

Planning

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Dear Mr Rumsey,

East Challow Neighbourhood Plan – Draft Regulation 14 Plan

Thank you for providing the Planning Policy Team with an opportunity to comment on the Pre-Submission Version of the East Challow Neighbourhood Plan (NP).

Officers recognise the significant amount of volunteer time that has been spent on working towards your draft Plan.

Having now seen a draft, along with a number of evidence studies, we are able to offer this informal officer advice, under our duty to support Neighbourhood Plans. Our response provides our key comments. It focuses on helping the plan to pass examination by meeting the basic conditions set out in legislation and national policy and guidance.

To communicate our response in a simple and positive manner, we have produced a table containing a copy of the relevant section/policy of the NP, our comments and, where possible, a recommendation. Officers are committed to continue to work with the Group in progressing its NP and if the Group has any comments regarding the officer comments, please do contact the Planning Policy Team.

Our comments at this stage are merely a constructive contribution to the process and should not be interpreted as the Council's formal view about whether the draft plan meets the basic conditions and it will ultimately be for the examiner to determine whether the NP meets the basic conditions.

Health Check

In advance of the referendum on your Neighbourhood Plan, there is a requirement for it to undergo examination by an independent person to check if it meets the Basic Conditions. Often the examiner will make a series of recommendations, which often

include modifications to various aspects of a Neighbourhood Plan. Examiners also make a recommendation on whether a Neighbourhood Plan should proceed to referendum.

We recommend a 'health check' on your NP is carried out by an independent and suitable qualified person, in advance of submission to the District Council. A health check is an excellent way to achieve an independent view on whether your plan is ready for examination and will meet the Basic Conditions and all other required legislation.

Yours sincerely

Jeremy Flawn
Planning Consultant
On behalf of Planning Policy, Vale of White Horse District Council

Section / Policy	Comment	Recommendation
General requirements for Neighbourhood Plans: Basic Conditions	<p>Neighbourhood Plans (NPs) must meet the Basic Conditions. All of these can be found in paragraph 65 of the national guidance: https://www.gov.uk/guidance/neighbourhoodplanning--2#basic-conditions-for-neighbourhoodplan-to-referendum</p> <p>One of these states that the “<i>Neighbourhood Plan must be in general conformity with the strategic policies contained in the development plan</i>”. Up to date strategic policies are set out in the local plan, which consists of the recently adopted Local Plan 2031: Part 1 (Part 1 plan) and will be followed by the emerging Local Plan 2031: Part 2 (Part 2 plan). All of the Part 1 plan is considered to be strategic, which will be supplemented by strategic policies in the Part 2 plan. Development management policies will also be set out in the Part 2 plan. More information on the progress and expected timetable of the Part 2 plan is set out on our website.</p> <p>Officers are aware that a Basic Conditions Statement is being prepared.</p>	It is recommended the Group carefully consider how the Plan meets the Basic Conditions and why.
General comments about getting a health check from an independent examiner/NPIERS as previously recommended	<p>Neighbourhood planning is a positive tool for communities to help shape development in their area.</p> <p>Seeking independent advice from a suitably qualified professional on whether the Neighbourhood Plan will meet the Basic Conditions is strongly recommended. Two options that could be considered are to seek the views of an examiner or consultant or to carry out a health check on your plan. Officers are aware that the Group has employed consultants to assist in preparing the plan who may be able to assist in undertaking this exercise.</p> <p>A health check gives valuable independent insight into whether a Neighbourhood</p>	An independent health check is advised to assist with the preparation of the final submission plan.

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	<p>Plan is expected to meet the Basic Conditions and helps to inform the final submission plan. Neighbourhood Plan health checks are often available from consultants and separately an independent service that was set up by various professional bodies.</p>	
<p>General requirements for Neighbourhood Plans: evidence base</p>	<p>A Neighbourhood Plan should be supported by a proportionate (in the work required) and robust (to withstand scrutiny) planning evidence base.</p> <p>The three core evidence base documents are the Basic Conditions Statement, Consultation Statement and Environmental Report (SEA or SA Report). These should be the primary method of demonstrating how the Plan meets requirements, to help pass the examination and ensure it can be made part of the Development Plan.</p> <p>Other evidence base documents may be submitted for examination where they have been prepared and lend support to the Plan.</p> <p>Officers acknowledge there are many evidence base documents available to view and comment upon alongside the draft Plan, which is helpful.</p> <p>Officers would advise the Group to consider the comments received through the consultation and consider whether amendments are required to these documents prior to Submission.</p>	<p>Prepare the three core evidence base studies and consider whether amendments are required to the evidence base studies before submission following comments from stakeholders and any health check.</p>
<p>Front Cover</p>	<p>Although the front cover refers to the NP covering the period to 2031 it would be helpful if the full period of the NP could also be clearly stated on the cover as this</p>	<p>Amend the front cover to include period covered by</p>

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	is a legal requirement. Generally this will be the start and end dates that the NP will cover (eg 2018 to 2031).	Plan
Introductory pages	Whilst not essential it can be useful to include a Foreword to outline the reasons for preparing the neighbourhood plan and to summarise what it contains, to thank people for their involvement in the plan etc. It may include a personal message from the chair as well.	Consider including a Foreword
General comment - Appendices	<p>The Appendices are very helpful and clearly provide a significant body of evidence to underpin the NP's policies. There are two points to consider:</p> <ol style="list-style-type: none"> 1 Whether some of these appendices might be better kept in a separate evidence base document or similar, to reduce the length of the NP itself 2 Whether the appendices could be re-numbered if it is decided to retain them so that they are numbered in the order in which they are referenced in the NP itself. At the moment the references jump around a lot, suggesting that they could benefit from re-ordering. 	Consider moving some appendices into a separate evidence base document; and consider re-ordering the appendices so that they are referenced in the text in numerical order.
General comment – paragraph and policy numbering	Whilst not essential, paragraph numbering will help the reader and independent examiner to identify specific passages of text. The same applies to the draft policies.	Recommend paragraph numbering and numbering policies (or providing some other simple referencing eg 'Policy A' etc)
Page 3 Introduction para 4	The six-week consultation period is a minimum statutory requirement (see Regulation 14(a)iv) of the NP Regulations). It is important to note that anything less than the six-week period would mean that the consultation exercise is not compliant with the regulatory requirements. Therefore, it is recommended consideration be given to adding a couple of days to the consultation period where possible to ensure that the minimum period is achieved, and to state that	Consider changes relating to the 'minimum' consultation period.

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	this is a minimum period in the text of the NP.	
Introduction, last paragraph and Section 1 second paragraph	<p>In addition, you may wish to consider producing an Equality Impact Assessment and you will also need an environmental report unless this is screened out (this is the SEA / SA report) – see Regulation 15(1)(e).</p> <p>The Basic Conditions Statement, Consultation Statement, Environmental Report or Statement of Reasons, Neighbourhood Plan and map or statement which identifies the area to which the proposed neighbourhood development plan relates are all mandatory requirements and it could be helpful here, or in the following section to clearly state what is a mandatory document as opposed to other supporting evidence.</p>	Consider altering the final paragraph of section 1 and second paragraph of section 2.
Introduction or Foreword	It would be helpful if you could explain the reason why the specific plan period has been chosen.	Consider amending section to address comments.
Section 2	It would be helpful to describe succinctly what the ‘basic conditions’ are, and how they will apply to the NP. It may also assist the reader if you define what you regard as the ‘strategic policies’.	Consider amending section to address comments.
Page 5	The map of the NP area is a little small. It would assist with clarity if a larger version of this plan could be included with the NP.	Consider enlarging map
Page 6 – top of page	The requirement for SEA / HRA screening is noted	VOWH to liaise with ECNP group to arrange screening. Has a screening request been submitted?
Page 6 (submission, examination and	<p>Several comments concerning the detail in this section:</p> <p>1 Adoption (as per the heading) relates more to Local Plans; NPs are ‘made’</p>	Consider amending section to address

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adoption)	<p>following a referendum. It might be worth considering a different word to describe this.</p> <p>2 Again, it would be helpful to refer to the six week consultation being a minimum period.</p> <p>3 Last paragraph – you could expand the description of the process here. For example the first sentence could read “ <i>VWHDC will then <u>consult for a further period of a minimum of six weeks</u>, before the Plan.....</i>” etc, and the second sentence could be revised to read “<i><u>Subject to the examiner confirming whether any further amendments need to be made to the Plan for it to meet the ‘basic conditions’), it will be put to a local Referendum.....</u></i>”</p>	comments.
P.8 Village & Landscape Character	<p>It may be helpful to refer to other local studies such as the Vale of White Horse Landscape Character Assessment which was produced as part of the Local Plan 2031 Part 2 evidence:</p> <p>http://www.whitehorsedc.gov.uk/java/support/dynamic_serve.jsp?ID=902931893&CODE=3F1C966299F520ECDF73A3C67A8D4D3F</p>	Consider amending section to address comments.
P.9 Planning Policy Context	There are other policies that are also relevant and should be referred to: saved Local Plan policies NE6 and NE9.	Consider amending section to address comments.
P.9 Planning policy context	<p>After referring to the need for NPs to be in line with the European Regulations on SEA and HRA it could be useful to add a reference to the need to meet other associated basic conditions here:</p> <ul style="list-style-type: none"> • The making of the NDP must contribute to the achievement of sustainable development; and • The making of the NDP does not breach, and is otherwise compatible with EU obligations 	Consider amending section to address comments.
P.10 Development	The views expressed about the efficacy of Core Policy 3 and the categorisation of	To note

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Context (paras 4 and 5)	the settlement, if enshrined in NP policy, could be argued not to be in general conformity with the strategic policies of the development plan for the area. Care will be needed to avoid falling foul of this basic condition requirement.	
Page 11 Village Character	The third paragraph starting “ <i>East Challow now has 367....</i> ” Is a duplicate of the text of the first two paragraphs of the “Development Context” section	Delete one of the two paragraphs to avoid duplication.
Page 11 ‘Coalescence with Wantage’	<p>Care must be taken in the wording of policies to avoid giving the impression that they are designed to prevent development including housing from being delivered as this could contradict the national planning policy approach at paragraph 184 of the 2012 NPPF which states: “<i>Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies.</i>”</p> <p>It may be better to phrase the text in the context of positive protection of the important landscape that forms the gap between Wantage and East Challow etc etc.</p>	To note
End of Section 3	Best practice suggests that it can be useful to include some text that deal with the ‘key issues’ that emerge from the description of the area and which feed into the Issues and Options.	Consider amending section to address comments.
P.16 et seq.	<p>This sees the first reference to the HELAA assessment and to the land parcels identified therein. There are several comments:</p> <ol style="list-style-type: none"> 1 The references to the HELAA here and in later sections of the NP are often made in the context of seeking to prevent the development of sites x, y and z by reference to the HELAA document and plans. This could be argued not to be planning positively to support the Local Plan’s policies. 	Consider amending section to address comments.

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	<p>2 In this context it may be better to re-name the land parcels around the NP area with a different system and plan (which would need to be larger than the plan of HELAA sites)</p> <p>3 It would be sensible to avoid references throughout the NP such as “<i>it is necessary to prevent development of selected parcels</i>” etc as this could end up being interpreted as promoting less development than is allowed in the Local Plan or national policy and thus not to be planning positively to support the Local Plan’s policies.</p>	
Policy Section – general comment on ‘Issues’ sections	It would be helpful to update and revisit these sections to ensure that the latest set of objectives (and indeed the relevant objectives) are referred to. For example, under the policy heading Green Gap the issue does not acknowledge Objective 1 ‘To prevent the coalescence of Wantage and East Challow settlements’ despite this being highly relevant.	Consider amending section to address comments.
Policy Section – general comment on ‘Evidence’ sections	<p>As a general comment you may find it helpful to refer to a range of other evidence documents that may support the NP policies and which are available as part of the LPP1 and 2 evidence base, eg:</p> <ul style="list-style-type: none"> the Vale of White Horse Landscape Character Assessment http://www.whitehorsedc.gov.uk/java/support/dynamic_serve.jsp?ID=902931893&CODE=3F1C966299F520ECDF73A3C67A8D4D3F the Oxfordshire Historic Landscape Characterisation Project produced by Oxfordshire County Council and Historic England: https://www2.oxfordshire.gov.uk/cms/content/oxfordshire-historic-landscape-characterisation-project the North Wessex Downs AONB Management Plan 2014-2019: http://www.northwessexdowns.org.uk/uploads/File_Management/NWD_Do cs/About_Us/Management_Plan/NWD_AONB_Management_Plan_2014- 	Consider amending section to address comments.

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	<p>19.pdf</p> <ul style="list-style-type: none"> • Oxfordshire County Council's Rights of Way Management Plan 2015-2025: • https://www2.oxfordshire.gov.uk/cms/content/oxfordshires-rights-way-management-plan • Oxfordshire County Council (2017) Countryside Access Maps https://www2.oxfordshire.gov.uk/cms/content/countryside-access-maps • Natural England (2017) CRoW & Coastal Access Maps http://www.openaccess.naturalengland.org.uk/wps/portal/oasys/maps/MapSearch!/ut/p/c5/04_SB8K8xLLM9MSSzPy8xBz9CP0os3gfdwMzDyNnA0vkCBXA08DT38XHy9PQ38DE6B8pFm8AQ7gaEBAdzjIPrN4M3cfC0MnfwNLg0A_CwNPC3MTI0cPbwMDY1OIPB7z_Tzyc1P1C3ljDLJMHUBUBQs8ezw!/dl3/d3/L2dBISEvZ0FBIS9nQSEh/ • Vale of White Horse Open Spaces Report: http://www.whitehorsedc.gov.uk/java/support/dynamic_serve.jsp?ID=902931571&CODE=792953738B8EE27C9EF0288A70B4FAE5 • Vale of White Horse Local Leisure Facilities Report: http://www.whitehorsedc.gov.uk/java/support/dynamic_serve.jsp?ID=902931569&CODE=7E4EF515AF9E3C059831A5F36F5B6BB8 	
Policy Section – general comment on 'Policy Context' sections	<p>There are other Development Plan policies that are likely to be relevant to the NP policies and which could be referred to as well including:</p> <p>Green Gap – Saved Local Plan 2011 policy NE9 Lowland Vale</p> <p>Protection of the Open Countryside – Saved Local Plan 2011 policies G1, L10, L14, L15, NE6 and NE9 and LPP1 policies CP35, CP44, CP45 and CP46</p> <p>Low Carbon Transition – Saved Local Plan 2011 policy DC12 and LPP1 policies CP40-CP43</p>	Consider amending section to address comments.

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	<p>Biodiversity and Green Corridors - Saved Local Plan 2011 policies NE9 and NE10</p> <p>Western Relief Road – NPPF para 32; Saved Local Plan 2011 policy DC5 and LPP1 policy CP33.</p>	
Green Gap policy	<p>An initial general comment about the justification for the policy, and being aware of the need to demonstrate that the NP policies are not promoting less development than set out in the Local Plan or undermining its strategic policies.</p> <p>It is recommended that the policy itself be reworded so as to avoid referring to the HELAA sites and perhaps instead to define the extent of the gap with reference to the landscape assessment and then to reword the policy to refer to the need to strongly resist the erosion of the gap rather than to prevent unallocated development. As currently worded it could potentially conflict with LPP1 policies CP3 and CP4.</p>	Consider amending section to address comments.
Page 23 - map	This could be enlarged to make the map slightly clearer.	Consider replacing map.
Protection of the Open Countryside policy	<p>The policy and supporting text seek to address a number of matters which might be better if dealt with in separate policies (eg ROWs, countryside protection, important views, green spaces etc).</p> <p>The text could also be tightened slightly with the removal of “(see above)” from the first line of the policy and by adding “<i>where it meets the CIL Regulation 122 tests</i>” to the end of the second point – to ensure that developer contributions are only sought where they are:</p> <p><i>“(a) necessary to make the development acceptable in planning terms;</i> <i>(b) directly related to the development; and</i> <i>(c) fairly and reasonably related in scale and kind to the development.”</i></p>	Consider amending section to address comments.

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Local Green Space policy	<p>The justification and evidence for the various LGS sites needs to be robust and landowners should be contacted at the earliest opportunity to gauge their opinion on any proposed designation. The evidence should clearly demonstrate how each site meets the criteria for designation including, importantly, the community value criteria.</p> <p>The first paragraph of the 'evidence' section could benefit from reference to the other situations where development will be acceptable (ie that which is appropriate in the Green Belt – they are all listed in the NPPF).</p> <p>Are the ANGSt criteria the most appropriate for defining what is an acceptable size for a LGS? If there is other evidence that this is the case, then perhaps a cross-reference should be added and a link to the ANGSt guidance inserted as a footnote.</p> <p>It is recommended that the last paragraph of the policy wording be revised slightly to state “<i>Within the above sites development will only be allowed under very special circumstances</i>” or a similar form of words. Reference to the commitment to contact landowners should be removed and they should be contacted as soon as possible.</p>	Consider amending section to address comments.
Low Carbon Transition policy	<p>It is unclear what relevance the SODC sustainable transport document has (see Policy Context section) – it would be worthwhile checking to see if there another study that could be referred to which covers the Vale, perhaps in the LPP1 or LPP2 evidence base.</p> <p>The policy could be regarded as containing policy requirements that are – or may</p>	Consider amending section to address comments.

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	<p>be considered to be – non-land use issues (broadband and charging points). You may wish to consider re-phrasing the requirements in a more clearly land-use based way.</p> <p>Also the requirements for charging points could be argued not to be based on clear evidence to justify the required number of points or the ratio suggested. Finally, the requirement for every dwelling to have photovoltaic panels sufficient to make the dwelling self-sufficient is not justified by clear evidence of local need / feasibility or demand. Both elements are likely to require further evidence to justify the policy wording and consideration should be given to collating this evidence before pre-submission consultation.</p>	
Biodiversity and Green Corridors policy	<p>The wording of the policy could be amended to delete the text in brackets on the second line and to replace it with a reference to the plan by plan number.</p> <p>It may also be useful to consider whether the policy could be broadened to cover all non-householder applications rather than just applications for new dwellings.</p> <p>Finally, you may find it useful to add a reference at the end of the policy to the ‘protection of species’, as well as habitats.</p>	Consider amending section to address comments.
Community Facilities policy	<p>You may find the evidence supporting LPP1 and 2 on this issue to be useful as well:</p> <p>Town and Village Facilities Study Update 2014: http://www.whitehorsedc.gov.uk/java/support/dynamic_serve.jsp?ID=930875323&CODE=F5A65DF377F4954A519DFF7A713B26F3</p>	Consider amending section to address comments.

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	<p>Study of Village Facilities 2009: http://www.whitehorsedc.gov.uk/java/support/dynamic_serve.jsp?ID=910616351&CODE=E448D6E464DEFA63E99CE8431A324BCD</p> <p>At present the second part of the policy and the criteria duplicate saved Local Plan policy CF1 and are therefore unnecessary. Emerging Development Policy 14 (LPP2) contains additional criteria that could be referred to but arguably the second part of the NP policy may be unnecessary because of the existing local and national policy requirements. However if there is a desire to include a policy of this type it may be helpful to introduce other criteria where the policy may be complied with (eg where the facility is surplus / no longer required; where it is no longer viable etc).</p>	
Parking policy	<p>Under the evidence section it would be helpful to see a link to the source of the ACRE report as a footnote or similar.</p> <p>Under discussion – a figure is missing from the third sentence.</p> <p>The policy wording is a little disjointed at present and could benefit from an introductory sentence that ties the bullet points together or ‘sets the scene’.</p> <p>Also it is unclear whether the evidence is comprehensive enough to support the policy requirements at present; the evidence may need to be augmented with for example, a parking survey.</p> <p>Finally, what is the justification for the third policy bullet point (ie what evidence</p>	Consider amending section to address comments.

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	do you have to support this requirement, and what is a 'sizeable' development defined as in terms of numbers of dwellings / floorspace? How do these requirements relate to the standards applied in the Vale and any County Council parking standards?	
Western Relief Road policy	<p>It would be helpful if the map could be referenced and a source stated (ie LPP1 Appendix E).</p> <p>The policy wording is a little awkward in its presentation although the intention is understood. Would it be possible to clarify this slightly? For example, it is not normally the remit of a transport assessment to address amenity issues, that would normally be addressed in a planning statement / design & access statement, or in environmental reports that support an application for planning permission. It may be helpful to separate out the amenity issue from the wider traffic / transport concerns in the policy wording.</p>	Consider amending section to address comments.