced by the optional building regulations standard M4(2) entitled 'accessible and adaptable dwellings'. As such, it is considered that the draft policy and draft Design Code is amended to address this, highlighting that these are a preference and should be encouraged, however, are not mandatory.
- 3.13 Where an identified need exists, plans are expected to make use of the optional technical housing standards (footnote 49 of the NPPF) to help bring forward an adequate supply of accessible housing. In doing so planning policies for housing can set out the proportion of new housing that will be delivered to the following standards:
- M4(1) Category 1: Visitable dwellings (the minimum standard that applies where no planning condition is given unless a plan sets a higher minimum requirement)
 - M4(2) Category 2: Accessible and adaptable dwellings
 - M4(3) Category 3: Wheelchair user dwellings
- 3.14 Planning policies for accessible housing need to be based on evidence of need, viability and a consideration of site specific factors.
- 3.15 Paragraph: 008 Reference ID: 56-008-20160519 of the PPG goes on to say that policy to provide enhanced accessibility or adaptability should do so *“only by reference to Requirement M4(2) and/or M4(3) of the optional requirements in the Building Regulations and should not impose any additional information requirements (for instance provision of furnished layouts) or seek to determine compliance with these requirements, which is the role of the Building Control Body”*.
- 3.16 This is reiterated in the PPG which states at paragraph 001 Reference ID: 56-001-20150327 that *“The government has created a new approach for the setting of technical standards for new housing. This rationalises the many differing existing standards into a simpler, streamlined system which will reduce burdens and help bring forward much needed new homes. The government set out its policy on the application of these standards in decision taking and plan making in a written ministerial statement, which also withdraws the Code for Sustainable Homes aside from legacy cases”*.
- 3.17 As part of the Housing Standards Review (2013), the government suggested that the large number of competing standards can be confusing, and that *“standards are all drawn from documents produced by non-Governmental groups who perceive that current national guidance, policy or regulation is deficient in some respect, and needs to be supplemented. They are rarely subject to cost benefit analysis when they are developed, unlike government guidance or regulation”*.
- 3.18 As a consequence, the Code for Sustainable homes can no longer be a requirement of planning conditions, and where a policy is proposed to provide enhanced accessibility or adaptability they should do so only by reference to Requirement M4(2) and / or M4(3) of the optional requirements in the Building Regulations.

- 3.19 As such, whilst we note In the Statement of Consultation at page 33 that this Policy was weakened to the previous drafts, as it now states that it will '*strongly support schemes that include a portion of properties that are built to Lifetime Homes Standards*', it is still considered that this policy is still overly onerous and not required in the Neighbourhood Plan.

4. Green Spaces

Policy GS1 Biodiversity and Green Infrastructure

- 4.1 It is agreed that Green spaces, the natural environment and green infrastructure are highly valued natural resources in Wickersley.
- 4.2 Area C – 'Wickersley Wood' and Area D – 'Kings pond plantation' are both solely owned by our client. These are identified Local Wildlife Sites. Our client also own some land within the Strategic Green Infrastructure Corridors to the west of the parish.
- 4.3 Whilst we support the primary objective to connect or reconnect areas of green infrastructure to enable wildlife to move more freely, we do have some concerns over creating a series of interlinked spaces which can be enjoyed by residents and visitors alike. The Estate land is managed land and therefore it is vital that there is no trespass on land where access is not supported.
- 4.4 We therefore support the supporting text that states that designated sites are not necessarily accessible to the public and, if in any doubt, the landowner should be identified and permission for access sought.

5. District Centre

Policy VC1: Drinking Establishments

- 5.1 We acknowledge and agree that the District Centre is regarded as a key asset and primary attraction in Wickersley. In addition to providing facilities and amenities, one of the most valued things about the District Centre is the opportunities it provides for social interaction with others, particularly pre and post the current COVID-19 pandemic.
- 5.2 Policy VC1 states that drinking establishments or mixed uses including drinking establishments will only be permitted within the defined District Centre boundaries where they would not result in more than 5% of the total number of units being used for that purpose.
- 5.3 Whilst it is acknowledged that there is a community preference to reduce or manage the number of drinking establishments, it is considered that this policy is reviewed to fully understanding the post pandemic position on such establishments following the national and local lockdowns which have taken place due to COVID 19.

5.4 A review of this position is considered necessary to fully understand what the longer term impacts the pandemic has had on the hospitality and leisure sector. Economic support for this sector is likely to be heavily needed and we could, unfortunately, see a loss of some establishments in the area due to the repercussions of the pandemic.

5.5 We note in the policy supporting text that this policy will be monitored and reviewed yearly and this in principle is welcomed, however, it is questioned whether there is the need for this policy to be included within the Plan full stop. This is due to the economic difficulties highstreets and the hospitality sectors has faced due to the pandemic; particularly when this can be controlled via other methods such as licencing as highlighted in the Rotherham Metropolitan Borough Council Cumulative Impact Policy 2020-2023 Licensing Act 2003.

Policy VC2: Shop Frontages

5.6 We note that applications for new, or alterations to existing commercial premises should be undertaken in accordance with the principles set out in the Wickersley Design Code, under the section shop frontages. Please therefore see Section 6 below for our comments on this matter.

6. Wickersley Design Code

6.1 The Wickersley Design Code incorporates principles set out in South Yorkshire Design Guidance but with more fine grain detail and local responsiveness to character and place. It also includes specific guidance for the conservation area and sets out best practice and development principles.

6.2 The Submission Draft Wickersley Design Code seeks to ensure that all new development is of the highest standard and recognises that it should also respect the particular characteristics that the different parts of Wickersley display.

6.3 We acknowledge that the document does not intend to stifle innovative, creative and contemporary design, nor does it prescribe a duplication of historic design, however, it is vital that this transfers through to the Wickersley Neighbourhood Plan and that there isn't a focus on pastiche development, allowing design to evolve which is still sympathetic to the of the area.

6.4 In terms of pages 45 to 47 (Lifetime Homes) of the Design Code, we reiterate our comments to draft Policy H2 of the Wickersley Neighbourhood Plan, as per Section 3 above. Following the Government's 2015 'housing standards review' Lifetime Homes standards were replaced by the optional building regulations standard M4(2) entitled 'accessible and adaptable dwellings'. We therefore welcome that this Section sets out that development to these standards are not mandatory but are strongly encouraged.

- 6.5 In terms of shop fronts, it is agreed that the design code and guidance will set out some key principles and requirements, the objective of which is to improve the landscape of Wickersley's commercial area through the long term implementation of a shopfront guide. The design code is considered a good mechanism to provide a coordinated approach to shop front design across Wickersley that will enhance the appearance of the built environment with an aim to retain or reintroduce traditional shop front elements and features where appropriate.
- 6.6 It is also agreed that new shop fronts should be of a high quality and use appropriate materials and signage whilst, where possible and viable, ensure the premises are accessible physically and visually to all users.
- 6.7 In terms of housing character, we do have some concerns over page 59 in terms of the proposed restrictions to the design principle proposed for the Old Village (Character Area 5). Whilst there are some principles we support, it is considered that, overall, these could restrict future development to that of pastiche development only (for example the requirement that new dwellings in the Old Village Character Area should be made from local stone and to retain existing stone walls or include new boundary treatments that reflect the existing ones), whereby, in our response to Policy GP2 and Policy GP5 of the draft Neighbourhood Plan above, is not always the right approach to preserve and enhance the integrity and character of the Conservation Area. It is important that each application is considered on its own merits and the Design Code does not seek to stifle innovative, creative and contemporary design where considered appropriate.

7. Conclusion

- 7.1 We once again thank you for the opportunity to comment on the Wickersley Neighbourhood Plan Draft Submission Version. Our comments above relate to the following policies:
- Plan Period
 - Vision
 - Aims and Objectives
 - Policy GP1: High Quality Design
 - Policy GP2: Stone Walls
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 - Policy H1: House Type and Mix
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 - Policy GS1 Biodiversity and Green Infrastructure
 - Policy VC1: Drinking Establishments
 - Policy VC2: Shop Frontages
 - Design Code
- 7.2 We hope the above comments are considered useful in evolving the draft Neighbourhood Plan and Design Code documents.

- 7.3 We acknowledge Rotherham Metropolitan Borough Council will send the submitted plan, along with any representations received, to an independent examiner. The examiner will decide whether the neighbourhood plan meets the legal requirements and the examiner's decision will be published on the Council's website.
- 7.4 We hope the above will be taken into serious consideration and we look forward to hearing from you in due course.