

**Committee:** Executive  
**Date:** Tuesday 7 April 2015  
**Time:** 6.30 pm  
**Venue** Bodicote House, Bodicote, Banbury, OX15 4AA

### Membership

<b>Councillor Barry Wood (Chairman)</b>	<b>Councillor G A Reynolds (Vice-Chairman)</b>
<b>Councillor Ken Atack</b>	<b>Councillor Norman Bolster</b>
<b>Councillor John Donaldson</b>	<b>Councillor Michael Gibbard</b>
<b>Councillor Tony Ilott</b>	<b>Councillor Kieron Mallon</b>
<b>Councillor D M Pickford</b>	<b>Councillor Nicholas Turner</b>

## AGENDA

1. **Apologies for Absence**

2. **Declarations of Interest**

Members are asked to declare any interest and the nature of that interest that they may have in any of the items under consideration at this meeting.

3. **Petitions and Requests to Address the Meeting**

The Chairman to report on any requests to submit petitions or to address the meeting.

4. **Urgent Business**

The Chairman to advise whether they have agreed to any item of urgent business being admitted to the agenda.

5. **Minutes** (Pages 1 - 10)

To confirm as a correct record the Minutes of the meeting held on 2 March 2015.

## 6. **Chairman's Announcements**

To receive communications from the Chairman.

## 7. **Joint ICT Business Development Strategy** (Pages 11 - 36) **6.35pm**

Report of Head of Joint ICT Business Services

### **Purpose of report**

The purpose of this report is to present the Joint ICT Business Development Strategy which sets out the vision and direction for the Joint ICT Business Service for Cherwell, South Northamptonshire and Stratford-on-Avon Councils.

### **Recommendations**

The meeting is recommended:

- 1.1 To approve the Joint ICT Business Development Strategy.

## 8. **Neighbourhood Planning: Application for the designation of a Neighbourhood Area for a Proposed 'Mid-Cherwell' Neighbourhood Plan** (Pages 37 - 82) **6.45pm**

Report of Head of Strategic Planning and the Economy

### **Purpose of report**

To consider the designation of a 'Mid-Cherwell' Neighbourhood Area comprising eleven parishes.

### **Recommendations**

The meeting is recommended:

- 1.1 To approve the formal designation of the specified 'Mid-Cherwell Neighbourhood Area' under Section 61G of The Town and Country Planning Act 1990 (as amended).
- 1.2 To authorise the Head of Strategic Planning and the Economy to issue a Notification of Decision pursuant to recommendation 1.1.

## 9. **Neighbourhood Planning: Hook Norton Neighbourhood Plan Examiner's Report** (Pages 83 - 314) **6.55pm**

Report of Head of Strategic Planning and the Economy

### **Purpose of report**

The Hook Norton Neighbourhood Plan (HNNP) has now been examined by an appropriately qualified independent Examiner who has produced a report with

recommendations for modifications. Cherwell District Council as the Local Planning Authority is required to consider the recommendations and to determine whether the Plan should proceed to a referendum and the area of the referendum.

This report presents the Neighbourhood Plan, the background to the Examination and the process followed. The report outlines the next stages in the process which includes the holding of a referendum. On completion the Neighbourhood Plan will become part of the Development Plan and decisions on planning applications will then be made in accordance with the Plan.

## **Recommendations**

The meeting is recommended:

- 1.1 To approve the modifications to the HNNP in accordance with the Examiner's recommendations, and to authorise the issue of a decision statement to that effect;
- 1.2 To approve all of the Examiner's recommendation and modifications to enable the Plan to proceed to a referendum;
- 1.3 To approve the area for the referendum as recommended by the examiner to be the Hook Norton parish council area (which is the approved designated neighbourhood area) and that there will be no extension to the area.

## **10. Connecting Oxfordshire: Local Transport Plan (LTP4) 2015-2031 Draft for Consultation (Pages 315 - 338) 7.05pm**

Report of Head of Strategic Planning and the Economy

### **Purpose of report**

To inform members of the consultation by Oxfordshire County Council on the Oxfordshire Local Transport Plan 4; to advise on the potential implications for Cherwell and ask for the endorsement of officers comments as the Cherwell District Council formal response to the consultation.

### **Recommendations**

The meeting is recommended:

- 1.1 To note the content of LTP4 relevant to Cherwell and to endorse officers' comments as the Council's response to the consultation. The officer response recommends general support but highlights a number of issues which need to be resolved.

## **11. Cherwell Local Plan 2011-2031 (Part 2): Development Management Policies and Sites (Pages 339 - 348) 7.15pm**

Report of Head of Strategic Planning and the Economy

### **Purpose of report**

To advise members on the commencement of work on Local Plan Part 2 and the project timetable.

### **Recommendations**

The meeting is recommended:

- 1.1 To note the report.

## **12. Community Infrastructure Levy (CIL) and Developer Contributions SPD (Pages 349 - 360) 7.25pm**

Report of Head of Strategic Planning and the Economy

### **Purpose of report**

To advise Members on the process and on-going work for the setting of a Community Infrastructure Levy (CIL) and on the preparation of a new Developer Contributions SPD.

### **Recommendations**

The meeting is recommended:

- 1.1 To note the report.

## **13. NW Bicester Apprenticeships Scheme (Pages 361 - 366) 7.35pm**

Report of Commercial Director (Bicester)

### **Purpose of report**

To update the Executive on the successful outcome of a recent bid to OxLEP to support the NW Bicester Apprenticeship Scheme, in order that Cherwell District Council can receive the funding as the accountable body.

### **Recommendations**

The meeting is recommended:

- 1.1 To note the contents of the report and approve Cherwell District Council role as accountable body for this grant award.

## **14. Exclusion of the Press and Public**

The following report contains exempt information as defined in the following paragraphs of Part 1, Schedule 12A of Local Government Act 1972.

3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information).



Members are reminded that whilst the following item has been marked as exempt, it is for the meeting to decide whether or not to consider it in private or in public. In making the decision, members should balance the interests of individuals or the Council itself in having access to the information. In considering their discretion members should also be mindful of the advice of Council Officers.

No representations have been received from the public requesting that this item be considered in public.

Should Members decide not to make a decision in public, they are recommended to pass the following recommendation:

“That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the ground that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part 1, Paragraph 3 would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

**15. Additional Capital bids for CCTV at Thorpe Lane Depot and Bodicote House**  
(Pages 367 - 374) **7.45pm**

Exempt Report of Head of Finance and Procurement

**(Meeting scheduled to close at 7.55pm )**

## **Information about this Agenda**

### **Apologies for Absence**

Apologies for absence should be notified to [democracy@cherwellandsouthnorthants.gov.uk](mailto:democracy@cherwellandsouthnorthants.gov.uk) or 01295 221589 prior to the start of the meeting.

### **Declarations of Interest**

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item.

### **Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates**

Members are reminded that any member who is two months in arrears with Council Tax must declare the fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

## **Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012**

This agenda constitutes the 5 day notice required by Regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 in terms of the intention to consider an item of business in private.

### **Evacuation Procedure**

When the continuous alarm sounds you must evacuate the building by the nearest available fire exit. Members and visitors should proceed to the car park as directed by Democratic Services staff and await further instructions.

### **Access to Meetings**

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named below, giving as much notice as possible before the meeting.

### **Mobile Phones**

Please ensure that any device is switched to silent operation or switched off.

### **Queries Regarding this Agenda**

Please contact Natasha Clark, Democratic and Elections  
natasha.clark@cherwellandsouthnorthants.gov.uk, 01295 221589

**Sue Smith**  
**Chief Executive**

Published on Thursday 26 March 2015

## Cherwell District Council

### Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 2 March 2015 at 6.30 pm

Present: Councillor Barry Wood (Chairman), Leader of the Council  
Councillor G A Reynolds (Vice-Chairman), Deputy Leader of the Council

Councillor Ken Atack, Lead Member for Financial Management  
Councillor Norman Bolster, Lead Member for Estates and the Economy  
Councillor John Donaldson, Lead Member for Banbury Brighter Futures  
Councillor Michael Gibbard, Lead Member for Planning  
Councillor Tony Ilott, Lead Member for Clean and Green  
Councillor D M Pickford, Lead Member for Housing  
Councillor Nicholas Turner, Lead Member for Joint Working and ICT

Also Present: Councillor Barry Richards, on behalf of Councillor Sean Woodcock, Leader of the Labour Group

Apologies for absence: Councillor Kieron Mallon, Lead Member for Banbury Developments, Performance and Communications

Officers: Ian Davies, Director of Community and Environment  
Kevin Lane, Head of Law and Governance / Monitoring Officer  
Paul Sutton, Head of Finance and Procurement  
Jo Pitman, Head of Transformation (for agenda item 9)  
Andy Preston, Head of Development Management (for agenda item 8)  
Jon Westerman, Development Services Manager (for agenda item 8)  
Natasha Clark, Team Leader, Democratic and Elections

## 119 **Declarations of Interest**

The Head of Law and Governance advised that all Members of Executive had a notional interest in agenda item 8, Graven Hill: MOD Bicester, Site D & E Ambrosden Road, Proposals for a Local Development Order, due to the Council's residual interest in the Graven Hill site. Dispensation to all Members had been granted by the Director of Resources on behalf of the Head of Paid Service.

120 **Petitions and Requests to Address the Meeting**

There were no petitions or requests to address the meeting.

121 **Urgent Business**

There were no items of urgent business.

122 **Minutes**

The minutes of the meeting held on 2 February 2015 were agreed as a correct record and signed by the Chairman.

123 **Chairman's Announcements**

The Chairman made the following announcement:

1. Under the Openness of Local Government Bodies Regulations 2014, members of the public were permitted to film, broadcast and report on the meeting, subject to the efficient running of the meeting not being affected.

124 **Mobile Homes Act 2013 Fees Policy**

The Interim Public Protection and Environmental Health Manager submitted a report to seek approval of a joint draft Cherwell and South Northamptonshire Council Mobile Homes Fee Policy prior to public and stakeholder consultation.

**Resolved**

- (1) That the joint draft Cherwell and South Northamptonshire Council Mobile Homes Fee Policy be approved for consultation.
- (2) That authority be delegated to the Interim Public Protection and Environmental Health Manager to consider responses and, if necessary amend the policy in consultation with the Deputy Leader.

**Reasons**

By approving the adoption of this legislation, officers will be able to carry out their statutory duties and collect fees on a cost recovery basis.

**Alternative Options**

The Executive could reject the recommendations and not set a fee structure. Officers would still have to licence, inspect and enforce the provisions of the Act but would not be able to recover costs.

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## **Graven Hill: MOD Bicester, Site D & E Ambrosden Road, Proposals for a Local Development Order**

The Head of Development Management submitted a report to seek the agreement of Executive to prepare a Local Development Order for phase 0 and part of phase 1a of Graven Hill.

### **Resolved**

- (1) That, in principle, the proposals for a Local Development Order (LDO) for Graven Hill be agreed.
- (2) That a pilot LDO for phase 0 and part of phase 1a of Graven Hill be implemented.
- (3) That authority be delegated to the Head of Development Management (in consultation with the Lead Member for Planning to agree an appropriate number of houses (between 100 and 200) to be included in the LDO, from within phase 1a.

### **Reasons**

Local Development Orders give a grant of planning permission to specific types of development within a defined area. They can enable the planning process to be streamlined by removing the need for developers to make a planning application.

At Graven Hill, an LDO would allow prospective purchasers of the self-build plots to know that if they meet the requirements of a set design framework. (e.g., maximum height and built area within the plot), they can proceed with development without further cost or delay.

### **Alternative Options**

On the basis that this will be the first LDO to deliver new build residential development in the UK, together with the risks and uncertainty associated with both delivery and the quality of the build environment, Members could consider running a pilot project in respect of only phase 0 of the Graven Hill development. Phase 1 could then be delivered through the traditional planning system with a PPA in place, ensuring certainty and transparency in both the process and the quality of built development. This would enable the success of both delivery methods to be measured.

This option is rejected because it would not allow full delivery of enough houses via the LDO approach and could result in a detrimental impact on prospective self build purchasers.

Members could consider delivering the entire the entire self-build development at Graven Hill through the traditional planning system with a PPA in place, ensuring certainty and transparency in both the process and the quality of built development.

This option is rejected because it would not allow delivery of any houses via the LDO approach and could result in a detrimental impact on prospective self build purchasers.

## 126 Performance Report 2014-15 - Third Quarter

The Head of Transformation submitted a report is to present the Council's performance for the period 01 October 2014 – 31 December 2014 as measured through the Performance Management Framework.

### Resolved

(1) That the following achievements be noted:

#### **Cherwell: A District of Opportunity**

- Continue to support skills development, apprenticeships and job clubs/contribute to the creation and safeguarding of jobs measures are both reporting green. 346 jobs have been created/safeguarded this year to date (against target of 150), 135 of these in quarter 3.
- Develop the role of the Cherwell Investment Partnership (CHIP) is also reporting green with 20 formal business enquiries being answered and assistance given to many businesses seeking to move, expand or contract. The Banbury Town Team co-ordination project has contributed to a reduction of vacant shop units from 53 to 40 during quarter three.
- Good progress continues against "Develop a whole Council 'Better Business' approach to support new and existing businesses". All regulatory staff have been trained on the Regulator's code and the Enforcement Policy consultation is complete. In addition, £5000 funding was sought and agreed by the BIS Better Regulation Delivery Office (BRDO) to improve regulatory support in a pilot in Banbury.

#### **Safe, Green and Clean**

- Waste sent to Landfill figures have improved in quarter three, and it is anticipated that at year end we will be 250 tonnes down on last year's residual waste to landfill. An excellent result following a rise in landfill over the past two years.
- Number of All Domestic Burglary incidents reported is again reporting as Green\* with 59 incidents being reported against 74 in same period last year, continuing the downward trend this year.

#### **Thriving Communities**

- The total number of visits to the Council's Leisure facilities (including District Leisure Centres, Woodgreen Leisure Centre, North Oxfordshire Academy and Cooper School Bicester) has significantly exceeded the year to date target 961,609 by 138,501 visits. This is despite a fall in numbers of visits, year to date at Woodgreen
- Processing of major applications within 13 weeks is again reporting as Green\* at 89.29% (91.25% year to date). This figure represents sustained and significant progress, compared with historic performance.

- Processing of minor applications within 8 weeks has improved from Amber in quarter two to green in quarter three – reporting right on target at 65%.

### **Sound Budgets and Customer Focussed Council**

- Increase our use of social media to communicate with residents and local businesses is again reporting as Green with Facebook likes now standing at 6363 and Twitter at 5042. By using advertisements we have extended our reach into our non-follower audience which has proved successful.
- Deliver a new approach to communications for the Bicester Master Plan is reporting as Green with a new sub-site being developed at [www.all-about-bicester.co.uk](http://www.all-about-bicester.co.uk) which pulls all the information about Bicester together.

- (2) That the following performance related matters be identified for review or consideration in future reports:

### **Cherwell: A District of Opportunity**

- Delivery in North West Bicester of the Eco Business Centre is again reporting Amber as a result of project delays due to external factors relating to the delivery of the local centre on phase 1. The delay has not however had an impact on timescales or budget.

### **Safe, Clean and Green**

- 151 Violence against the Person (without injury) incidents were reported in quarter three (Red) compared with 102 in same period 2013/14. It is important to note that recent changes (classifications) in the way Police crime statistics are compiled make it difficult to compare directly against those recorded in the same period last year.

### **Thriving Communities**

- Number of visits to Woodgreen Leisure Centre, North Oxfordshire Academy and Cooper School (Bicester) is now reporting Amber. Although there is improvement in performance this quarter, seasonal variations should be taken into account when comparing quarterly performance. At WGLC we have moved from the pool season to the indoor bowls season (more consistent usage) and at NOA and Cooper are into the peak astro turf winter season. The year to date figure is down overall (15,743) and this is due to several contributing factors including lower outdoor pool figures due to a wetter summer, loss of Boxing Club booking (relocation), less functions at WGLC and athletics track refurbishment closure at NOA. The Council have been working in partnership with Parkwood Leisure at WGLC to address the drop in their figures and now have Lead Member approval to expand the gym provision at the centre. This will see an increase in footfall but not until mid-March and so will not impact on this year's shortfall.
- Processing of Other planning applications is reporting Amber - a slight improvement over quarter two. Performance 78.57% against target 80.00% with year to date performance 75.32%.

### **Sound Budgets and Customer Focussed Council**

- Several objectives relating to 3-way working/further shared services are reporting Amber. These are awaiting consideration/approval by Cherwell and South Northants Councils at the end of February.
- A service level measure relating to Car Park Income has been escalated for inclusion in this report due to an overspend, predominantly as a result of reduced car parking income of £312,000. The projection takes into account the impact of the Sainsbury's car park in Bicester and falling demand generally which is also compounded by falling Excess Charge Notices and £73,000 refunds due to Meteor Parking Ltd from overcharging. These are mitigated in part by salary savings of (£121,000), and additional income from grants, contributions and fees and charges of (£140,000).

- (3) That it be noted there was no feedback from the February meeting of the Overview and Scrutiny Committee during which it considered the quarter three performance report.

### **Reasons**

This report presents the Council's performance against its corporate scorecard for the third quarter of 2014/15. It includes an overview of successes, areas for improvement and emerging issues to be considered.

### **Alternative Options**

Option 1: To note the report

Option 2: To request additional information on items and/or add to the work programme for review and/or refer to Overview and Scrutiny.

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### **Quarter 3 2014-15 - Revenue and Capital Budget Monitoring Report**

The Director of Resources submitted a report which summarised the Council's Revenue and Capital position and treasury management performance for the first nine months of the financial year 2014-15 and projections for the full 2014-15 period.

The report also present information on treasury management performance and compliance with treasury management policy during 2014-15 as required by the Treasury Management Code of Practice.

### **Resolved**

- (1) That the projected revenue and capital position at December 2014 be noted.
- (2) That the quarter 3 (Q3) performance against the 2014-15 investment strategy and the financial returns from the funds be noted.

### **Reasons**



In line with good practice budget monitoring is undertaken on a monthly basis within the Council. The revenue and capital position is reported monthly to the Joint Management Team and formally to the Budget Planning Committee on a quarterly basis.

The revenue and capital expenditure in Q3 has been subject to a detailed review by Officers and reported monthly to management as part of the corporate dashboard.

The CIPFA Code of Practice on Treasury Management which this Council has adopted requires a regular budget monitoring report. This full report was reviewed by the Accounts Audit and Risk Committee on the 21 January 2015.

### **Alternative Options**

Option 1: This report illustrates the Council's performance against the 2014-15 Financial Targets for Revenue and Capital. As this is a monitoring report, no further options have been considered. However, members may wish to request that officers provide additional information.

## **128 Bicester Sports Village Update**

The Director of Community and Environment submitted a to update the Executive with the latest project position in delivering the pavilion, car park, access requirements, floodlighting and 3G synthetic sports pitch.

### **Resolved**

- (1) That the progress in delivering phase 2 of the Bicester Sports Village project be noted.

### **Reasons**

The Bicester Sports Village project continues to progress with a slightly adjusted programme which moves the anticipated project completion date to early 2016.

### **Alternative Options**

The project has been approved and is progressing in accordance with these approvals. There are no other options being considered at this time other than proposals to remain within the approved funding envelope.

## **129 Exclusion of the Press and Public**

### **Resolved**

That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the ground that, if the public and press were present, it would be likely that

exempt information falling under the provisions of Schedule 12A, Part 1, Paragraphs 3 and 5 would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

130 **Recycling Contract**

The Head of Environmental Services submitted an exempt report relating to the recycling contract.

**Resolved**

- (1) As set out in the exempt minutes.
- (2) As set out in the exempt minutes.
- (3) As set out in the exempt minutes.
- (4) As set out in the exempt minutes.

**Reasons**

As set out in the exempt minutes

**Alternative Options**

As set out in the exempt minutes

The meeting ended at 7.15 pm

Chairman:

Date:

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

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## Cherwell District Council

### Executive

7 April 2015

## Joint ICT Business Development Strategy

### Report of Head of Joint ICT Business Services

This report is public

#### Purpose of report

The purpose of this report is to present the Joint ICT Business Development Strategy which sets out the vision and direction for the Joint ICT Business Service for Cherwell, South Northamptonshire and Stratford-on-Avon Councils.

#### 1.0 Recommendations

The meeting is recommended:

- 1.1 To approve the Joint ICT Business Development Strategy.

#### 2.0 Introduction

At the meeting on 30 October 2014 the Joint Arrangements Steering Group considered the draft strategy and identified some areas of further work. These changes are now incorporated and the final version of the Strategy is attached to this report.

##### 2.1 ICT Business Strategy - Background

- 2.1.1 In April 2014, Cherwell District, South Northamptonshire and Stratford-on-Avon District Councils created a Shared ICT Business Service with an ambition to extend to others, to maximise efficiencies and economies of scale. We have already extended the service to include South Staffordshire Council.

The strategy sets out that by working together in partnership we can improve performance whilst driving down costs through the effective use of ICT. The Strategy seeks to fully exploit technology as a key tool in delivering high quality services to our customers (residents, businesses and visitors), and a critical component of effective joint working.

Each partner individually has made considerable investment in technology and this strategy provides a shared framework within which to share those developments, pool our skills, and sweat our assets. It will ensure that investment by one partner

can be extended to benefit the entire partnership. By working together all partners will see spend on ICT reduce, and see ICT make a significant contribution to reducing costs generally.

This is an ambitious strategy designed to place ICT front and centre of the councils' objectives to implement a new operating model based on partnership and adopting a commercial outlook. It seeks to reduce the geographic dependency of our key asset – our people – by removing the links between place and information. By enabling our staff to work anywhere, with full access to the information they need, their availability and contribution is maximised.

It sets out to standardise, consolidate and harmonise our business applications, and by doing that, reduce the costs of duplication and wasted effort, improve the exchange of information, and thereby provide a strong return on investment for all stakeholders.

It will ensure that the identity of each partner is maintained and their corporate priorities addressed.

It will continue to support programmes such as superfast broadband, support local businesses, exploit emerging platforms such as hosted (cloud) based solutions both to reduce costs and increase income.

We are not starting from the beginning and much has already been delivered. This Strategy will ensure that no investment made by any partner is lost, but that work is extended so that all partners can benefit from it.

### **3.0 Report details**

The Joint ICT Business Development Strategy sets out the vision, objectives and operating principles for the joint ICT Business Service and delivery of the Strategy. It details the key workstreams which will ensure that significant progress in the areas of ICT harmonisation, standardisation and increased online presence is delivered for the benefit of all 3 partners. These are presented in the appendices.

The Strategy has been written as a unified document to deliver information and communication technology services (ICT) to Cherwell District, South Northamptonshire and Stratford-on-Avon Councils through the Joint ICT Business Services and as such will be considered for adoption by all three councils. Whilst the adoption by all three councils would be desirable, the strategy has been written to enable delivery even if all councils did not subscribe and therefore adoption does not need to be made subject to the adoption of the other councils.

### **4.0 Conclusion and Reasons for Recommendations**

- 4.1 The Strategy sets a clear direction for the partnership in respect of harmonising and joining up all business areas shaped around the needs of customers and to maximise opportunities to reduce cost and increase income. To deliver it successfully requires an ICT Business service that is shaped towards delivering on the priorities identified in the Strategy. All three councils have already approved

and implemented the Joint ICT Business Service staffing re-structure so the foundations are in place to fully exploit the opportunities that ICT offers in respect of new ways of working and to maximise efficiencies.

## **5.0 Consultation**

The Chief Executives and S151 Officers have considered and support the proposal.

## **6.0 Alternative Options and Reasons for Rejection**

6.1 If the strategy is not adopted then the full range of efficiencies and cost savings identified in the business case may not be delivered so this is not recommended.

## **7.0 Implications**

### **Financial and Resource Implications**

There are no financial implications directly associated with this report or attached strategy.

Comments checked by:

Martin Henry, Director of Resources, 0300 0030102  
[martin.henry@cherwellandsouthnorthants.gov.uk](mailto:martin.henry@cherwellandsouthnorthants.gov.uk)

### **Legal Implications**

7.3 There are no legal implications arising from the report at this stage.

Comments checked by:

Kevin Lane, Head of Law and Governance, 0300 0030107  
[kevin.lane@cherwellandsouthnorthants.gov.uk](mailto:kevin.lane@cherwellandsouthnorthants.gov.uk)

### **Risk Implications**

7.4 There are no direct risks as a result of this report. Implementation of the ICT Strategy will also include a risk register.

## **8.0 Decision Information**

### **Key Decision**

**Financial Threshold Met: No**

**Community Impact Threshold Met: No**

## Wards Affected

N/A

## Links to Corporate Plan and Policy Framework

The ICT Strategy will deliver/support the following key corporate objectives:-

- District of Opportunity
- Safe, Green, Clean
- Thriving Communities
- Sound Budgets and Customer Focussed Council

## Lead Member

Councillor Nicholas Turner, Lead Member for Joint Working and ICT

## Document Information

Appendix No	Title
1	ICT Business Development Strategy
Background Papers	
None	
Report Author	Balvinder Heran, Head of Joint ICT Business Service
Contact Information	Tel: 01789 260470 Email: <a href="mailto:balvinder.heran@cherwellandsouthnorthants.gov.uk">balvinder.heran@cherwellandsouthnorthants.gov.uk</a> Cherwell, South Northamptonshire and Stratford-on-Avon District Councils





# ICT Business Development Strategy

Cherwell, South Northamptonshire and  
Stratford-on-Avon District Councils



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# Foreword

- 1 In April 2014, Cherwell District, South Northamptonshire and Stratford-on-Avon District Councils created a Joint ICT Business Service with an ambition to extend to others, to maximise efficiencies and economies of scale. We have already extended the service to include South Staffordshire Council.
- 2 The councils are working in partnership to improve performance whilst driving down costs. Technology and the effective management of information are vital in delivering high quality services to our customers (residents, businesses and visitors), and are a critical component of effective joint working.
- 3 Each partner individually has made considerable investment in technology and this strategy provides a shared framework within which to share those developments, pool our skills, and sweat our assets. This strategy will ensure that investment by one partner can be extended to benefit the entire partnership. By working together the partners will see their spend on ICT reduce, and see ICT make a significant contribution to reducing costs generally. For example, a shared deployment of video-conferencing will reduce the need for staff working for more than one organisation to spend money and time travelling between sites. Shared procurement and implementation of business tools like this maximises economies of scale and improved resilience. Other approaches to reduce costs and increase income are increased use of hosted services (cloud).
- 4 This is an ambitious strategy to place ICT front and centre of the councils' objectives to implement a new operating model based on partnership and adopting a commercial outlook. It seeks to reduce the geographic dependency of our key asset – our people – by removing the links between place and information. By enabling our staff to work anywhere, with full access to the information they need, their availability and contribution is maximised.
- 5 ICT is a key tool in the future development of our communities and we must ensure that our plans reflect changing these needs and circumstances.
- 6 In the same way, by enabling our customers to access information, and request services independently, our staff will be able to be of use where it is most valuable – to those vulnerable customers which have the potential to be the greatest cost to the council and other public agencies. This strategy is to standardise, consolidate and harmonise our business applications, and by doing that, reduce the costs of duplication and wasted effort, improve the exchange of information, and thereby provide a strong return on investment for all stakeholders.
- 7 It will ensure that the identity of each partner is maintained and their corporate priorities addressed.

- 8 By reducing the number of different business systems used by the partnership and supporting the introduction of common processes and operating models, this strategy enables greater sharing of resources with improved resilience.
- 9 The management of a robust, highly available and flexible infrastructure is an essential component of this strategy.
- 10 One of the biggest changes will be the different ways people interact with ICT and will require new ways for supporting technology and the people that use it. For example, a key driver is to enable users to reduce non-productive time and costs through greater use of ICT. This will be achieved through improved video-conferencing and desktop sharing, a common approach to identity and access management and harmonised, integrated business systems where users only learn one application deployed across many partners. This is a significant change to current methods of working so the organisational structure for the Joint ICT Business Service will be shaped to meet this new way of working. Users will be offered continuous training so they can request further ICT enhancements to assist the new ways of working.
- 11 The strategy will continue to support programmes such as superfast broadband, to support local businesses, to exploit cloud based computing, to achieve savings, access high definition video-conferencing, e-commerce and on-line marketing of their services to name but a few.
- 12 The investment in ICT services will focus on the ability to deliver the information technology to support the partnership to continue improving processes and transform the way services are designed and delivered and help make the cultural shift to digital technologies. Underpinning this strategy is the harmonisation of business systems programmes which has been boosted with total funding of £775,000 through the national Transformation Challenge Award including South Staffordshire Council. This award enables the partnership to accelerate their harmonisation plans through the implementation of the single financial management system, common land and property systems (planning, environment, housing, land charges, GIS) all underpinned by a common electronic document records management system and infrastructure.
- 13 It is essential that officers within the Joint ICT Business Service have the right skills to support the development of new systems and processes which are business focussed and an organisational structure has been introduced alongside this strategy to reflect that.
- 14 As a partnership we are not starting from the beginning and much has already been delivered. This Strategy will ensure that no investment made by any partner is lost, but that work is extended so that all partners can benefit from it. Details of progress made to date is provided in Appendix 3.
- 15 We recommend this strategy for adoption.



**Cllr Ian McCord**  
South Northamptonshire Council



**Cllr Nicholas Turner**  
Cherwell District Council



**Cllr Stephen Thirlwell**  
Stratford-on-Avon District Council



**Cllr Jennie Ellard**  
Stratford-on-Avon District Council

# 1. The Strategic Context

There are a series of factors that have influenced the development of this strategy. These include:-

- 1.1 The reduction in local government funding - use of technology and management of information will support the reduction of costs whilst maintaining and where possible improving services.
- 1.2 The Government's strategic aims for the use of ICT - deliver on the Government's preference to use of digital channels to access services and benefits, through the Digital by Default Strategy.
- 1.3 The development of the internet - transformed the way residents expect to connect with their local council. This has also opened up new opportunities for councils in the way they procure applications and systems. The growth in cloud based services reduces the need for on-site physical storage and other applications and this strategy will ensure that cloud-based technology, where it is appropriate and cost effective to do so is used.
- 1.4 Increasing choice - In addition to increasing choice for our customers the increased use of ICT can free up officer time by streamlining and simplifying processes.
- 1.5 Transparency and openness – increase involvement of local people to influence the way local decisions are made and increase participation.
- 1.6 Self-sufficient communities – through facilitating the delivery of key programmes such as superfast broadband, on-line consultation and participation.
- 1.7 Supporting the management of growth - ensuring that our ICT systems support the provision of accurate management of our assets, strategic developments and the key infrastructure needed as part of councils' role in 'Place Shaping'.
- 1.8 Demonstrating that we are 'Open for Business' - through our ICT enables us to work with local companies that aspire to grow, using Key Account Management to manage our relationship with key business stakeholders.





## 2. Corporate Context

The ICT strategy supports the delivery of priorities within the corporate strategies of all partners and support the medium term financial plans, as well as ensuring that the partnership can rely upon the technology to deliver their services.

As a key corporate strategy, the ICT strategy links closely with a number of other strategies and policies. These include:

- 2.1 Managing Growth
- 2.2 Supporting the Local Economy

The Strategy will also deliver on the following key strategic objectives from each partner:-

### Cherwell District Council

- 2.3 Work to ensure rural areas are connected to local services
- 2.4 Reduce the cost of providing our services through partnerships, joint working and other service delivery models.
- 2.5 Work to effectively communicate with local residents and businesses to better understand and respond to their needs
- 2.6 Improve customer service through the use of technology and responding to customer feedback.

### South Northamptonshire Council

- 2.7 Work with rural communities and villages to help develop and sustain access to local services
- 2.8 Provide customers with high quality, accessible services through the most cost effective means
- 2.9 Explore opportunities to reduce our costs through joint working, partnerships, alternative service delivery models and funding sources
- 2.10 Improve our internal and external communications specifically with local residents, businesses and visitors so we are more responsive to their needs

### Stratford-on-Avon District Council

Vision: Stratford-on-Avon District Council will be recognised as a place of opportunity and economic prosperity in order to provide a better quality of life for all who live, work and visit.

- 2.11 To support further development of the Broadband Infrastructure across our district which will assist businesses with the connections they require.
- 2.12 Seek opportunities to work with our partners to achieve benefits for our residents. Expand our programme of sharing services with other councils.
- 2.13 Work with our partners to improve the District's infrastructure including broadband, transportation, education, utilities and emergency services.
- 2.14 Identify opportunities to improve access to local services especially for those in remote communities.
- 2.15 Speak up for resident locally and nationally so that local communities are in a better position to help themselves.

### The way we will work

- 2.16 More responsive customer service - right first time, every time; and
- 2.17 Great value for money – we will be consistently high quality and cost-effective in what we do.

### Improving access to services

Outcomes sought:

- 2.18 An increase in the percentage of residents who find it easy to access local services.
- 2.19 An increase in the number of vulnerable residents who are supported to live independently in their own homes.
- 2.20 An increase in the proportion of people who feel they can influence decisions in their local area.

# 3. Operational Context

The Councils are committed to sharing services and the Joint ICT Business Service is tasked to develop, operate and deliver a cost-effective, quality and efficient ICT service that reduces costs while enabling each authority to deliver those shared services, and pursue their respective operational and strategic agendas.

Scope of the joint service:

- 3.1 Provision, operation and maintenance of secure ICT infrastructure.
- 3.2 Procurement and maintenance of systems and servers.
- 3.3 Desktops, mobile devices, printers etc.
- 3.4 Communication networks (wide and local area networks).
- 3.5 Flexible, cost effective, telephone infrastructure.
- 3.6 Operational running and maintenance of applications.
- 3.7 Provision of single service desk to support end users .
- 3.8 Provision of system and application development services.
- 3.9 Effective spatial services.

Across the partnership we are responsible for over 200 legacy application systems currently in use, with in excess of 1700 desktop PCs and 300 mobile devices (using various software), telephone systems; a number of telecommunication lines and contracts and 3 data centres, owned by the individual partners.

This mixed estate of applications, hardware and infrastructure presents a clear opportunity to reduce ongoing costs and to improve resilience through rationalisation and harmonisation of business systems. In addition, ICT will also ensure that systems are integrated to reduce duplication, have single protocols and procedures and identify innovative ways that ICT can improve service delivery.

We will work with suppliers and service providers to identify opportunities for innovation with new and enhanced technologies. We will continue to use and consider hosted (cloud) solutions as part of every tender and procurement process undertaken to maximise resilience and efficiencies through the new

ways of working. We will work with and support front-line services to specify, commission and oversee the delivery of technical solutions, services and research to meet business requirements and service delivery priorities.

It is important to ensure that information, systems and data are protected from inappropriate access, loss or malicious attack. Regular tests and audits of the defences are undertaken to ensure compliance with government standards and the delivery of effective, secure and safe services. The principle aim will be to deliver effective security measures without impacting on the individual user experience.

Single sets of policies, procedures and standards will be put in place to assist both suppliers and users; these will be regularly reviewed and updated in line with best practice guidelines and legislation. The service will operate to a common operating system as shown in Appendix 1.

In developing, standardising and harmonising our ICT systems and their supporting infrastructure, we can deliver more for our partnership and extend our services to others as already demonstrated through the shared working with South Staffordshire Council, Banbury Museum, Parish and Town Councils to name but a few.



The Joint Service will deliver a single, flexible platform in key areas such as remote access, email, shared calendars, single electronic records document management system, shared storage space and key communication tools such as video-conferencing to reduce the need to travel between sites and to minimise non-productive time. Not only will this see a reduction in costs over time, it will also ensure that officers working across the partnership will see a standardised approach across all ICT systems and applications. The high level plan to deliver this workstream is shown in Appendix 3.

This standardised approach will be further strengthened with the harmonisation of ICT Business Systems. Where currently each partner has its own suite of business systems – finance, planning, revenues and benefits, GIS, etc., these will be harmonised so that, for example, the partners' finance teams use one financial management system rather than 3. This will enable the existing partners to see more developments in these applications as the ICT team will be focussed on developing one system (rather than 3 or 4 that currently exists). This enables the partnership to fully 'sweat their ICT assets', achieve cash savings, increase resilience and ensure the business is operating to a single common set of processes. The harmonisation of business systems programme is shown in Appendix 4.

### Training and support

It is essential that all users are fully trained so they get the most from systems and technology and feel comfortable with using key applications. For example, greater time is needed to be taken when new systems are implemented to ensure that they are working as expected and users are able to fully use them.

Projects and new solutions delivered through this strategy will include a period of testing and review to allow time for users to test and feedback findings.

## 4. Economic Context

The need for technologies such as superfast broadband is essential to supporting our communities and the growth of local businesses. This strategy will support the rollout of superfast broadband and aim to secure further funding to complete those areas within our districts that will not be served by the national funding. It will also enable us to deepen our dialogue with local companies and inward investors through a Key Account Management system



# 5. Vision

To provide a continuously improving ICT service that meets the business needs of each of the councils' at the lowest achievable cost and is easily extendable to other organisations/bodies.

## Excellent customer experience

- 5.1 Customers can easily contact the council through a range of channels and at a time to suit them.
- 5.2 Customers are able to access and apply for all relevant services and gain information about their local area online or via any device.
- 5.3 Services are pushed to customers with automatic updates on progress to avoid the customer having to chase for this information.
- 5.4 Customers can be confident that their personal details and information are managed securely and shared responsibly.

## Highly available and reliable ICT infrastructure

- 5.5 Efficient network, desktop and easy to use mobile solutions in place across all sites and for all users.
- 5.6 Reliable and cost-effective solutions for storage
- 5.7 Effective business continuity and disaster recovery procedures
- 5.8 Integrated unified communications in place which are easily extendable to others wishing to share services
- 5.9 Secure infrastructure compliant with the Government Public Sector Network but easily accessible by users.

## Accessible and well managed information

- 5.10 All business-related information contained within an integrated document, records management system which is easy to access and underpinned by effective processes.
- 5.11 Business and performance intelligence is easy to access and well used
- 5.12 Exchange information with partners safely, easily and appropriately
- 5.13 ICT and business processes are harmonised to maximise efficiency, non-productive time is minimised and benefits from joint working can be evidenced through improved local services.

## Coordinated and appropriately resourced ICT service

- 5.14 ICT understand the business needs and processes of services and have staff in place with the right skills and expertise for key systems and infrastructure to support business development.
- 5.15 Effective arrangements in place for external support where it is more cost effective
- 5.16 Effective procurement, making full use of systems that deliver a variety of business solutions

## ICT Competent Workforce

- 5.17 Effective and efficient workforce who have the confidence and competence to respond to new demands, challenge existing ways of working and develop new solutions to problems with the technology available to them.
- 5.18 All users maximise investments in ICT through their effective use.
- 5.19 ICT users make their own efforts to understand and explore the features of new systems and not merely transfer old methods into the new system.





## 6. Objectives

- 6.1 To harmonise key ICT infrastructure and business systems across the councils within 3 years as detailed in appendix x.
- 6.2 To achieve savings in excess of 10% of joint ICT budgets by January 2016 from 2014/15 baseline.
- 6.3 To reduce our operating costs.
- 6.4 To support the transformation of council services through the business applications harmonisation programme
- 6.5 To base delivery decisions on sound business cases and cost benefit analysis.
- 6.6 To protect the information assets of the councils' and their partner organisations.
- 6.7 To capitalise on the assets of the joint service through trading with third parties and new partners in appropriate cases.
- 6.8 Seek to minimise and standardise the cost effective partnership wide licensing arrangements.



## 7. Principles

The following principles will guide the delivery of this strategy:-

- 7.1 To meet the changing needs of the customer, be they members, officers, residents, workers, visitors and learners within our districts.
- 7.2 Make digital access to services as easy as possible for customers but support alternatives for those who cannot use it.
- 7.3 Be efficient and responsive and do nothing that inhibits our scalability.
- 7.4 Supports the significant reduction of paper based storage of information.
- 7.5 Only customise software when there is a business return in doing so.
- 7.6 Consider how systems fit together when procuring/developing new and existing software.
- 7.7 To use in-house services when it is identified in a business case as the appropriate approach.
- 7.8 Consider disaster recovery and business continuity provision when configuring systems and ensure information is protected from unauthorised use and disclosure.
- 7.9 Future partners adopt these principles to enable efficiency in delivery and approach.
- 7.10 ICT Budgets and procurement of all ICT related projects are held and conducted centrally.

# 8. Governance and Control

## Reporting and review

- 8.1 The actions will be reported on a regular basis to councillors through the Joint Transformation Working Group and the Joint Management Team.
- 8.2 Progress in delivering the strategy will be also reported to the Portfolio holders.
- 8.3 The strategy will be reviewed and refreshed annually.

## Responding to changing needs

As a critical support and enabling service, there will be a need to respond to the changing needs of the partnership – for example to implement new, or significantly changed, solutions.

To ensure that work is effectively prioritised, work that is not planned in the organisational plan or this strategy will need a business case to be agreed by the Joint Management Team. This will give the opportunity to consider the organisational benefits and the resource requirements of taking a particular course of action.

## Monitoring Performance

The delivery of the key actions will be managed through formal project management methodology.

# 9. Consultation

Consultation has been undertaken with lead members, senior managers and members of staff within the Joint ICT Business Service.

It is essential that ICT team fully understand the business needs of services and their priorities. Representatives from all services within the partnership have been consulted to ensure that decisions are open, understood and agreed by the business.



# 10. Summary

The Joint ICT Business was quite rightly identified, as the first shared service, as it is the key enabler to more collaborative working. It has a critical and expanding role in providing effective methods for customers to access and use our services and to develop new working practices, which will improve both our service quality and staff productivity whilst reducing overall costs.

As the partnership moves towards more standardised ICT provision and internet based services, the link to our aspirations to be a flexible and dynamic partnership, able to flex our resources in line with changing business needs becomes clearer.

In order to maximise the potential of our ICT resources and skills, we will engage fully with services so we support the service improvements and deliver cost efficiencies.

As the move towards greater collaboration and a single multi-disciplinary team begins to take shape, the expectations that ICT is the key enabler will increase.

Plans for delivering this strategy are set out in the appendices.

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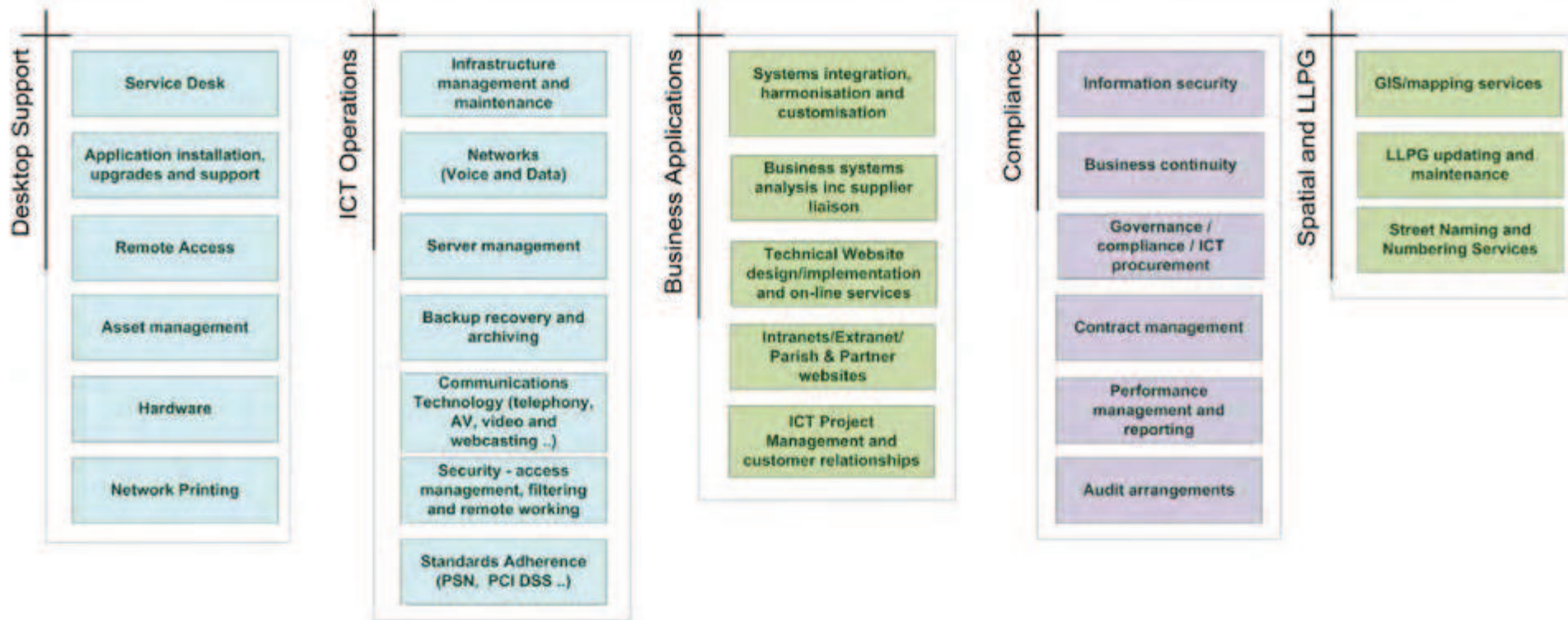


# Appendix 1

## Joint ICT Business Service – Operating Model

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### Shared ICT Business Service (CDC, SNC and SDC) – Initial Operating Model (Delivery)



Delivery - ICT Business Strategy, Business requirements, Technical Systems Harmonisation, Innovation

# Appendix 2

## Delivery of the Strategy

The delivery of the Strategy will be structured through three main work streams – ICT standardisation, Harmonisation of business systems and On-line services. The following provides a high level summary of the projects within each workstream.

### Workstream 1 – ICT Standardisation

- 1 Location Independent workforce deliver systems and services which allow users to work at time and location of their choice. Solutions will be shaped around the needs of the individual rather than constraints of office locations and fixed hours. Aim is to deliver maximum mobility and flexibility to help reduce our carbon footprint, mileage expenses and release office space to generate income and enable multi-agency working.
- 2 Effective information sharing - Information will be available in a variety of formats and a number of routes whilst ensuring security and work processes are not compromised.
- 3 System Stability - ICT systems implemented for high availability, resilience, appropriate, easy to use, securities and reflect partnership and business priorities.

Other projects to support the above include:-

- 1 Resilient Communication Links
- 2 Single Service Desk application and contact
- 3 Unified communications - video-conferencing, instant messaging, desktop sharing
- 4 Common telephony and ACD (automatic call distributor)
- 5 Common remote access and single sign on
- 6 Shared network file storage
- 7 Unified printing and scanning
- 8 All users to move to Windows 8 mobiles
- 9 Corporate backups - physical and virtual
- 10 Real time disaster recovery across partner sites
- 11 Common electronic records document management system
- 12 Shared collaboration space
- 13 Review of software licensing
- 14 Review of contracts to align corporate services, i.e., anti-virus, mail scanning, etc
- 15 Email archiving
- 16 Common set of procedures and processes

### Workstream 2 - Harmonisation of Business Systems

Reduce the number of business systems currently in use to, not only, deliver cost savings, but enable users to have to learn a fewer number of systems well and focus efforts on exploiting what those systems can provide in respect of increased automation, reduced duplication and manual entry.

### Workstream 3 - Website and On-line Service Development – ‘Your Council, your Services’

All existing websites move to transactional and then responsive web services with full back office integration, on-line and automated telephony payments across all service areas to that our customers can interact with us easily and quickly through their channel of choice.

**Superfast Broadband** – to enhance the government funding provided through BDUK and secure public and private sector investment to enable the increased provision of superfast broadband infrastructure to homes and small businesses across all three districts and promote take up so that residents have more choice in the way they interact with us.

#### Progress to Date

As a partnership we are not starting from the beginning and much has already been delivered. This Strategy will ensure that no investment made by any partner is lost, but that work is extended so that all partners can benefit from it. The following provides a summary of progress to date and future plans.

### Workstream 1 – ICT Standardisation

#### *What have achieved so far .....*

##### Location Independent Working

- 1 Remote working – each partner has secure remote access to email, files and applications for users and members. Users are able to work remotely and access key information.
- 2 Mobile Devices – secure access to email and calendar on all council managed devices plus access to council paperwork to help minimise the requirement for printed papers.
- 3 Wi-Fi – established a secure wireless networks for visiting partners and council owned equipment at all sites

#### *What comes next .....*

- 4 Unified communications – instant messaging, video conferencing and desktop sharing across the partnership and to our stakeholders. Will deliver savings in mileage and subsistence costs as well as reductions in non-productive time.
- 5 Identity and access management – single, secure approach to user identification across the partnership.

- 6 Connectivity – increased data networks to access applications and resources across the partnership. Systems and services will be equally spread across all partner sites to load balance and support increased resilience.
- 7 Information Security – single approach to information security. Users only have one simple to follow set of procedures for acceptable use.

### Superfast Broadband.

All three authorities are signed up to their respective BDUK programmes, and seek to enhance Government funding with further public and private investment. Being three rural districts it is a key aim to secure an increased superfast broadband infrastructure and provision. Enabling both homes and small businesses to take advantage that this infrastructure allows is a key priority and we will continue to promote take up and the benefits that superfast broadband brings.

## System Stability

### *What we have achieved so far .....*

- 1 Some partners achieved ISO business continuity and security standards, use ITIL (Information Technology Infrastructure Library) - set of practices for IT service management (ITSM) that focuses on aligning IT services with the needs of business frameworks
- 2 Corporate File Servers – ensuring high availability for users.
- 3 Network improvements – through health-checks and upgrades able to maximise the lifespan of the current network infrastructures

### *What comes next .....*

- 4 Implement appropriate standards across the partnership to deliver consistent, high quality customer focussed ICT services.
- 5 Demonstrating a high standard of ICT service delivery and increasing our attractiveness to future partners.
- 6 Corporate File Server serving all partners – delivers security compliance and capacity growth and single point of access for all users.
- 7 Common, load balanced infrastructure – fully utilise all existing resources and sites to equally balance systems and applications with appropriately trained staff to manage them.

- 8 Virtualisation of appropriate ICT Systems – review server virtualisation technology as systems are harmonised and standardised to assist in reducing physical hardware (where appropriate), power requirements and licensing. Systems will be scoped for high availability, resilience and disaster recovery and load balanced across all physical sites to fully exploit the existing investments made by the partners.
- 9 Data Backup – deliver improved solutions which reduce back up time and can be mirrored to our partner sites.

## Your Council, Your Services

### *What we have achieved so far .....*

The partnership has in place a variety of on-line services delivered through individual websites with varying degrees of integration, automated collation, interactive mapping and workflow.

To provide a closer presence a solution called Remote Customer Access Terminals is in place allowing customers to have face to face interactions from remote sites with customer services staff and customers can scan documents to support their applications.

### *What comes next .....*

A single location where residents can register and obtain information pertinent to them, quickly and easily find information, customising to their particular interests.

Provide residents with the ability to do things on the move e.g. Report it - dynamic solutions to report issues such as fly tipping reports using GPS location tracking, tracking of their application and being pushed updates automatically.

- 1 Fully responsive website (viewable across multiple device types)
- 2 Increase Customer Access Terminals across the partnership
- 3 Front of House – enhance public access terminals to allow access to richer web content.

## Harmonised Business Applications

### *What have achieved so far .....*

- 1 A number of business applications have been partly harmonised which has helped to drive efficiencies in the support and maintenance of the applications.
- 2 Procurement of single Finance System – single system, using common process accessed by staff across the partnership – go live in April 2015.
- 3 Shared Legal System –accessible by all legal staff across the partnership

### *What we want to achieve .....*

Users will be encouraged share business systems and to establish common business processes to fully realise the efficiencies and benefits that a shared business system can offer.

All new business systems will be assessed for their ability to automate and assist in improving efficiency and productivity for users, support, maintenance and pricing structures will be negotiated to secure best value and encourage new partners.

The following key business systems will be harmonised during the life of this Strategy. They will be deployed equally across all three sites to reduce direct costs in licensing and maintenance, focus ICT resources to exploit the functionality of the system and enable appropriate disaster recovery balancing.

## FINANCIALS

- 1 Income management system
- 2 BACs
- 3 Financials Management System
- 4 E-Tendering

## EMPLOYEE SERVICES

- 1 Payroll and HR management
- 2 Time recording, annual leave, sickness, mileage and subsistence
- 3 Reconciliation - procurement cards, etc
- 4 Appraisal management

## LAND AND PROPERTY SYSTEMS

- 1 Planning Control
- 2 Building Control
- 3 Planning policy
- 4 Estates Management
- 5 Environmental health
- 6 Pest Control plus dog warden services
- 7 Land charges
- 8 Licensing
- 8 Local land and Property Gazeetter
- 10 Spatial services
- 11 Housing/housing waiting list

## REVENUES AND BENEFITS

### ELECTIONS and DEMOCRACY

### CORPORATE

- 1 Freedom of Information
- 2 Compliance with national transparency code

### ON-LINE SERVICES AND CHANNEL DEVELOPMENT

All existing websites fully transactional and move quickly to responsive with full spatial and back office integration and payments to enable maximum availability of services on-line to enable our customers to interact at a time and location of their choice. Also to be delivered are automations which remove duplication of entry and automatically update changes in status in respect of services which have been requested.



# Appendix 3

## Financing the Strategy

The Joint ICT Business Service identify, procure and/or commission ICT technologies and services on behalf of all partners and in response to business needs. It works proactively with business areas and vendors to identify opportunities and anticipate business needs.

The principle aim is to sustain, improve and enhance the effective delivery of services to the wider community and partners and effective procurement is one approach to ensuring this and takes into account local needs, business needs, costs, benefits, legislation, government standards and emerging technologies.

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### Budgets

#### Revenue

The permanent revenue budget for ICT Strategy is with the following breakdown:

EXPENDITURE	2015/16	2016/17	2017/18
Staffing costs	1,885,190	1,810,190	1,584,885
Non-staffing costs	814,987	814,987	814,987
<b>TOTAL EXPENDITURE</b>	<b>2,700,177</b>	<b>2,625,177</b>	<b>2,399,872</b>

GRANTS and OTHER FUNDS	2015/16	2016/17	2017/18
Transformation Challenge Award – Implementation of harmonised Financials Management System and related services	300,000	0	0
Transformation Challenge Award Implementation of a single harmonised land and property platform, underpinned by a common electronic records document management system (also includes South Staffordshire Council)	475,000	0	0
<b>TOTAL FUNDING</b>	<b>775,000</b>	<b>0</b>	<b>0</b>

<b>TOTAL EXPENDITURE</b>	<b>1,925,177</b>	<b>2,625,177</b>	<b>2,399,872</b>
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## Capital Funding

The ICT Strategy does not have a permanent revenue budget to fund all the programmes required to deliver the ICT harmonisation and standardisation programmes and one off projects are funded through the rolling capital programmes across the partners. The table below sets out the current position with regard to funding the 3 workstreams.

PROGRAMME	FUNDING POSITION
<b>Workstream 1</b> - ICT Standardisation	Fully funded if 2015/16 capital programmes are approved.
<b>Workstream 2</b> - Harmonisation of Business Systems:-	
Financials	Fully funded through Transformation Challenge Funding.
Employee Services	Not funded - business case to be presented as part of Shared Services Business Case on benefits and savings to be achieved through harmonised employee services.
Land and Property Systems	Fully funded through Transformational Challenge Award funding and council capital programmes.
Revenues and Benefits	Not funded - business case to be presented as part of Shared Services Business Case on benefits and savings to be achieved through harmonised service delivery.
Elections and Democracy	Not funded - business case to be presented as part of Shared Services Business Case on benefits and savings to be achieved through harmonised service delivery.
Corporate	Not funded - business case to be presented as part of Shared Services Business Case on benefits and savings to be achieved through harmonised service delivery,
<b>Workstream 3</b> - Website development and online services	Fully funded if 2015/16 capital programmes are approved.

## Procurement personal computer equipment such as PC's, laptops, tablet devices, mobile phones and printers

The shared partnership has an estate of over 1700 desktop computers and laptops. The purchase of this type of equipment is funded through the individual ICT hardware budgets held within the individual capital programmes of each partner.

# Appendix 4

## Approach to Harmonisation of Business Systems

There are 4 possible approaches for harmonisation of business systems. These are summarised below:-

### 1. Full system alignment

- 1.1 One single server infrastructure, one database instance and one application front end.
- 1.2 Includes the alignment of business processes, business system and hardware = full shared service.

#### Impact

- 1.3 Reduction in hardware and operating system licenses.
- 1.4 Reduced maintenance costs.
- 1.5 Reduced supplier side annual maintenance fees.
- 1.6 It may be possible to rationalise staff resources within the services using these systems.

#### Risks

- 1.7 Single point of failure ( will be addressed when designing the system).
- 1.8 It would be difficult to split the database and application if there were changes to shared services in the future.

### 2. Partial alignment

- 2.1 Shared database instance on a single server infrastructure, with two separate application front ends.

#### Impact

- 2.2 Reduction in hardware and operating system licenses.
- 2.3 Reduced maintenance costs.
- 2.4 Some cost reduction for shared application licenses.
- 2.5 Reduced supplier side annual maintenance fees.

#### Risks

- 2.6 Single point of failure ( will be addressed when designing the system).
- 2.7 All partners would need to agree the upgrade and patch management process for the application itself - deviation from this would not be practical.

### 3. Alignment of hardware only

- 3.1 One server infrastructure, two separate databases and two separate application front ends.

#### Impact

- 3.2 Reduction in hardware and operating system licenses.
- 3.3 Reduced maintenance costs.
- 3.4 Some cost reduction for shared application licenses.
- 3.5 Allows flexibility within both authorities.

#### Risks

- 3.6 Single point of failure, which would need to be considered when designing the system.
- 3.7 Maximum efficiencies will not be realised due to separate processes and procedures (this option may appear more attractive to the Councils as it gives the services involved more flexibility).

### 4. Hosting by the supplier (Cloud Based)(with or without full system admin)

- 4.1 This is still under investigation with suppliers and is included in all procurement as there is an increasing offer from suppliers in this area with take-up from customers, both in the public and private sector.

### Some of the key benefits to consolidation are:

1. Overall capital replacement hardware programme will be reduced. Servers will be consolidated, but be a higher specification in order to manage the requirements of virtualisation of the systems themselves.
2. Other associated hardware costs include the on-going maintenance contract costs reduced.
3. The harmonisation of business systems will reduce licensing requirements for system software. Use of site licenses and single operating system and platform licenses will all be streamlined.
4. Upgrades will be aligned and reduced overall, therefore freeing up applications and infrastructure resource.

### Process for Harmonising Business Systems

1. Mapping of the existing business processes for each service involved and highlighting the differences will be essential and already being picked up as part of the Transformation Programme. Consideration of the future needs of the services will also be mapped out and agreement on the common processes between the relevant services will be required.
2. An options appraisal for harmonising business systems would consist of a standard process looking at:
  - 2.1 Do nothing
  - 2.2 Existing systems and solutions in place at either authority
  - 2.3 Alignment of business system and hardware only
  - 2.4 Alignment of business processes, business system and hardware
 Options for doing nothing are a standard part of an appraisal of this type. Looking at what the implications are e.g. advantages and disadvantages, costs, timescales, benefits, risks etc.

3. If business processes could not be aligned the evaluation may identify that only the hardware and system is shared but using separate databases.
4. If business processes are aligned then full advantage of systems sharing will be possible. Initial implementation costs, hardware, annual maintenance and licenses will all be reduced and officers will only have to learn one system whilst working across all three authorities.

### Existing Business Systems

5. There are a number of business systems currently in use across the partnership with the same supplier and the majority have had local customisations applied. See below.
6. Harmonisation has already begun in the shape of a shared Financial Management System which is supported through national Transformational Challenge Funding of £300,000. In addition, the partnership has also secured £475,000 of Transformational Challenge Funding in respect of harmonising its land and property system. Each business system to be harmonised will be assessed to ensure all related systems are also included and a business case presented which details the efficiency and cost savings to be achieved.
7. Suppliers do de-support systems, and we are given notice of this. There are currently no known timescales of de-supporting of existing business systems (other than for financial management system which is already in progress).
8. All business systems will be kept under review to ensure that any de-support positions promptly addressed. Below is a summary of the key business systems in use across the partnership.

Cherwell District Council		
Vendor	App Name	Service Area
Arbritas	Housing	Housing
Bartec Systems	Waste management	Waste
Capita	Payments	Global
IDOX	Uniform	Legal - Land Charges, Planning, Environmental Health, Licencing
Kana	Lagan	Customer Services
Northgate	Iclipse	Customer Services, Revs and Bens, Planning
Northgate	I World	Finance - Revs & Bens
Northgate	Resource Link	HR & Payroll
Xpress	Xpress	Elections

South Northamptonshire Council		
Vendor	App Name	Service Area
Bartec Systems	Waste management	Finance - Revenues
Capita	Academy Revenues	Waste
Capita	Academy Benefits	Finance - Benefits
Capita	Housing	Housing
Capita	Payments	Global
Def	MasterGov	Planning & Building Control
Kana	Lagan	Customer Services
Northgate	M3 Total Land Charges	Legal - Land Charges
Northgate	M3 Public Protection	Environmental Health, Licencing
Northgate	Resource Link	HR & Payroll
Open Text	RKYV	Customer Services, Revs and Bens
Xpress	Xpress	Elections

Stratford-on-Avon District Council	
Vendor	Service Area
IDOX	Planning Uniform & Building control
IDOX	Environmental Health, Licencing, Housing, Anti-social behaviour
Civica	Open Revenues & Benefits
Civica	Finance Power solve
Capita	Cash Management
Abritas	Housing waiting list
Star	Internet service provider
ESRI	GIS ArcGis Desktop Productivity suite upgrade
Xpress	Elections
AAC Systems	Kofax Annual software maintenance
Sage	Snowdrop HR system
Warwickshire County Council	Payroll
In House	EDMS

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## Cherwell District Council

### Executive

7 April 2015

<p style="text-align: center;"><b>Neighbourhood Planning</b> <b>Application for the designation of a Neighbourhood Area for</b> <b>a Proposed 'Mid-Cherwell' Neighbourhood Plan</b></p>
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### Report of Head of Strategic Planning and the Economy

This report is public

#### Purpose of report

To consider the designation of a 'Mid-Cherwell' Neighbourhood Area comprising eleven parishes.

#### 1.0 Recommendations

The meeting is recommended:

- 1.1 To approve the formal designation of the specified 'Mid-Cherwell Neighbourhood Area' under Section 61G of The Town and Country Planning Act 1990 (as amended).
- 1.2 To authorise the Head of Strategic Planning and the Economy to issue a Notification of Decision pursuant to recommendation 1.1.

#### 2.0 Introduction

- 2.1 On 8 August 2014, the Council received an application from Ardley with Fewcott Parish Council to designate a Neighbourhood Area. The application is made on behalf of a consortium of 11 parish councils together with Heyford Park Residents' Association and the Dorchester Group '*...as both the owners of the former RAF Upper Heyford Site, and to represent the business community that constitutes part of Heyford Park*'.
- 2.2 The application is made under Section 61G of The Town and Country Planning Act 1990 (as amended) and the Neighbourhood Planning (General) Regulations 2012 (as amended). Under Section 61G, Ardley with Fewcott Parish Council is a 'relevant body' for the purpose of making the application. A supporting statement advises, "*This application is made with the full support of the Parish Council[s] which form the Neighbourhood Area...*".

- 2.3 The Area applied for covers the parishes of Ardley with Fewcott, Kirtlington, Duns Tew, Lower Heyford, Middleton Stoney, Somerton, Steeple Aston, Middle Aston, North Aston, Fritwell and Upper Heyford. The respective Parish Councils, together with the Dorchester Group and Heyford Park Residents' Association, are functioning as a consortium and are establishing a 'non-designated' Mid-Cherwell Neighbourhood Planning Forum.
- 2.4 The Council is required to formally determine the application by either designating the specified area applied for or designating a lesser area which is part of that specified area.

### **3.0 Report Details**

#### *The area application*

- 3.1 Area designation is the first formal step in preparing a Neighbourhood Development Plan. In Cherwell six Parishes have so far been designated Neighbourhood Areas. These are Adderbury, Hook Norton, Bloxham, Stratton Audley, Merton and Deddington. Each is at a different stage in preparing their Neighbourhood Plan.
- 3.2 The current application, for the designation of 11 parishes and to be known as 'Mid-Cherwell', is attached to this report at appendix 1. The application includes a supporting statement advising (inter alia),

*"...The extent of the Neighbourhood Area reflects the commitment and desire from the partner Parish Councils and Residents' Association, as well as the Land Owner of the former RAF Upper Heyford Air Base, to participate in the preparation of a Neighbourhood Plan..."*

*"...Through the Neighbourhood Plan process, the partner Parish Councils will seek to ensure that the majority of new development is directed to the Upper Heyford Site in order to protect the rural communities from speculative and inappropriate development proposals which, if approved, would result in the degradation of these rural communities and result in unsustainable patterns of development..."*

- 3.3 Other points highlighted by the applicant in support of designation are:

- all the individual organisations are committed to the idea that the proposed Neighbourhood Area is coherent and logical;
- the M40 to the East and the A4260 to the west represent obvious boundaries to the Neighbourhood Area, although in the case of the A4260, the parishes of Duns Tew, North Aston, Middle Aston and Steeple Aston extend slightly beyond the A4260. These geographical features give a sense of coherency to the boundary area that has been identified;
- the rural setting of the Mid-Cherwell Neighbourhood Area represents a collection of communities and Parishes that occupy a distinctive area of the Cherwell District;
- the former RAF Upper Heyford site comprises brownfield land and the new area of approximately 500 hectares and the new settlement area represents a substantial development within the proposed Neighbourhood Area;
- the site has the benefit of a Free School that provides primary, secondary and sixth form provision and which is popular with the specified parishes in addition to those living at Heyford Park;



- this compliments the pre-existing primary provision in the villages of Fritwell, Steeple Aston and Kirtlington;
- Heyford Park acts as anchor to the surrounding rural settlements by providing services and facilities to meet every day needs and being the only strategic employment location outside of the main towns of Bicester and Banbury;
- the parishes and communities identified within the specified boundary area are more logically likely to enter Heyford Park to access key amenities rather than traveling to Bicester, Kidlington, Banbury or Chipping Norton;
- the 11 Parish Councils which form the proposed Neighbourhood Plan area all have close functional relationships to Former RAF Upper Heyford, the only major development area outside of Bicester and Banbury;
- further development opportunities at Former RAF Upper Heyford will provide services and facilities available and accessible to the parishes and reducing the need to travel further afield
- the Forum would enable collaborative working to ensure that future development proposals meet the aspirations of the Parish Councils and other community groups and that development is sensitive to its surroundings and preserves the intrinsic quality and character of the rural communities;
- designation will seek to ensure that the majority of new development is directed to the Upper Heyford Site in order to protect the rural communities from speculative and inappropriate development;
- the Submission Local Plan does not allocate specific sites within villages but confirms that the suitability of individual sites will be considered through another Development Plan Document or, where appropriate, through the preparation of Neighbourhood Plans.

3.4 It should be noted that as the application was made on 8 August 2014, it was made before public consultation was undertaken on Proposed Modifications to the Submission Local Plan (22 August 2014 to 3 October 2014) i.e. before additional development was directed to Former RAF Upper Heyford.

### Consultation

3.5 Officers arranged the necessary six weeks consultation on the application (11 September to 23 October 2014) undertaking the necessary publicity as the regulations require. The application was advertised on the Council's website, in the Banbury Guardian and Bicester Advertiser and notification letters were sent out to relevant consultees on the Council's Local Plan database (those living or working in the affected parishes). A public notice was sent to each of the Parish Councils affected for display. Letters or emails were sent to: District and relevant County Councillors; Oxfordshire County Council; contiguous District, Town and Parish Councils; statutory stakeholders including the Highways Agency, Network Rail, Environment Agency, Natural England and English Heritage; infrastructure providers including Thames Water, the Mobile Operators Association, National Grid and Southern Gas Network. The representations received are summarised later in this report and are attached at appendix 2.

3.6 On 13 November 2014, officers met with the 'Forum' to provide an opportunity for individual parties to explain what it was they wished to gain from the Neighbourhood Planning process. Officers concluded that the overarching reasons which had emerged were controlling development in their respective parishes by resisting speculative development proposals, achieving a managed and coordinated approach to the development of Former RAF Upper Heyford and securing mitigation.

- 3.7 There has been a significant delay in bringing this application to the Executive. This has largely been caused by the Planning Policy team's occupation in submitting proposed modifications to the Submission Local Plan to the Secretary of State for Communities and Local Government, its preparation for and involvement in the Local Plan Examination Hearings and subsequent demands on the team.

Statutory Requirements

- 3.8 The Council is required to formally determine the application taking into account the representations received. Regulation 5(1) requires each application to include:

- a) a map which identifies the area to which the area application relates;
- b) a statement explaining why this area is considered appropriate to be designated as a neighbourhood area; and
- c) a statement that the organisation or body making the area application is a relevant body (such as a Parish Council)

- 3.9 The above requirements have been satisfied.

- 3.10 In determining applications under Section 61G(4) of the Town and Country Planning Act (as amended), the Council must have regard to:

- a) the desirability of designating the whole of the area of a parish council as a neighbourhood area, and
- b) the desirability of maintaining the existing boundaries of areas already designated as neighbourhood areas (designated areas must not overlap).

- 3.11 Under Section 61G(5), if

- a) a valid application is made to the authority,
- b) some or all of the specified area has not been designated as a neighbourhood area, and
- c) the authority refuse the application because it considers that the specified area is not an appropriate area to be designated as a neighbourhood area,

the authority must exercise its power of designation so as to secure that some or all of the specified area forms part of one or more areas designated (or to be designated) as neighbourhood areas.

- 3.12 Under Section 61G(9), if the authority refuse an application, it must give reasons to the applicant for refusing the application.

- 3.13 Section 61H requires the Council to consider whether the area concerned should be designated as a 'business area'. This applies where an area is primarily or wholly business in nature. Whilst Former RAF Upper Heyford includes a vast area of land used for business purposes, the site was allocated for a new settlement under saved policy H2 of the Oxfordshire Structure Plan 2016 and has the benefit of planning permission. Further housing development is proposed for the area in the modified Submission Local Plan. Neither the former RAF site, nor the area specified in the current application, are wholly or predominantly business in nature.

### National Planning Policy Framework (NPPF)

3.14 The NPPF states that it “...provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities” (para. 1). It makes clear that local planning authorities should facilitate neighbourhood planning (para. 69).

3.15 The NPPF emphasises (p.183), that, “Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need. Parishes and neighbourhood forums can use neighbourhood planning to...set planning policies through neighbourhood plans to determine decisions on planning applications...”.

3.16 It further advises:

*“Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. 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” (para.184).*

*“Outside these strategic elements, neighbourhood plans will be able to shape and direct sustainable development in their area. Once a neighbourhood plan has demonstrated its general conformity with the strategic policies of the Local Plan and is brought into force, the policies it contains take precedence over existing non-strategic policies in the Local Plan for that neighbourhood, where they are in conflict. Local planning authorities should avoid duplicating planning processes for non-strategic policies where a neighbourhood plan is in preparation” (para.185).*

### Planning Practice Guidance (PPG)

3.17 The PPG provides specific advice on area applications which includes the following:

a) Paragraph: 025 Reference ID: 41-025-20140306

*“Should the community consult the local planning authority before making an area application?”*

*The community should consult the local planning authority before making an area application. There should be a positive and constructive dialogue about the planning ambitions of the community and any wider planning considerations that might influence the neighbourhood planning process if the outcome of that process is to be a neighbourhood plan or Order that meets the basic conditions for neighbourhood planning.”*

b) Paragraph: 026 Reference ID: 41-026-20140306

*“Can a parish council propose a multi-parish neighbourhood area?”*

*A single parish council (as a relevant body) can apply for a multi-parished neighbourhood area to be designated, as long as that multi-parished area includes all or part of that parish council's administrative area."*

c) Paragraph: 027 Reference ID: 41-027-20140306

*"In a multi-parished neighbourhood area when does a town or parish council need to gain the consent of the other town or parish council/s in order to take the lead in producing a neighbourhood plan or Order?"*

*A single parish or town council (as a relevant body) can apply for a multi-parished neighbourhood area to be designated as long as that multi-parished area includes all or part of that parish or town council's administrative area. But when the parish or town council begins to develop a neighbourhood plan or Order (as a qualifying body) it needs to secure the consents of the other parish councils to undertake neighbourhood planning activities. Gaining this consent is important if the pre-submission publicity and consultation and subsequently the submission to the local planning authority are to be valid."*

d) Paragraph: 032 Reference ID: 41-032-20140306

*"What flexibility is there in setting the boundaries of a neighbourhood area?"*

*In a parished area a local planning authority is required to have regard to the desirability of designating the whole of the area of a parish or town council as a neighbourhood area (see 61G(4) of the Town and Country Planning Act 1990). Where only a part of a parish council's area is proposed for designation, it is helpful if the reasons for this are explained in the supporting statement. Equally, town or parish councils may want to work together and propose that the designated neighbourhood area should extend beyond a single town or parish council's own boundaries..."*

e) Paragraph: 033 Reference ID: 41-033-20140306

*"What could be considerations when deciding the boundaries of a neighbourhood area?"*

*The following could be considerations when deciding the boundaries of a neighbourhood area:*

- *village or settlement boundaries, which could reflect areas of planned expansion*
- *the catchment area for walking to local services such as shops, primary schools, doctors' surgery, parks or other facilities*
- *the area where formal or informal networks of community based groups operate*
- *the physical appearance or characteristics of the neighbourhood, for example buildings may be of a consistent scale or style*
- *whether the area forms all or part of a coherent estate either for businesses or residents*
- *whether the area is wholly or predominantly a business area*
- *whether infrastructure or physical features define a natural boundary, for example a major road or railway line or waterway*

- *the natural setting or features in an area*
- *size of the population (living and working) in the area*

*Electoral ward boundaries can be a useful starting point for discussions on the appropriate size of a neighbourhood area; these have an average population of about 5,500 residents.”*

f) Paragraph: 035 Reference ID: 41-035-20140306

*Must a local planning authority designate a neighbourhood area and must this be the area applied for?*

*“A local planning authority must designate a neighbourhood area if it receives a valid application and some or all of the area has not yet been designated (see section 61G(5) of the Town and Country Planning Act 1990 Act as applied to Neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004).*

*The local planning authority should take into account the relevant body’s statement explaining why the area applied for is considered appropriate to be designated as such. See section 61G(2) and Schedule 4C(5)(1) of the Town and Country Planning Act 1990 Act, as amended, for a description of ‘relevant body’.*

*The local planning authority should aim to designate the area applied for. However, a local planning authority can refuse to designate the area applied for if it considers the area is not appropriate. Where it does so, the local planning authority must give reasons. The authority must use its powers of designation to ensure that some or all of the area applied for forms part of one or more designated neighbourhood areas.*

*When a neighbourhood area is designated a local planning authority should avoid pre-judging what a qualifying body may subsequently decide to put in its draft neighbourhood plan or Order. It should not make assumptions about the neighbourhood plan or Order that will emerge from developing, testing and consulting on the draft neighbourhood plan or Order when designating a neighbourhood area.”*

g) Paragraph: 036 Reference ID: 41-036-20140306

*“Can a neighbourhood area include land allocated in the Local Plan as a strategic site?*

*A neighbourhood area can include land allocated in a Local Plan as a strategic site. Where a proposed neighbourhood area includes such a site, those wishing to produce a neighbourhood plan or Order should discuss with the local planning authority the particular planning context and circumstances that may inform the local planning authority’s decision on the area it will designate.”*

### Case Law

- 3.18 A case known as ‘Daws Hill’ is relevant to the consideration of this application. This is a Wycombe District case where a neighbourhood area designated by the relevant District Council excluded two sites included in the Area Application: RAF Daws Hill and Wycombe Sports Centre. A claim for judicial review was considered at the High Court and it was judged that the Council had “...properly had regard to the

*specific circumstances that existed at the time when the decision was made...*". An appeal was subsequently made but was dismissed by the Court of Appeal (Daws Hill Neighbourhood Forum v. Wycombe DC, Secretary of State for CLG and Taylor Wimpey plc [2014] EWCA Civ 228).

- 3.19 In that case, five reasons were given by the authority for refusal of the Neighbourhood Area applied for. These were summarised by the Court of Appeal:

*".....The first four reasons given by the Respondent for excluding the two strategic sites from the specified area (it was common ground that the fifth reason did not take the matter any further) are all interlinked. In summary, it was not simply that RAF Daws Hill and the Sports Centre sites were strategic sites that would have larger than local impacts upon larger "communities of interest" requiring any referendum to take place over a much wider area than the specified area, possibly extending to the whole of the District Council's area; it was that the planning process in respect of these two strategic sites was already well advanced by September 2012. Outline planning permission had been granted for the Sports Centre site and a revised outline application for that site was under consideration, and a planning application pursuant to a highly prescriptive Development Brief for the Daws Hill site, which had been approved in draft for consultation in June 2012, was anticipated that Autumn."*

- 3.20 This case is referred to in the officer consideration below.

#### Representations

- 3.21 Seven consultation responses to the application were received containing comments. These were from CABE, Natural England, the NHS, Alan Hedges/Sue Muir, English Heritage, the Canal and River Trust and Gladman Developments.
- 3.22 The representations received are attached at appendix 2. A summary of the responses is provided below.

#### Design Council/CABE

- 3.23 CABE provides general advice on the preparation of Neighbourhood Plans.

#### Natural England

- 3.24 Natural England provides general advice for use in the preparation of Neighbourhood Plans.

#### NHS Property Services

- 3.25 NHS Property services has no specific comments on the application but asks to be kept informed as the plan progresses, particularly if there are likely to be proposals affecting health facilities.

#### Alan Hedges/Sue Muir

- 3.26 Mr Hedges advises that he is commenting on behalf of himself and Sue Muir, a Somerton parish councillor.

- 3.27 He is concerned that the developer of the Former RAF Upper Heyford site (the Dorchester Group) was not only funding the Neighbourhood Plan (NP), but also proposing to act as a principal in the neighbourhood planning process, taking a controlling role in its procedures. Mr Hedges considers that this violates an important principle that someone with a direct financial interest should not be a full partner in a statutory decision-making process which relates directly to that interest.
- 3.28 Advice was taken from Planning Aid England at the Royal Town Planning Institute. The advice was that it is vital that independence is maintained between the neighbourhood plan and those with an interest in land within the area and in order to maintain this independence a separate independent fund may need to be established. This process could be challenged by others (for example other developers) by way of Judicial Review of the Plan.

#### English Heritage

- 3.29 English Heritage has no objection to the proposed area designation. However surprise was expressed to see that the Dorchester Group as part of the consortium that will prepare the Plan if it is to be community led.
- 3.30 English Heritage also takes the opportunity to set out the support the organisation is able to offer in relation to Neighbourhood Plans, including assistance in developing policies for the protection of heritage assets. Advice will be directed to proposals with the potential for major change to significant, nationally important heritage assets and their settings. Links are provided to a wide range of relevant guidance.

#### The Canal and River Trust

- 3.31 The Trust notes that the Oxford Canal runs through the middle part of the plan area, affecting several parishes. It considers that the Oxford Canal can contribute to the vision and aims of the Neighbourhood Plan. It highlights that canals are multi-functional and that several structures within the Neighbourhood Plan Area are Grade II listed and that the canal itself is a designated as a Conservation Area.
- 3.32 The Trust highlights its aspirations for infrastructure within the neighbourhood plan area.

#### Gladman Developments

- 3.33 Gladman strongly objects to the designation of the proposed neighbourhood plan area on a number of grounds including:
- i. the application rationale does not justify the vast scale of the proposed area covering 11 parishes;
  - ii. the intentions of the neighbourhood plan are contrary to national policy;
  - iii. neighbourhood plans should not be used as a mechanism to restrict development in this manner;
  - iv. the settlements in the affected rural parishes will have their own housing needs and the neighbourhood plan should not be used as a means to direct development away from these settlements to the Upper Heyford site;
  - v. sustainable development in these rural settlements is essential in order to ensure they remain and become vibrant and thriving places to live, providing a good quality of life to their residents;

- vi. disagree that development at the rural settlements will result in unsustainable patterns of development. Development is needed and would accord with national policy and guidance about the role of housing in supporting the broader sustainability of villages and smaller settlements;
- vii. the PPG makes clear that blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided (unless supported by robust evidence);
- viii. the proposal has clearly been derived in order to prevent any development from coming forward within these rural settlements;
- ix. the NPPF emphasises the positive role that Neighbourhood Plans should play in meeting the development needs of the local area including in implementing the presumption in favour of sustainable development;
- x. the NPPF emphasises the need for strategic needs and priorities to be met and for Neighbourhood Plans to be in general conformity with the strategic policies of the Local Plan. Neighbourhood Plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood Plans...should not promote less development than set out in the Local Plan or undermine its strategic policies;
- xi. the plan will need to meet the 'basic conditions'
- xii. there is currently no sound or up-to date Plan against which the Mid Cherwell Neighbourhood Plan could be prepared. Despite this, the Cherwell Local Plan is at a very advanced stage in the Plan making process, and therefore its strategy and evidence should provide the strategic context for neighbourhood planning.

#### Officer Consideration

- 3.34 Unless there are valid and reasonable reasons the Council should designate the proposed Neighbourhood Area. If the Council considers the area not to be appropriate it must issue a refusal notice, explaining why, and then designate a revised Neighbourhood Area to include some or all of the originally proposed area.
- 3.35 This is an unusual area application. As the specified area comprises 11 parishes and includes the district's largest strategic development site, the desirability of designation requires particularly careful consideration.

#### *The specified area*

- 3.36 The combined land area of the 11 parishes is approximately 7,800 hectares, roughly 13% of Cherwell District (58,876 ha). The area applied for covers the central part of the District. The combined population of the 11 parishes (2011 Census) is 7065.
- 3.37 The Former RAF Upper Heyford site lies in the centre of the area for which designation is sought. At over 500 hectares in area, it comprises a former RAF airfield and cold war airbase described by English Heritage as an 'internationally significant military landscape'. The base falls within three Parishes – Upper Heyford, Somerton and Ardley.
- 3.38 Former RAF Upper Heyford is designated as a Conservation Area, and contains Listed Buildings, Scheduled Ancient Monuments and land of ecological value. The site has significant heritage, environmental and transportation constraints. It has



permission for the construction of a new settlement including some 761 homes in addition to the 314 existing.

- 3.39 The specified area the subject of the application is one based on administrative parish boundaries rather than one based on alternative considerations such as those identified in the PPG and referred to above at para 3.17 (e). The area does not reflect settlement boundaries, specific catchment areas or community networks, nor does it represent a specific character area or wholly a business or residential area. The boundary of the area is not informed by specific infrastructure, physical or natural features. However the area has been defined by a group of parishes that are potentially affected by development at Former RAF Upper Heyford and have an interest in how approved development, and planned additional development, is implemented. In that regard, the proposal for a Neighbourhood Area that is based on an affected 'sphere of influence' is logical and coherent. The parishes will share an interest in the impact of development and how it might interrelate with their own needs, issues, constraints and opportunities.
- 3.40 It is also likely that the interest of individual parishes will have been a factor in defining the area. It is possible that other parishes further afield, that have not been included, will have some interest, and conversely it might be questioned whether the inclusion Duns Tew parish, which lies on the western side of the A4260 road, is consistent. It is also relevant to note that the proposed Neighbourhood area is a vast area with a total population that is greater than the average electoral ward population of about 5,500 cited in the PPG. However, the PPG refers to this as a 'useful starting point' and this does not in itself rule out an area with a larger population.
- 3.41 Overall, as a 'sphere of influence' the inclusion of the 11 parishes is considered to be reasonable. It is relevant that the PPG makes clear that town or parish councils may want to work together and propose that the designated neighbourhood area should extend beyond a single town or parish council's own boundaries. The application is proposed to facilitate collective working among the parishes and with the owner and developer of Former RAF Upper Heyford and its residents association.
- 3.42 Were the Executive minded to refuse the application, an alternative area would need to be designated. Designating individual parishes would, in this case, not provide for the collective working being proposed. Excluding the Former RAF Upper Heyford site from the Neighbourhood Area would still allow for a collective approach among the parishes but would remove the principal reason for the joint working. Local Plan Part 2 would provide an alternative mechanism for collective working but the application expresses the local support for progressing a Neighbourhood Plan and the NPPF makes clear that local planning authorities should facilitate neighbourhood planning.

#### *Wider significance of the proposal*

- 3.43 As in the 'Daws Hill' case, in some regards the planning and development of the Former RAF Upper Heyford site raises issues of wider and district significance. The concerns of Gladman Developments about the 'vast scale' and strategic implications of the proposal are noted. Issues such as employment at the Heyford site, secondary school provision and transportation impacts do raise wider community and stakeholder interests than represented by the 11 parishes. For example, Bicester is approximately 5.5 km away from Former RAF Upper Heyford,

Stoke Lyne Parish about 1km and Souldern Parish approximately 1.7 km away. Delivering the housing planned for in the modified Submission Local Plan is of district significance. However, guidance from Cherwell District Council, appropriate consultation and stakeholder involvement would ensure that these wider issues and interests (for example, Oxfordshire County Council, Bicester Vision and Bicester Chamber of Commerce) are properly represented and fully considered.

- 3.44 The referendum into the Neighbourhood Plan, following Examination, may need to be undertaken over a larger area than the Neighbourhood Area itself. However the examiner will advise on this, and although there would be a larger administrative task, this is not considered to be an insurmountable concern.

#### *Local Policy Context*

- 3.45 Former RAF Upper Heyford is the subject of saved Structure Plan Policy (Policy H2 of the Oxfordshire Structure Plan 2016) (see para 3.47 below). The policy provides for a new settlement of about 1000 homes (gross) and necessary supporting infrastructure as a means of enabling environmental improvements and the heritage interest of the site as a military base with Cold War associations to be conserved, compatible with achieving a satisfactory living environment.
- 3.46 The saved policies of the adopted Cherwell Local Plan 1996 provide a categorisation of villages. This was updated through the Non-Statutory Cherwell Local Plan 2011.
- 3.47 The modified Submission Cherwell Local Plan 2011-2031 is at a very advanced stage having been the subject of Examination Hearings in December 2014. An Inspector's report is expected in Spring 2015. Depending on the view of the Inspector, the Submission Cherwell Local Plan proposes the replacement of saved policy H2.
- 3.48 Former RAF Upper Heyford is proposed as strategic allocation within the modified Submission Local Plan (as Policy Villages 5: Former RAF Upper Heyford) for the development 1,600 new homes in addition to the 761 (net) already permitted (giving a total of 2,361) and 120,000 sqm of employment land. The additional 1,600 homes proposed includes the development of some land outside the existing curtilage of the base and therefore affects some land beyond the current control of the site's owner, the Dorchester Group.
- 3.49 The modified Submission Local Plan also includes a draft strategic policy (Villages 2) for 'distributing growth across the rural areas'. The policy states,

*"A total of 750 homes will be delivered at Category A villages. This will be in addition to the rural allowance for small site 'windfalls' and planning permissions for 10 or more dwellings as at 31 March 2014.*

*Sites will be identified through the preparation of the Local Plan Part 2, through the preparation of Neighbourhood Plans where applicable, and through the determination of applications for planning permission..."*

- 3.50 The Category A villages in the Submission Local Plan are: Adderbury, Ambrosden, Arncott, Begroke, Bletchington, Bloxham, Bodicote, Chesterton, Cropredy, Deddington, Finmere, Fringford, Fritwell, Hook Norton, Kidlington, Kirtlington,

Launton, Milcombe, Sibford Ferris / Sibford Gower, Steeple Aston, Weston-on-the-Green, Wroxton and Yarnton.

- 3.51 Whilst draft policy Villages 2 makes clear that there are criteria to be considered, the indicative pro-rata figure for the above 23 villages would be approximately 32-33 homes per village.
- 3.52 Of the parishes the subject of the area application, only three - Kirtlington, Steeple Aston, Fritwell are proposed to be Category A villages and therefore potentially required to contribute to the requirements of policy Villages 2.
- 3.53 As in the 'Daws Hill' case (see para. 3.18-3.20 above), the proposed Neighbourhood Area would include a large strategic development site; the district's largest site at over 500 hectares. Involving, as it does, the construction of a now enlarged new settlement, the site is of strategic importance in terms of conservation, transportation and housing delivery. This raises questions as to whether i) the inclusion of the site would interfere with the Council's strategic planning function and ii) whether the proposed Neighbourhood Area raises issues of more than local importance that would be more appropriately considered and consulted upon at a strategic level?
- 3.54 Local Plan Part 1 is at an advanced stage with the Inspector's report due soon. Once the Local Plan Part 1 has been adopted it will establish a clear strategic framework for Former RAF Upper Heyford. It will also establish strategic direction for rural housing distribution. The issue of conformity with these strategic policies will be an issue for consideration through the preparation of the Neighbourhood Plan rather than designation of the Neighbourhood Area itself.
- 3.55 The NPPF makes clear that Neighbourhood Plan must reflect strategic policies and plan positively to support them. They should not promote less development than set out in the Local Plan or undermine its strategic policies. The PPG also advises that a neighbourhood plan can allocate additional sites to those in a Local Plan where this is supported by evidence to demonstrate need above that identified in the Local Plan. It also states that if a local planning authority is also intending to allocate sites in the same neighbourhood area the local planning authority should avoid duplicating planning processes that will apply to the neighbourhood area.
- 3.56 In view of the involvement of the Dorchester Group as owner and developer of the Former RAF Upper Heyford site, its representations made to the Local Plan Examination, and the desire of the parishes to avoid 'speculative and inappropriate development proposals', the Neighbourhood Plan may wish to explore a higher level of development at the Heyford site. However, Local Plan Part 1 will provide strategic parameters and the Council will have an opportunity as an adviser and consultee to comment on the Neighbourhood Plan process and proposals. Again, this is therefore considered to be an issue for the preparation of the Neighbourhood Plan rather than the area designation itself. Nevertheless, in view of the close involvement of the developer, the parishes will need to ensure that the non-designated Neighbourhood Planning Forum is constituted, and transparent processes are established, to avoid any conflict between the Dorchester Group's interests as a developer and those of the local communities which may not always be mutually compatible.

*Community Expectations*

- 3.57 The Daws Hill reasons for refusal included, *“To designate a Neighbourhood Area to include the full area in the application could unrealistically raise expectations as to the effectiveness of a Neighbourhood Plan in relation to the strategic development sites. The community and the Local Planning Authority cannot stop the submissions of planning applications and the likelihood is that a neighbourhood plan would be overtaken by events.”*
- 3.58 There is some difference here to the ‘Mid Cherwell’ case in that the main developer, the Dorchester Group, is part of the Forum and is seeking to cooperate with the Parish Councils. Although permission has been granted for some 761 homes, a further 1,600 homes are now proposed through the Local Plan which provides scope for community involvement. However, the need to provide the proposed 1,600 additional houses to meet district wide needs and the constraining influence of transportation, historic and environmental factors may prohibit significant deviation from the quantum of development presently proposed. The very specific heritage and environmental constraints will also constrain the locational flexibility for accommodating development.
- 3.59 Policy Villages 2 of the modified Submission Local Plan also necessarily limits the flexibility for rural housing distribution.
- 3.60 Nevertheless, at a non-strategic level there is scope for contributing a further level of detail to the policies in Local Plan Part 1 and for community involvement in how implementation is achieved.
- 3.61 Whilst the consultation on the Proposed Modifications to the Submission Local Plan from August to October 2014 and the Examination Hearings held in December 2014 provided an opportunity for participants to comment on the appropriateness and detail of the Council’s draft policies for Former RAF Upper Heyford (Policy Villages 5) and for rural housing distribution (policy Villages 2), there would be potential for further community and stakeholder input through Local Plan Part 2 (an item on this agenda). The proposed Neighbourhood Plan would provide the same opportunity.
- 3.62 The Statement of Common Ground agreed between the Council and the Dorchester Group for the Local Plan Examination states, *“The Council and the Dorchester Group, with other parties and statutory agencies, will work jointly to facilitate delivery of the approved development and additional growth. This will include the Council establishing a delivery forum to assist discussion between all the parties and local communities”* (para. 3.3, 3rd bullet point). The suggestion of a collective approach with community input has already therefore been recognised in terms of facilitating development at Former RAF Upper Heyford.

#### **4. Conclusion and Reasons for Recommendations**

- 4.1 The area application presented would, if approved, result in the designation of a ‘Mid-Cherwell’ Neighbourhood Area comprising the parishes of Ardley with Fewcott, Kirtlington, Duns Tew, Lower Heyford, Middleton Stoney, Somerton, Steeple Aston, Middle Aston, North Aston, Fritwell and Upper Heyford. For the reasons set out in section 3 of this report it is considered that the specified area would be coherent logical, notwithstanding the challenges of producing a Neighbourhood Plan for such an extensive area and including the district’s largest strategic development site – Former RAF Upper Heyford. The specified parishes represent a reasonable ‘sphere of influence’ on which to collectively base the plan, albeit with wider

community and stakeholder consultation and potentially a much wider referendum being required.

- 4.2 The Council has a statutory duty to provide advice or assistance to a parish council, neighbourhood forum or community organisation that is producing a neighbourhood plan. The PPG advises that local planning authorities must be proactive in providing information to communities about neighbourhood planning and constructively engage with the community throughout the process.
- 4.3 The involvement of 11 Parish Councils and the district's largest strategic development site means that this Neighbourhood Plan process will particularly require the close involvement of officers and regular reports to the Joint Management Team and to Members.

## **5.0 Consultation**

- 5.1 Informal Briefing: Cllr Michael Gibbard, Lead Member for Planning

## **6.0 Alternative Options and Reasons for Rejection**

- 6.1 The following alternative options have been identified and rejected for the reasons set out below.

Option 1 - to refuse to designate the proposed area, provide reasons and to designate an alternative area based on separately designating individual parishes

Option 2 - to refuse to designate the proposed area, provide reasons and to designate an alternative area based on removing the former RAF Upper Heyford site

- 6.2 Were the Executive minded to refuse the application, an alternative area would need to be designated. Designating individual parishes would, in this case, not provide for the collective working being proposed. Excluding the Former RAF Upper Heyford site from the Neighbourhood Area would still allow for a collective approach among the parishes but would remove the principal reason for the joint working. Local Plan Part 2 would provide an alternative mechanism for collective working but the application expresses the local support for progressing a Neighbourhood Plan and the NPPF makes clear that local planning authorities should facilitate neighbourhood planning.

## **7.0 Implications**

### **Financial and Resource Implications**

Work on assisting the Neighbourhood Planning process is to be met within existing budgets. Designation of a Neighbourhood Area qualifies the Council for limited grant support from DCLG.

Comments checked by: Paul Sutton, Head of Finance and Procurement, 0300-003-0106, [Paul.Sutton@cherwellandsouthnorthants.gov.uk](mailto:Paul.Sutton@cherwellandsouthnorthants.gov.uk)

## Legal Implications

The determination of this area application is a requirement of the Town and Country Planning Act 1990 (as amended) and associated regulations.

Upon final adoption of a Neighbourhood Plan, the plan becomes part of the statutory Development Plan for the area and must be considered in the determination of relevant applications for planning permission.

Comments checked by: Nigel Bell, Team Leader – Planning, 01295 221687  
[Nigel.Bell@cherwellandsouthnorthants.gov.uk](mailto:Nigel.Bell@cherwellandsouthnorthants.gov.uk)

## 8.0 Decision Information

### Key Decision - No

**Financial Threshold Met** No

**Community Impact Threshold Met:** Yes

### Wards Affected

Kirtlington, The Astons and Heyfords, Caversfield, Ambrosden and Chesterton

### Links to Corporate Plan and Policy Framework

- Accessible, Value for Money Council
- District of Opportunity
- Safe and Healthy
- Cleaner Greener

### Lead Councillor

Councillor Michael Gibbard - Lead Member for Planning

### Document Information

Appendix No	Title
Appendix 1	Mid Cherwell Neighbourhood Area Application Representations
Appendix 2	
<b>Background Papers</b>	
None	
<b>Report Authors</b>	Adrian Colwell – Head of Strategic Planning and the Economy David Peckford, Planning Policy Team Leader
<b>Contact Information</b>	<a href="mailto:Adrian.colwell@cherwellandsouthnorthants.gov.uk">Adrian.colwell@cherwellandsouthnorthants.gov.uk</a> ; 03000030110 <a href="mailto:david.peckford@cherwell-dc.gov.uk">david.peckford@cherwell-dc.gov.uk</a> 01295 221841

Friday, 08 August 2014

Head of Strategic Planning  
Cherwell District Council  
Bodicote House  
Bodicote  
Banbury  
Oxon  
OX15 4AA

**BY EMAIL AND POST**

Dear Sir

**Mid-Cherwell – Application for Designation of a Neighbourhood Plan Area**

I am writing on behalf of Ardley with Fewcott Parish Council as the lead-parish responsible for the submission of an application designation of a neighbourhood area in accordance with Part 2 Paragraph 5 of the Neighbourhood Planning (General) Regulations 2012, for a consortium of Parish Councils and other interested parties, as listed below:

- Kirtlington Parish Council
- Duns Tew Parish Council
- Lower Heyford Parish Council
- Middleton Stoney Parish Council
- Somerton Parish Council
- Steeple Aston Parish Council
- Middle Aston Parish Council
- North Aston Parish Council
- Ardley with Fewcott Parish Council
- Fritwell Parish Council
- Upper Heyford Parish Council
- Heyford Park Residents' Association
- Dorchester Group, as both the owners of the former RAF Upper Heyford Site, and to represent the business community that constitutes part of Heyford Park

This application includes and makes the following statements:

- a) A map that defines the area and boundary of the Neighbourhood Area – enclosed.
- b) A statement explaining why this area is considered appropriate as a neighbourhood area; and
- c) A statement that the organisation or body making the area application is a relevant body for the purposes of section 61G of the 1990 Act.

## STATEMENT IN SUPPORT OF APPLICATION FOR DESIGNATION OF NEIGHBOURHOOD AREA.

The proposed Neighbourhood Area, referred to as the Mid-Cherwell Neighbourhood Plan Area, is identified on the enclosed plan. The extent of the Neighbourhood Area reflects the commitment and desire from the partner Parish Council's and Residents' Association, as well as the Land Owner of the former RAF Upper Heyford Air Base, to participate in the preparation of a Neighbourhood Plan. The Mid-Cherwell Neighbourhood Planning Forum is working together to agree precise Terms of Reference in order to decide upon the exact process that will be used to formulate the Neighbourhood Plan document, but all the individual organisations listed above are committed to the idea that the proposed Neighbourhood Area is coherent and logical.

The M40 to the East and the A4260 to the west represent obvious boundaries to the Neighbourhood Area, although in the case of the A4260, the parishes of Duns Tew, North Aston, Middle Aston and Steeple Aston extend slightly beyond the A4260. These geographical features give a sense of coherency to the boundary area that has been identified.

The rural setting of the Mid-Cherwell Neighbourhood Area represents a collection of communities and Parishes that occupy a distinctive area of the Cherwell District. Located within the proposed Neighbourhood Area is the former RAF Upper Heyford site, now known as Heyford Park. This brownfield site has a land area of approximately 500 hectares and the New Settlement Area of 1,075 dwellings (together with associated works and facilities including employment uses, community uses, a school, playing fields and other physical and social infrastructure), and therefore represents a substantial development within the Neighbourhood Area. The site also has the benefit of a Free School that provides primary, secondary and sixth form provision. The Free School opened in September 2013 and has proved very popular not only with those who live at Heyford Park, but also with many of the Parishes identified within the boundary area particularly at Secondary level. This compliments the pre-existing primary provision in the villages of Fritwell, Steeple Aston and Kirtlington, who also provide for the majority of Parishes within the boundary.

Heyford Park, both now and in the future, acts as anchor to the surrounding rural settlements by providing services and facilities to meet every day needs, as well being the only strategic employment location outside of the main towns of Bicester and Banbury. Consequently the parishes and communities identified within the boundary area that has been submitted are more logically likely to enter Heyford Park to access key amenities rather than traveling to Bicester, Kidlington, Banbury or Chipping Norton.

The 11 Parish Councils which form the Neighbourhood Plan area all have close functional relationships to the only major location for development outside of Bicester and Banbury, the former RAF Upper Heyford site. Consequently, as opportunities for further development at the former RAF Upper Heyford site are explored and identified, each of the Parish Council's will be affected, both in terms of the availability and accessibility of services and facilities on this site, which will reduce the need to travel further afield, as well as in terms of the associated impacts that additional development at the former RAF Upper Heyford site would bring.

By including both the Parish Councils and the Dorchester Group in the Neighbourhood Planning Forum that we wish to be designated, a method of collaborative working will be established with the aim of ensuring that future development proposals meet the aspirations of the Parish Council's and other community groups in the locality, and that the development is sensitive to its surroundings.

As a rural location, all of the members of the Neighbourhood Planning Forum are committed to ensuring that the quality and character of the local communities is maintained and where possible enhanced, whilst working jointly to respond appropriately to opportunities for growth as the District seeks to address its future development requirements. Through the Neighbourhood Plan process,



the partner Parish Council's will seek to ensure that the majority of new development is directed to the Upper Heyford Site in order to protect the rural communities from speculative and inappropriate development proposals which, if approved, would result in the degradation of these rural communities and result in unsustainable patterns of development.

This approach is consistent with the principles of Neighbourhood Planning as enshrined in the Coalition Government's Localism Act 2011 and it is a core planning principle, established in the National Planning Policy Framework (Paragraph 17) that planning should be "*genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive future of the area*".

This is particularly relevant in the context of the rural areas of the District. The Submission Local Plan does not allocate specific sites within villages, it confirms (paragraph C.217) that the suitability of individual sites will be considered through work on a Local Neighbourhoods Development Plan Document or, where appropriate, through the preparation of Neighbourhood Plans. The Submission Local plan recognises that Neighbourhood Plans provide an opportunity for local community to play an active role in deciding how future development should be accommodated.

Once designated, the Mid-Cherwell Neighbourhood Planning Forum will collectively work together to ensure that future development in the newly created Neighbourhood area is appropriately directed to a preferred location to preserve the intrinsic quality and character of the rural communities within the Neighbourhood.

#### RELEVANT BODY STATUS

As the lead-Parish in the application for the Neighbourhood Designation Area, Ardley with Fewcott Parish Council is a Relevant Body within the terms of Section 61G(2)(2) of the 1990 Act.

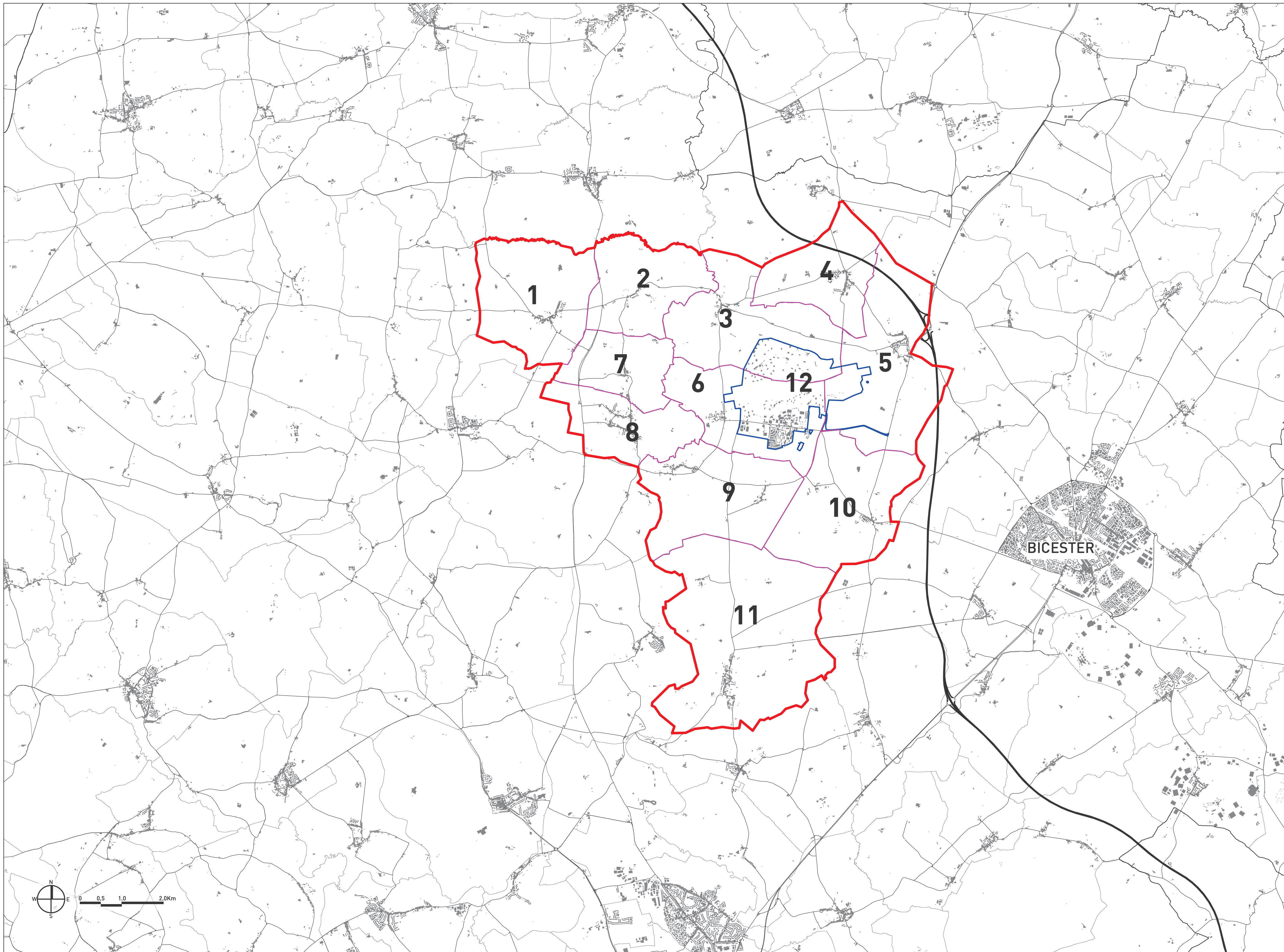
This application is made with the full support of the Parish Council's which form the Neighbourhood Area, as well as Dorchester Group as the owners of the former RAF Upper Heyford site.

The Mid-Cherwell Neighbourhood Planning Forum will establish clear Terms of Reference in order to create and maintain strong working relationships amongst the various organisations involved, as well as Dorchester Group as Land Owner of the former RAF Upper Heyford site. The Planning Forum also intends to work positively with the District Council so that the Neighbourhood Plan that is prepared is sound and fully compliant.

Yours faithfully

**Cllr Ian Corkin**  
**Ardley with Fewcott Parish Council**





KEY

- Heyford Park Site
- Mid-Cherwell Neighbourhood Plan Designation Area

- 1 Duns Tew
- 2 North Aston
- 3 Somerton
- 4 Fritwell
- 5 Ardley
- 6 Upper Heyford
- 7 Middle Aston
- 8 Steeple Aston
- 9 Lower Heyford
- 10 Middleton Stony
- 11 Kirtlington
- 12 Heyford Park



[REDACTED]

---

**From:** Chris Gaskell [REDACTED]  
**Sent:** 12 September 2014 08:01  
**To:** Planning Policy  
**Subject:** Mid-Cherwell Neighbourhood Plan Area Application

Kate,

I refer to your message below in respect of the above topic / locations and I can confirm that, at this present time, I have no comments to make.

Regards,

[REDACTED]  
Chris Gaskell  
Network Investment Engineer

Scottish and Southern Energy Power Distribution | 1 Woodstock Road, Yarnton, Kidlington, Oxfordshire, OX5 1NY, UK.

[REDACTED]  
[www.ssepd.co.uk](http://www.ssepd.co.uk)

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→ Think green. Do you really need to print this email?



From: "Planning Policy" <Planning.Policy@Cherwell-DC.gov.uk>  
To: <Undisclosed recipients:>  
Date: 10/09/2014 16:12  
Subject: Mid-Cherwell Neighbourhood Plan Area Application

---

Dear Sir / Madam

**Neighbourhood Area Application – Mid Cherwell, Cherwell District**

Cherwell District Council has received an application for the designation of the following parishes as a Neighbourhood Area to be known as 'Mid Cherwell':

- Kirtlington Parish
- Duns Tew Parish
- Lower Heyford Parish
- Middleton Stoney Parish
- Somerton Parish
- Steeple Aston Parish
- Middle Aston Parish
- North Aston Parish

- Ardley with Fewcott Parish
- Fritwell Parish
- Upper Heyford Parish

The application has been made by Ardley with Fewcott Parish Council as lead parish for a consortium of parish councils, the Dorchester Group and Heyford Park Residents Association, under Regulation 5 of The Neighbourhood Planning (General) Regulations 2012. The application can be viewed on-line at: <http://www.cherwell.gov.uk/neighbourhoodplanning/> or at the District Council's offices at Bodicote House, Banbury.

The application is advertised for representations as to whether there is any reason why the District Council should not make the area designation.

Representations can be made in writing to the Head of Strategic Planning and the Economy, Cherwell District Council, Bodicote House, Banbury, OX15 4AA, or by email to [planning.policy@cherwell-dc.gov.uk](mailto:planning.policy@cherwell-dc.gov.uk) no later than 23 October 2014.

The application is the first formal step in preparing a Neighbourhood Development Plan and seeks designation of a group of parishes as the Neighbourhood Area. A Neighbourhood Development Plan is a community-led framework for guiding the future development, regeneration and conservation of an area. Those preparing plans are required to undertake Community and stakeholder consultation

The Plan must comply with European and national legislation, have appropriate regard to national policy and be in general conformity with strategic local planning policy. The Plan will be subject to an independent examination and a referendum. Upon completion, the Neighbourhood Development Plan will become part of the statutory development plan for the area.

Please do not hesitate to contact me if you have any questions.

Yours sincerely

Kate Gordon  
Planning Officer

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By email: [planning.policy@cherwell-dc.gov.uk](mailto:planning.policy@cherwell-dc.gov.uk)

Our reference: 756

12 September 2014

Dear Sir/Madam,

**Re: Neighbourhood Area Application – Mid Cherwell, Cherwell District**

Thank you for inviting the Marine Management Organisation (MMO) to comment on the above consultation. I can confirm that the MMO has no comments on this consultation as the geographical area it covers does not include any area of the sea or tidal river and is therefore not within our remit.

If you have any questions or need any further information please just let me know. More information on the role of the MMO can be found on our website [www.gov.uk/mmo](http://www.gov.uk/mmo)

Yours sincerely



Angela Gemmill  
Relationship Manager

E [stakeholder@marinemanagement.org.uk](mailto:stakeholder@marinemanagement.org.uk)

[REDACTED]

---

**From:** Meera Loader [REDACTED]  
**Sent:** 15 September 2014 08:54  
**To:** Planning Policy  
**Cc:** Nicola Mathers  
**Subject:** FW: Neighbourhood Area Application - Mid Cherwell, Cherwell District

Dear Kate,

We have received your notification of an application for the designation certain parishes as a Neighbourhood Area to be known as 'Mid Cherwell'. Whilst it is not appropriate for Cabe to comment on individual applications we do encourage all forums and town and parish councils to put design at the heart of their plans and offer the following advice and support. Please do forward to your applicant.

Neighbourhood planning is a great opportunity to shape how your local area will change over time; using local knowledge to help address local issues whilst protecting the things that make your place special. Design can help you achieve this and we offer the following advice, based on our experience of supporting hundreds of planning documents across England.

### **1. Tell the story of your place**

Telling the story helps everyone understand how the unique character of your area shapes the priorities for the future. Summarise the important history of your area; what have been the physical, economic, environmental and social influences? Describe who lives, works and visits here and what draws them here. Highlight the qualities and distinguishing features including individual buildings and spaces, views and the feel of the place. Explain how the place works including traffic and transport, jobs, schools, shopping, community facilities, green spaces and homes. Highlight how your place relates to neighbouring areas. Focus on the issues that are important locally and the opportunities for change.

### **2. Set the agenda**

Be clear about what your vision is for your neighbourhood area for the period of your plan. Be positive and proactive about the future. What will it look and feel like? How will you have tackled problem issues? Who, how, when and where will you deliver the priority actions? Be explicit about how your expectations for the design quality of new or refurbished buildings and spaces. Think strategically – look at how different topics such as transport, public spaces, shops, jobs, housing support each other and what solutions and policies can impact on more than one issue.

### **3. Say it clearly**

A good neighbourhood plan is written in language that people can understand. This can be a challenge for any planning document. Be clear, concise and use plain English. Tell a compelling story prioritising the important issues. Using maps, graphics and photos can help make the plan much easier to read and understand. Maps can illustrate information about the neighbourhood such as demographics, land uses and priority areas. Graphics can express ideas. Photos can highlight the special qualities of your place.

Cabe can support you in the development of your neighbourhood plan. We can help at any stage of the project from project planning, creating your vision, how to articulate your aspirations for design quality in new development to policy writing and evidence gathering. We offer qualified experts in your region in planning, housing, traffic and transport, high streets, community engagement, heritage, economics, public space, sustainability and mediation with key organisations.

Please have a [look at our brochure](#) for how we can help you. We can develop a package specifically for your project to meet your budget, that compliments the skills and knowledge you already have in your team.

If you have any questions please do get in touch, we'd be happy to hear from you.

Best wishes,  
Nicola

---

**From:** Planning Policy [<mailto:Planning.Policy@Cherwell-DC.gov.uk>]  
**Sent:** 12 September 2014 15:12  
**Subject:** Neighbourhood Area Application - Mid Cherwell, Cherwell District

Dear Sir / Madam

### Neighbourhood Area Application – Mid Cherwell, Cherwell District

Cherwell District Council has received an application for the designation of the following parishes as a Neighbourhood Area to be known as 'Mid Cherwell':

- Kirtlington Parish
- Duns Tew Parish
- Lower Heyford Parish
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- Steeple Aston Parish
- Middle Aston Parish
- North Aston Parish
- Ardley with Fewcott Parish
- Fritwell Parish
- Upper Heyford Parish

The application has been made by Ardley with Fewcott Parish Council as lead parish for a consortium of parish councils, the Dorchester Group and Heyford Park Residents Association, under Regulation 5 of The Neighbourhood Planning (General) Regulations 2012. The application can be viewed on-line at: <http://www.cherwell.gov.uk/neighbourhoodplanning/> or at the District Council's offices at Bodicote House, Banbury.

The application is advertised for representations as to whether there is any reason why the District Council should not make the area designation.

Representations can be made in writing to the Head of Strategic Planning and the Economy, Cherwell District Council, Bodicote House, Banbury, OX15 4AA, or by email to [planning.policy@cherwell-dc.gov.uk](mailto:planning.policy@cherwell-dc.gov.uk) no later than 23 October 2014.

The application is the first formal step in preparing a Neighbourhood Development Plan and seeks designation of a group of parishes as the Neighbourhood Area. A Neighbourhood Development Plan is a community-led framework for guiding the future development, regeneration and conservation of an area. Those preparing plans are required to undertake Community and stakeholder consultation

The Plan must comply with European and national legislation, have appropriate regard to national policy and be in general conformity with strategic local planning policy. The Plan will be subject to an independent examination and a referendum. Upon completion, the Neighbourhood Development Plan will become part of the statutory development plan for the area.

Please do not hesitate to contact me if you have any questions.

Date: 16 September 2014  
Our ref: 131950  
Your ref: Neighbourhood Area Application – Mid Cherwell



Kate Gordon  
Public Protection & Development Management  
Cherwell District Council  
Bodicote House  
Bodicote  
Banbury  
Oxfordshire  
OX15 4AA

Sustainable Development  
Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6JC

T 0300 060 3900

**BY EMAIL ONLY**

Dear Ms Gordon,

**Neighbourhood Area Application – Mid Cherwell, Cherwell District**

Thank you for notifying Natural England of/requesting information in respect of your Neighbourhood Planning Area dated 12/09/2014

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in neighbourhood planning. We must be consulted on draft Neighbourhood Development Plans where the Town/Parish Council or Neighbourhood Forum considers our interests would be affected by the proposals. We must be consulted on draft Neighbourhood Development Orders and Community Right to Build Orders where proposals are likely to affect a Site of Special Scientific Interest or 20 hectares or more of Best and Most Versatile agricultural land. We must also be consulted on Strategic Environmental Assessments, Habitats Regulations Assessment screening and Environmental Impact Assessments, where these are required. Your local planning authority will be able to advise you further on environmental requirements.

The following is offered as general advice which may be of use in the preparation of your plan.

Natural England, together with the Environment Agency, English Heritage and Forestry Commission has published joint advice on neighbourhood planning which sets out sources of environmental information and ideas on incorporating the environment into plans and development proposals. This is available at: <http://publications.environment-agency.gov.uk/PDF/GEHO0212BWAZ-E-E.pdf>

Local environmental record centres hold a range of information on the natural environment. A list of local records centre is available at: <http://www.nbn-nfbr.org.uk/nfbr.php>

Protected landscapes

If your neighbourhood planning area is within or adjacent to a National Park or Area of Outstanding Natural Beauty (AONB), we advise that you take account of the relevant National Park/AONB Management Plan for the area. For Areas of Outstanding Natural Beauty, you should seek the views of the AONB Partnership.



National Character Areas (NCAs) divide England into 159 distinct natural areas. Each is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. Their boundaries follow natural lines in the landscape rather than administrative boundaries, making them a good decision making framework for the natural environment.

<http://www.naturalengland.org.uk/publications/nca/default.aspx>

#### Protected species

You should consider whether your plan or proposal has any impacts on protected species. To help you do this, Natural England has produced standing advice to help understand the impact of particular developments on protected or Biodiversity Action Plan species should they be identified as an issue. The standing advice also sets out when, following receipt of survey information, you should undertake further consultation with Natural England.

[Natural England Standing Advice](#)

#### Local Wildlife Sites

You should consider whether your plan or proposal has any impacts on local wildlife sites, eg Site of Nature Conservation Importance (SNCI) or Local Nature Reserve (LNR) or whether opportunities exist for enhancing such sites. If it appears there could be negative impacts then you should ensure you have sufficient information to fully understand the nature of the impacts of the proposal on the local wildlife site.

#### Best Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services (ecosystem services) for society, for example as a growing medium for food, timber and other crops, as a store for carbon and water, as a reservoir of biodiversity and as a buffer against pollution. It is therefore important that the soil resources are protected and used sustainably. Paragraph 112 of the National Planning Policy Framework states that:

*'Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality'.*

General mapped information on soil types is available as 'Soilscapes' on the [www.magic.gov.uk](http://www.magic.gov.uk) and also from the LandIS website; <http://www.landis.org.uk/index.cfm> which contains more information about obtaining soil data.

#### Opportunities for enhancing the natural environment

Neighbourhood plans and proposals may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment, use natural resources more sustainably and bring benefits for the local community, for example through green space provision and access to and contact with nature.

Opportunities to incorporate features into new build or retro fitted buildings which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes should also be considered as part of any new development proposal.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again at [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

James Hughes  
Sustainable Development Consultation Team

[REDACTED]

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**From:** Marquiss Sally (NHS Property Services) [REDACTED]  
**Sent:** 17 September 2014 08:56  
**To:** Planning Policy  
**Subject:** FW: Neighbourhood Area Application - Mid Cherwell, Cherwell District

Dear Kate

Can you please advise if there are any plans for this yet and whether or not there are any health facilities within the proposed areas.

We would like to be kept informed as this progresses.

Thank you

**Sally Marquiss** | Operational Commissioning and Projects Manager  
South Region (North)

**NHS Property Services Ltd**

St Martin's Hospital, Clara Cross Lane, Bath BA2 5RP

[REDACTED]

@NHSPROPERTY | [www.property.nhs.uk](http://www.property.nhs.uk)

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**From:** Planning Policy [mailto:Planning.Policy@Cherwell-DC.gov.uk]  
**Sent:** Thursday, September 11, 2014 3:15 PM  
**To:** Ausareny Aneta (NHS Property Services)  
**Subject:** Neighbourhood Area Application - Mid Cherwell, Cherwell District

**Neighbourhood Area Application – Mid Cherwell, Cherwell District**

Cherwell District Council has received an application for the designation of the following parishes as a Neighbourhood Area to be known as 'Mid Cherwell':

- Kirtlington Parish
- Duns Tew Parish
- Lower Heyford Parish
- Middleton Stoney Parish
- Somerton Parish
- Steeple Aston Parish
- Middle Aston Parish
- North Aston Parish
- Ardley with Fewcott Parish
- Fritwell Parish
- Upper Heyford Parish

The application has been made by Ardley with Fewcott Parish Council as lead parish for a consortium of parish councils, the Dorchester Group and Heyford Park Residents Association, under Regulation 5 of The Neighbourhood Planning (General) Regulations 2012. The application can be viewed on-line at: <http://www.cherwell.gov.uk/neighbourhoodplanning/> or at the District Council's offices at Bodicote House, Banbury.

The application is advertised for representations as to whether there is any reason why the District Council should not make the area designation.

Representations can be made in writing to the Head of Strategic Planning and the Economy, Cherwell District Council, Bodicote House, Banbury, OX15 4AA, or by email to [planning.policy@cherwell-dc.gov.uk](mailto:planning.policy@cherwell-dc.gov.uk) no later than 23 October 2014.

The application is the first formal step in preparing a Neighbourhood Development Plan and seeks designation of a group of parishes as the Neighbourhood Area. A Neighbourhood Development Plan is a community-led framework for guiding the future development, regeneration and conservation of an area. Those preparing plans are required to undertake Community and stakeholder consultation

The Plan must comply with European and national legislation, have appropriate regard to national policy and be in general conformity with strategic local planning policy. The Plan will be subject to an independent examination and a referendum. Upon completion, the Neighbourhood Development Plan will become part of the statutory development plan for the area.

Please do not hesitate to contact me if you have any questions.

Yours sincerely

Kate Gordon  
Planning Officer

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NHS Property Services Ltd, 451C Skipton House, 80 London Road, London SE1 6LH, Registered in England, No: 07888110

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NHS Property Services Ltd, 451C Skipton House, 80 London Road, London SE1 6LH, Registered in England, No: 07888110

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[REDACTED]

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**From:** Alan Hedges [REDACTED]  
**Sent:** 03 October 2014 12:28  
**To:** Planning Policy  
**Cc:** Sue Muir  
**Subject:** Neighbourhood Area Application – Mid Cherwell, Cherwell District  
**Attachments:** Neighbourhood Planning advice from RTPI.docx

Dear Sir or Madam

We have some questions about the proposed Mid Cherwell area Neighbourhood Plan

I write on behalf of:

- Sue Muir, a Somerton parish councillor and
- myself, Alan Hedges, a resident of Upper Heyford village who has been involved in advising the Upper Heyford Parish Council about the threat of new development on the former RAF Upper Heyford site.

We also have the support of a group of Upper Heyford village residents.

We are in principle in favour of parishes developing Neighbourhood Plans, either individually or (as in this case) collectively.

Nevertheless there are features that concern us about the present application. These revolve round the very close involvement of a developer, The Dorchester Group, owner of the former RAF site, in the proposed plan. While developers, like any other local organisations or individuals, clearly have an important role in providing input to a Neighbourhood Plan we were concerned that in this case the developer was not only funding the Neighbourhood Plan (NP), but also proposing to act as a principal in the NP process, and indeed taking a controlling role in its procedures. It struck us and a number of our colleagues that this violates the important principle that someone with a direct financial interest should not be a full partner in a statutory decision-making process which relates directly to that interest.

We were sufficiently concerned to take expert advice on the matter. Sue Muir had correspondence with Kat Salter, Planning Advisor from Planning Aid England at the Royal Town Planning Institute. I attach a Word file containing the full texts of two emails from Planning Aid England, dated 8th August (Item A) and 1st September (Item B). Kat Salter was briefed about the situation at the outset by Sue Muir, and sent a copy of the letter of application submitted to yourselves by Ardley with Fewcott as lead parish.

The advice from Planning Aid England in both emails was that this application would not be acceptable for reasons they spell out, but mainly related to the developer's role. Kat Salter raised a number of interesting points - including the possibility of judicial challenge from other developers who might argue that Dorchester were getting preferential access to development decision-making.

Upper Heyford Parish Council also sought advice from Mike Gilbert, an independent Oxfordshire planning consultant, and his view was very similar, the conclusion again being that this would

not run.

We had also come to the same conclusion ourselves from your Neighbourhood Planning Protocol booklet.

We were therefore surprised that you seemed to accept the application without demur. We would be grateful to hear your responses to the points raised in the Planning Aid emails, and to the observations we have made above.

Yours faithfully

Sue Muir

Alan Hedges



P Please consider the environment before printing this email. Thank you

Item A

**From:** Kat Salter [REDACTED]

**Sent:** 08 August 2014 12:23

**To:** 'Sue Muir'

**Subject:** RE: Neighbourhood Planning advice

Hi Sue,

Thanks for your email.

This document will have no weight as the area is entirely Parished. The Government has recently published National Planning Practice Guidance which explicitly states that 'In a designated neighbourhood area which contains all or part of the administrative area of a town or parish council, the town or parish council is responsible for neighbourhood planning.' The developer (or any other organisation such as the residents association) would therefore not be accepted as a body to lead neighbourhood planning in an area that is Parished. Furthermore a Neighbourhood Forum cannot be established in Parished areas. Further information is available here: <http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/who-leads-neighbourhood-planning-in-an-area/> If you did decide to proceed with a neighbourhood plan in this area the application could only be submitted by the 11 Parishes that make up the area and you would have to identify a lead Parish. The residents group and developers can then be involved in the process of developing the neighbourhood plan (as can everyone else within the area) but they cannot lead it.

As I have said neighbourhood planning is a right that communities can take up and there is nothing in legislation that says Parish Councils must develop a neighbourhood plan. Furthermore, in a multi-Parished area all Parishes must sign a consent form indicating that they wish to be included. It is for you to decide whether to give your consent.

The document identifies terms of reference for the neighbourhood plan and it is unclear how this strategy has been arrived at. As I advised your colleague Jo the neighbourhood plan will need to be based on robust evidence and the policies and approach justified. I therefore do not see how you can have identified the growth and distribution strategy without reviewing the evidence, the Policy context and seeking the views of the community.

I would advise that you speak to the Local Planning Authority and discuss your concerns with the Planning Officers. They will also be able to advise on the other methods you can use to engage with the developers and ways in which you can shape the development of the strategic site.

Kind regards,  
Kat

**Kat Salter**  
**Planning Advisor**  
Planning Aid England  
Royal Town Planning Institute  
41 Botolph Lane



London  
EC3R 8DL  
Tel: 0203 206 1884  
[www.rtpi.org.uk/planningaid](http://www.rtpi.org.uk/planningaid)

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**Item B**

**From:** Kat Salter [REDACTED]  
**Sent:** 01 September 2014 10:49  
**To:** 'Sue Muir'  
**Subject:** RE: Re Heyford Park

Dear Sue,

Apologies for the delay in providing you with this additional information.

I have asked colleagues whether they can provide any examples of terms of reference between Parish Councils who are developing / have produced a neighbourhood plan. The best example is Upper Eden as this neighbourhood plan was produced by 17 Parish Councils. However, their supporting statement is quite short:

<http://uecp.org.uk/wp-content/uploads/2012/05/Upper-Eden-NDP-Area-Application.pdf>

I note that the draft terms of reference below is similar to the version you sent me on the 8<sup>th</sup> August and I have reattached my original response.

I would advise that you seek legal advice on the process and legal implications of a developer funding the neighbourhood plan. It is vital that independence is maintained between the neighbourhood plan and those with an interest in land within the area and in order to maintain this independence a separate independent fund may need to be established. I would advise that you discuss this with the Local Planning Authority as this process could be challenged by others (for example other developers) by way of Judicial Review of the Plan.

Planning Aid England have produced briefing notes which explain the various tools and mechanisms communities can use to engage in the planning system:

<http://www.rtpi.org.uk/media/686803/Existing-Tools-for-Neighbourhood-Planning.pdf>

<http://www.rtpi.org.uk/media/687360/Statutory-Tools.pdf>

<http://www.rtpi.org.uk/media/686914/Non-Statutory-Tools.pdf>

Cherwell District Council are currently consulting on main modifications to the Local Plan and this provides an opportunity for you to put forward any comments and / or concerns. In the document it is identified that the Former RAF base at Upper Heyford is a strategic site that will deliver 2361 homes over the Plan period. As discussed, I would advise you to discuss the proposed development with the LPA in order to identify what further



opportunities there will be for the local communities to influence the future development of this site, for example, will it be supported a masterplan, Area Action Plan or Supplementary Planning document?

[http://www.cherwell.gov.uk/media/pdf/l/i/Proposed Main Modifications Part 1 of 2.pdf](http://www.cherwell.gov.uk/media/pdf/l/i/Proposed_Main_Modifications_Part_1_of_2.pdf)

One of the basic conditions against which neighbourhood plans are assessed in general conformity with the adopted Local Plan. I would advise you to discuss with the LPA whether the proposed development of Upper Heyford is considered to be a strategic policy and what influence a neighbourhood plan would be able to have over the future development of this site. We have seen examples of LPAs excluding strategic sites from proposed neighbourhood plan areas and I would advise that you discuss whether Cherwell are likely to adopt this approach.

I understand that you are concerned that your fellow Parish Councils do not fully understand the neighbourhood planning process. Please feel free to forward on my advice. I would also suggest that you seek a meeting with the LPA and ask the officers to explain to all of the Parish Councils the neighbourhood planning process, the limitations of the neighbourhood planning approach and the other mechanisms and processes available for you to influence the future development of your area and the proposed redevelopment of the former RAF air base.

I hope that you find this information useful,

Kind regards,  
Kat

**Kat Salter**  
**Planning Advisor**  
Planning Aid England  
Royal Town Planning Institute  
41 Botolph Lane  
London  
EC3R 8DL  
Tel: 0203 206 1884  
[www.rtpi.org.uk/planningaid](http://www.rtpi.org.uk/planningaid)



The Coal  
Authority



INVESTOR IN PEOPLE

200 Lichfield Lane  
Berry Hill  
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Nottinghamshire  
NG18 4RG  
DX: 716177 Legal Mansfield 5

Telephone: 01623 637 119 (Planning Enq)

Email: [planningconsultation@coal.gov.uk](mailto:planningconsultation@coal.gov.uk)

Web: [www.coal.decc.gov.uk/services/planning](http://www.coal.decc.gov.uk/services/planning)

Kate Gordon  
Planning Policy  
Cherwell District Council  
[BY EMAIL ONLY: [planning.policy@cherwell-dc.gov.uk](mailto:planning.policy@cherwell-dc.gov.uk) ]

13 October 2014

Dear Ms Gordon

### Mid Cherwell Neighbourhood Plan – Consultation on Plan Area

Thank you for the email of the 10 September 2014 consulting The Coal Authority on the above.

The Coal Authority is a non-departmental public body which works to protect the public and the environment in coal mining areas. Our statutory role in the planning system is to provide advice about new development in the coalfield areas and also protect coal resources from unnecessary sterilisation by encouraging their extraction, where practical, prior to the permanent surface development commencing.

As you will be aware the Mid Cherwell group of parishes is outside of the defined coalfield and therefore The Coal Authority has **no specific comments** to make on the definition of the Neighbourhood Plan Area.

In the spirit of ensuring efficiency of resources and proportionality it will not be necessary to provide The Coal Authority with any future drafts or updates to the emerging Neighbourhood Plan. This letter can be used as evidence for the legal and procedural consultation requirements.

The Coal Authority wishes the Parish Council consortium every success with the preparation of the joint Neighbourhood Plan.

Yours sincerely

  
**Miss Rachael A. Bust** *B.Sc.(Hons), MA, M.Sc., LL.M., AMIEnvSci., MInstLM, MCMI, MRTPI*  
Chief Planner / Principal Manager



# ENGLISH HERITAGE

## SOUTH EAST

Head of Strategic Planning and the Economy  
Cherwell District Council  
Bodicote House  
Banbury, OX15 4AA

Our ref: HD/P5352/02/PC1  
Your ref:  
Telephone 01483 252040  
Fax

16<sup>th</sup> October 2014

Dear Sir or Madam,

### **Proposed Mid-Cherwell Neighbourhood Plan Area**

Thank you for your e-mail of 10<sup>th</sup> September giving notice that the Council has received an application for the designation of a number of parishes as a Neighbourhood Area to be known as "Mid Cherwell" under Regulation 5 of the Neighbourhood Planning (General) Regulations 2012.

English Heritage has no objection to the proposed Area application. However, we are a little surprised to see that the Dorchester Group is part of the consortium that will prepare the Plan if this is to be a community-led plan.

We would like to take the opportunity of your consultation to raise the following issues setting out the support English Heritage is able to offer in relation to Neighbourhood Plans.

Research has clearly demonstrated that local people value their heritage<sup>1</sup> and Neighbourhood Plans are a positive way to help them manage it. English Heritage wants to support you in helping communities protect what they care about.

English Heritage is expecting that as Neighbourhood Planning Fora such as the consortium for Mid-Cherwell come to you to seek advice on preparing Neighbourhood Plans they will value advice on how best to understand what heritage they have and assistance on preparing appropriate policies.

Information held by the Council and used in the preparation of your Core Strategy/ Local Plan is often the starting point for Neighbourhood Plans. Other useful information may be available from the Historic Environment Record Centres or local environmental and amenity groups. English Heritage also publishes a wide range of relevant guidance. Links to these can be found in the appendix to this letter.

Cont'd

<sup>1</sup> English Heritage, *Heritage Counts*, 2008

Plan preparation also offers the opportunity to harness a community's interest in the historic environment by getting them to help add to the evidence base, perhaps by creating and or reviewing a local heritage list, inputting to the preparation of conservation area appraisals and undertaking historic characterisation surveys.

English Heritage has a statutory role in the development plan process and there is a duty on either you as the Local Planning Authority or the Neighbourhood Planning Forum to consult English Heritage on any Neighbourhood Plan where our interests are considered to be affected (as well as a duty to consult us on all Neighbourhood Development Orders and Community Right to Build Orders, and on the Sustainability Appraisal/Strategic Environmental Assessment for the Plan if one is necessary).

English Heritage will target its limited resources efficiently. We will directly advise on proposals with the potential for major change to significant, nationally important heritage assets and their settings. Our local offices may also advise communities where they wish to engage directly with us, subject to local priorities and our capacity.

Of course the nature of the locally-led neighbourhood plan process is that the community itself should determine its own agenda based on the issues about which it is concerned. At the same time, as a national organisation able increasingly to draw upon our experiences of neighbourhood planning exercises across the country, our input, agreed on a case by case basis, can help those communities reflect upon the special (heritage) qualities which define their area to best ensure that optimum and sustainable outcomes are achieved.

To this end information on our website might be of initial assistance  
<http://www.english-heritage.org.uk/caring/get-involved/improving-your-neighbourhood/>

Should you wish to discuss any points within this letter, or if there are issues about this particular Neighbourhood Plan Area where the historic environment is paramount, please do not hesitate to contact me.

Could I respectfully ask that you please copy this response to Ardley-with-Fewcott Parish Council for the information of the consortium of which it is the lead parish.

Thank you.

Yours faithfully,



Martin Small  
Historic Environment Planning Adviser (Bucks, Oxon, Berks, Hants, IoW, South Downs and Chichester)  
E-mail: [martin.small@english-heritage.org.uk](mailto:martin.small@english-heritage.org.uk)

## Appendix

**The National Heritage List for England:** a full list with descriptions of England's listed buildings: <http://list.english-heritage.org.uk>

**Heritage Gateway:** includes local records of historic buildings and features  
[www.heritagegateway.org.uk](http://www.heritagegateway.org.uk)

**Heritage Counts:** facts and figures on the historic environment <http://hc.english-heritage.org.uk>

<http://www.english-heritage.org.uk/caring/get-involved/improve-your-neighbourhood/>  
information on neighbourhood planning and the historic environment .

**HELM (Historic Environment Local Management)** provides accessible information, training and guidance to decision makers whose actions affect the historic environment.  
[www.helm.org.uk](http://www.helm.org.uk) or [www.helm.org.uk/communityplanning](http://www.helm.org.uk/communityplanning)

**Heritage at Risk** programme provides a picture of the health of England's built heritage alongside advice on how best to save those sites most at risk of being lost forever.  
<http://www.english-heritage.org.uk/caring/heritage-at-risk>

**Placecheck** provides a method of taking the first steps in deciding how to improve an area.  
<http://www.placecheck.info/>

**The Building in Context** Toolkit grew out of the publication 'Building in Context' published by EH and CABE in 2001. The purpose of the publication is to stimulate a high standard of design when development takes place in historically sensitive contexts. The founding principle is that all successful design solutions depend on allowing time for a thorough site analysis and character appraisal of context. <http://building-in-context.org/toolkit.html>

**Knowing Your Place** deals with the incorporation of local heritage within plans that rural communities are producing,  
<http://www.english-heritage.org.uk/publications/knowing-your-place/>

**Planning for the Environment at the Neighbourhood Level** produced jointly by English Heritage, Natural England, the Environment Agency and the Forestry Commission gives ideas on how to improve the local environment and sources of information.  
<http://publications.environment-agency.gov.uk/PDF/GEHO0212BWAZ-E-E.pdf>

**Good Practice Guide for Local Heritage Listing** produced by English Heritage uses good practice to support the creation and management of local heritage lists. <http://www.english-heritage.org.uk/caring/listing/local/local-designations/local-list/>

**Understanding Place** series describes current approaches to and applications of historic characterisation in planning together with a series of case studies  
<http://www.helm.org.uk/server/show/nav.19604>

**Oxford Character Assessment Toolkit** can be used to record the features that give a settlement or part of a settlement its sense of place  
<http://www.oxford.gov.uk/PageRender/decP/CharacterAppraisalToolkit.htm>

EASTGATE COURT 195-205 HIGH STREET GUILDFORD SURREY GU1 3EH

Telephone 01483 252000 Facsimile 01483 252001

[www.english-heritage.org.uk](http://www.english-heritage.org.uk)

Please note that English Heritage operates an access to information policy.  
Correspondence or information which you submit to us may therefore become publicly available





[REDACTED]

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**From:** Jane Hennell [REDACTED]  
**Sent:** 21 October 2014 15:04  
**To:** Planning Policy  
**Subject:** Mid Cherwell Neighbourhood plan designation  
**Attachments:** Mid cherwell NP.docx

Dear Sir

Please find our comments in relation to the designation of the mid Cherwell Neighbourhood Plan Area. If this designation is agreed we look forward to working closely with the Parish Council consortium in the future.

Kind regards

Jane Hennell  
Area Planner South

The Canal & River Trust  
The Dock Office  
Commercial Road  
Gloucester  
GL1 2EB

[REDACTED]

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The Canal & River Trust is a new charity entrusted with the care of 2,000 miles of waterways in England and Wales. Get involved, join us - Visit / Donate / Volunteer at [www.canalrivertrust.org.uk](http://www.canalrivertrust.org.uk)

Canal & River Trust is a charitable company limited by guarantee registered in England & Wales with company number 7807276 and charity number 1146792. Registered office address First Floor North, Station House, 500 Elder Gate, Milton Keynes MK9 1BB.

Elusen newydd yw Glandŵr Cymru sy'n gofalu am 2,000 o filltiroedd o ddyfrffyrdd yng Nghymru a Lloegr. Cymerwch ran, ymunwch â ni - Ewch i Rhoddion a Gwirfoddoli yn [www.glandwrcymru.org.uk](http://www.glandwrcymru.org.uk)

Mae Glandŵr Cymru yn gwmni cyfyngedig drwy warant a gofrestrwyd yng Nghymru a Lloegr gyda rhif cwmni 7807276 a rhif elusen gofrestredig 1146792. Swyddfa gofrestredig: First Floor North, Station House, 500 Elder Gate, Milton Keynes MK9 1BB.

The Canal & River Trust is a company limited by guarantee and registered as a charity. It is separate from government but still the recipient of a significant amount of government funding.

The Trust has a range of charitable objects including:

- To hold in trust or own and to operate and manage inland waterways for public benefit, use and enjoyment;
- To protect and conserve objects and buildings of heritage interest;
- To further the conservation, protection and improvement of the natural environment of inland waterways; and
- To promote sustainable development in the vicinity of any inland waterways for the benefit of the public.

Thank you for consulting us on the Mid Cherwell Neighbourhood Plan Designation. The Oxford Canal runs through the middle part of the plan area, affecting several parishes. We consider that the Oxford Canal can contribute to the vision and aims of the Neighbourhood Plan.

The canal & River trust consider the canals are multi-functional. The multi-functional roles of the waterways include: an agent of or catalyst for regeneration; a contributor to water supply and transfer, drainage and flood management; a tourism, cultural, sport, leisure and recreation resource; a heritage landscape, open space and ecological resource; sustainable modes of transport; and routes for telecommunications; supporting climate change, carbon reduction and sustainability. These multi-functional roles can support a vision and the aspirations for the area.

Several of our structures within the Neighbourhood Plan Area are Grade II listed and the Canal is a designated Conservation Area.

There are visitor moorings at various points in the area.

Our aspirations for our infrastructure within the neighbourhood plan area could include: towpath and access enhancements; biodiversity projects; water quality improvements; waterway wall repairs; mooring enhancements; bridge and lock repairs; installing bank protection; angling enhancements etc.

It is hoped these comments are of assistance and we look forward to commenting on future consultations in due course.

Strategic Planning  
Cherwell District Council  
Bodicote House  
Bodicote  
Banbury  
Oxon  
OX15 4AA

(Representations submitted by email to [planning.policy@cherwell-dc.gov.uk](mailto:planning.policy@cherwell-dc.gov.uk))

23<sup>rd</sup> October 2014

**Re: Mid Cherwell – Application for Neighbourhood Area Designation**

Dear Sirs,

Gladman Developments specialise in the promotion of strategic land for residential development with associated community infrastructure. This letter provides Gladman's representations on the application made for the designation of a Neighbourhood Area, for Mid Cherwell, for the purposes of preparing a Neighbourhood Development Plan.

Neighbourhood Plan Area

Gladman note that the proposed Neighbourhood Plan Area covers 11 Parish Areas. Gladman are concerned by and object to the vast extent of the proposed neighbourhood plan area. Gladman contend that it is not appropriate for a neighbourhood plan to cover 11 Parishes such as this.

Whilst Gladman note that a statement explaining why the area is considered appropriate to be designated as a neighbourhood area has been submitted to the local planning authority (as required by the regulations), Gladman do not consider the rationale within this justifies the vast scale of the proposed area. In fact if anything this demonstrates the intentions of the neighbourhood plan which are contrary to national policy.

This statement outlines that *"Through the Neighbourhood Plan process, the partner Parish Council's will seek to ensure that the majority of new development is directed to the Upper Heyford Site in order to protect the rural communities from speculative and inappropriate development proposals which, if approved, would result in the degradation of these rural communities and result in unsustainable patterns of development."* Gladman object to this statement, neighbourhood plans should not be used as a mechanism to restrict development in this manner. This statement in itself



outlines the clear intentions of the Parish Council's preparing this neighbourhood plan, which seeks to prevent development within these rural settlements by directing the majority of development to the Upper Heyford site.

Gladman contend that the settlements in these rural Parishes will have their own housing needs and the neighbourhood plan should not be used as a means to direct development away from these settlements to the Upper Heyford site. The proportion of housing growth to be directed to Upper Heyford (proposed through the Cherwell Local Plan) does not relate to addressing the needs of these rural settlements and as such they will require their own degree of sustainable housing growth. Sustainable Development in these rural settlements is essential in order to ensure they remain or become vibrant and thriving places to live, providing a good quality of life to their residents.

Gladman strongly disagree with the justification statement outlined previously, which infers that development in these rural settlements will result in unsustainable patterns of development. This is a blanket assumption and is not true. Gladman remind the Council of the need to consider the three dimensions of sustainable development, as outlined in paragraph 7 of the Framework. Gladman contend that development within these rural communities is needed and would conform to current national policy. The Planning Practice Guidance reinforces the approach of the Framework, stressing the importance that the Government attaches to the role of housing in supporting the broader sustainability of villages and smaller settlements. In the section entitled "*How do local authorities support sustainable rural communities?*" it makes clear that all settlements can play a role in delivering sustainable development in rural areas and that blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided (unless supported by robust evidence).

Gladman strongly object to the proposal to designate this area for the purpose of a neighbourhood plan. This is wholly inappropriate and has clearly been derived in order to prevent any development from coming forward within these rural settlements. Sustainable housing growth in these areas is necessary and would conform to national policy. The Framework is clear that neighbourhood plans should not be used to restrict development; they are required to plan positively for new development enabling sufficient growth to come forward in order to meet the needs of the area.

#### Neighbourhood Plans - Guidance and Legislation

Notwithstanding the above objection to the proposed neighbourhood plan area designation, as the first formal stage of preparing a Neighbourhood Plan, Gladman would like to take the opportunity to highlight a number of key requirements to which the development of the emerging Neighbourhood Plan should have regard. If this neighbourhood plan area designation is accepted and plan preparation proceeds (which Gladman strongly believe should not happen) Gladman wish to participate in the Neighbourhood Plan's preparation and to be notified of further developments and consultations in this regard.

The National Planning Policy Framework (The Framework) sets out the Government's planning policies for England and how these are expected to be applied. In doing so it sets out requirements for the preparation of neighbourhood plans and the role these should take in setting out policies for the local area. The guidance set out in the Framework has now been supplemented by the recently published Planning Practice Guidance (PPG) on Neighbourhood Plans.

Paragraph 16 of the Framework sets out the positive role that Neighbourhood Plans should play in meeting the development needs of the local area. Its states that:

*“The application of the Presumption (In Favour of Sustainable Development, set out in paragraph 14 of Framework) will have implications for how communities engage in neighbourhood planning. Critically it will mean that neighbourhoods should:*

- Develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development;*
- Plan positively to support local development, shaping and directing development in their area that is outside of the strategic elements of the Local Plan”*

Further guidance on the relationship between Neighbourhood Plans and strategic policies for the wider area set out in a Council’s Local Plan is included in paragraph 184 of the Framework:

*“The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood Plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date plan is in place as quickly as possible. Neighbourhood Plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood Plans...should not promote less development than set out in the Local Plan or undermine its strategic policies”.*

Before a Neighbourhood Plan can proceed to referendum it must be tested against the Neighbourhood Plan Basic Conditions, set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 and further detailed in paragraph 065 of the Neighbourhood Plan PPG. These Basic Conditions are:

- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan*
- b) Having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order*
- c) Having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order*
- d) The making of the neighbourhood plan contributes to the achievement of sustainable development*
- e) The making of the neighbourhood plan is in general conformity with the strategic policies contained within the development plan for the area of the authority*
- f) The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations*
- g) Prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan*

If a Neighbourhood Plan is not developed in accordance with the Neighbourhood Plan Basic Conditions there is a real risk that it will fail when it reaches Independent Examination.

#### Relationship with Local Plans

To meet the requirements of the Framework and the Neighbourhood Plan Basic Conditions, Neighbourhood Plans should be prepared to conform to up-to-date strategic policy requirements set out in Local Plans. Where an up-to-date Local Plan has been adopted and is in place for the wider authority area, it is the strategic policy requirements set out in this document that a Neighbourhood Plan should seek to support and meet. When a Local Plan is emerging or is yet to be found sound at

Examination, there will be lack of certainty over what scale of development a community must accommodate or the direction the policies in the Neighbourhood Plan should take.

Although the Neighbourhood Plan section of the PPG indicates that Neighbourhood Plans can be advanced before an up-to-date Local Plan is in place, Gladman would strongly question the ability to progress a Neighbourhood Plan on this basis. If a Neighbourhood Plan is progressed prior to an up-to-date Local Plan being prepared, or the strategic policies and development requirements set out in an emerging Local Plan change, then the work on the Neighbourhood Plan is likely to be abortive. A Neighbourhood Plan cannot be consistent with the requirements of the Framework or the meet the Neighbourhood Plan Basic Conditions if it is progressed on a development plan that is out-of-date.

The Cherwell Local Plan was submitted for Examination on the 31st January 2014, and is currently going through the Examination process. Following the conclusion of the initial hearings in June 2014, the inspector suspended the examination due to his findings that the submitted plan housing requirement did not reflect the most up-to-date objective assessment of needs, that was instead provided by the 2014 Oxfordshire SHMA. The Council are now in the process of revising the submitted strategy in order to deliver the full requirements set out in the 2014 SHMA. Gladman Developments have actively taken part in the ongoing Examination of the Cherwell Local Plan, and note that hearings are scheduled to resume in December 2014.

There is currently no sound or up-to date Plan against which the Mid Cherwell Neighbourhood Plan could be prepared. Despite this the Cherwell Local Plan is at a very advanced stage in the Plan making process, and therefore its strategy and evidence should provide the strategic context for neighbourhood planning within the local planning authority.

#### Neighbourhood Plan Policies and Proposals

In accordance with the Neighbourhood Plan Basic Conditions, Neighbourhood Plan policies should align with the requirements of the Framework and the wider strategic policies for the area set out in the Council's Local Plan. Neighbourhood Plans should provide a policy framework that complements and supports the requirements set out in these higher-order documents, setting out further, locally-specific requirements that will be applied to development proposals coming forward.

The Framework is clear that Neighbourhood Plans cannot introduce policies and proposals that would prevent development from going ahead. They are required to plan positively for new development, enabling sufficient growth to take place to meet the strategic development needs for the area. Policies that are clearly worded or intended to place an unjustified constraint on further sustainable development taking place would not be consistent with the requirements of the Framework or meet the Neighbourhood Plan Basic Conditions.

Communities should not seek to include policies in Neighbourhood Plans that have no planning basis or are inconsistent with national and local policy obligations. Proposals should be appropriately justified by the findings of a supporting evidence base and must be sufficiently clear to be capable of being interpreted by applicants and decision makers. Policies and proposals should be designed to add value to policies set out in Local Plan and national guidance, as opposed to replicating their requirements. The community should liaise with the Council's planning team to seek advice on the appropriateness of the Neighbourhood Plan's proposals.

#### Sustainability Appraisal/Strategic Environmental Assessment

The preparation of a Neighbourhood Plan may fall under the scope of the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations) that require a Strategic Environmental Assessment (SEA) to be undertaken where a Plan's proposals would be likely to have significant environmental effects. The requirement to undertake an SEA will be dependent on a Neighbourhood

Plan's proposals, but is likely to be necessary where a Plan is proposing specific allocations or site designations.

In accordance with Schedule 1 of the SEA Regulations, a Screening Assessment of a Neighbourhood Plan's proposals should be completed to assess whether an SEA must be prepared. Where an SEA is required this should be commenced at the earliest opportunity, alongside the preparation of the emerging Neighbourhood Plan, to ensure the Neighbourhood Plan's proposals have been properly considered through the SEA process, and appropriately justified against other reasonable alternatives. Where an adequate SEA has not been undertaken a Neighbourhood Plan is unlikely to meet the Neighbourhood Plan Basic Conditions.

Although Neighbourhood Plans do not require a Sustainability Appraisal (SA) of their proposals, preparing an SA can help to show how a Neighbourhood Plan will contribute to the achievement of sustainable development, a Neighbourhood Plan Basic Condition. Where an SEA is required, extending this assessment to the preparation of an SA is unlikely to require significant additional input.

The Council's planning team will be able to advise on the likely need for an SEA of the Neighbourhood Plan's proposals. To be compatible with EU obligations, further appraisals, such as a Habitats Regulations Assessment, may also be required depending on local circumstances.

Should you have any queries in relation to our response please do not hesitate to contact us.

Yours faithfully

Nicole Penfold  
Gladman Developments

## Cherwell District Council

### Executive

7 April 2015

<p style="text-align: center;"><b>Neighbourhood Planning: Hook Norton Neighbourhood Plan Examiner's Report</b></p>
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### Report of Head of Strategic Planning and the Economy

This report is public

#### **Purpose of report**

The Hook Norton Neighbourhood Plan (HNNP) has now been examined by an appropriately qualified independent Examiner who has produced a report with recommendations for modifications. Cherwell District Council as the Local Planning Authority is required to consider the recommendations and to determine whether the Plan should proceed to a referendum and the area of the referendum.

This report presents the Neighbourhood Plan, the background to the Examination and the process followed. The report outlines the next stages in the process which includes the holding of a referendum. On completion the Neighbourhood Plan will become part of the Development Plan and decisions on planning applications will then be made in accordance with the Plan.

#### **1.0 Recommendations**

The meeting is recommended:

- 1.1 To approve the modifications to the HNNP in accordance with the Examiner's recommendations, and to authorise the issue of a decision statement to that effect;
- 1.2 To approve all of the Examiner's recommendation and modifications to enable the Plan to proceed to a referendum;
- 1.3 To approve the area for the referendum as recommended by the examiner to be the Hook Norton parish council area (which is the approved designated neighbourhood area) and that there will be no extension to the area.

#### **2.0 Introduction**

- 2.1 The designation of Hook Norton Parish Council as an area for neighbourhood planning was approved by the Executive on 3 June 2013. The designation was publicised on the Cherwell District Council website in accordance with the relevant Regulations.

- 2.2 A six week pre-submission consultation on the Draft Plan was undertaken by Hook Norton Parish Council between 18 November 2013 and 6 January 2014. The preparation of the Plan was undertaken by a Steering Group established by the Parish Council. It was based on extensive community consultation and input in accordance with the Regulations.
- 2.3 The Steering Group also produced a Sustainability Appraisal (SA) Report which incorporates a Strategic Environmental Assessment (SEA). The SA was also made available for comments and representations. The approach to public consultation is detailed in the Consultation Statement produced by the Parish Council. The Consultation Statement sets out all the responses received to the Pre-Submission Consultation draft.
- 2.4 Following the pre-submission consultation the Plan as well as the SA report were revised and submitted to the District Council on the 14 July 2014. The submitted HNNP was subsequently publicized for comments for six weeks from 11 September 2014 until 23 October 2014. An Examination of the Plan subsequently took place over February/March 2015. The Examiner's report has been received and he is satisfied that the HNNP would meet the prescribed 'basic conditions' subject to recommended modifications

### **3.0 Report Details**

#### **Submission**

- 3.1 The submitted Plan is attached as Appendix A to this report. Also submitted were the following supporting documents:
- Hook Norton Neighbourhood Plan 2014-2031 Consultation Statement, July 2014 (Appendix B)
  - Hook Norton Neighbourhood Plan 2014-2031 Basic Conditions Statement, July 2014 (Appendix C)
  - Hook Norton Neighbourhood Plan Sustainability Appraisal Report, Submission Version July 2014 (Appendix D)
- 3.2 The submitted HNNP was publicized for comments for six weeks from 11 September 2014 until 23 October 2014. A public notice was placed in the 11 September edition of the Banbury Guardian; letters were sent out to consultees on the local plan consultee database; and a form was produced for making comments. The Plan and supporting documents were also made available on the Council's website. A statement of representations provided details of where and when the Plan may be inspected; and details of how to make representations. Hard copies of the documents were made available at Bodicote House and at Hook Norton Library. The representations received were sent to the Parish Council and placed on the Council's website

#### **The Examination**

- 3.3 Under the neighbourhood planning legislation introduced by the Localism Act 2011 the appointed examiner must be;
- independent of the parish council
  - has no interest in any land that may be affected by the draft plan
  - has an appropriate qualification and experience.

- 3.4 Mr Richard High was appointed by Cherwell District Council, with the consent of Hook Norton Parish Council, to carry out the independent examination, through the Neighbourhood Planning Independent Examiner Referral Service (NPIERS). He has confirmed that he is independent of the Parish Council, has no interest in any land that may be affected by the Draft Plan and that he has appropriate qualification and experience. Mr High is a Chartered Town Planner with over 30 years' experience in local government, including 15 years as a Chief Planning Officer.
- 3.5 When considering the content of a neighbourhood plan proposal, an independent examiner's role is limited to testing whether or not a draft neighbourhood plan meets specified 'basic conditions'. Neighbourhood plans are not examined in the same manner as local plans produced by the LPA. The independent examiner is not testing the soundness of a neighbourhood plan or examining other material considerations.
- 3.6 When examining a neighbourhood plan, the Examiner is required to consider the following:
- a) whether the draft neighbourhood development plan meets the basic conditions as outlined in 3.7 below.
  - b) whether the draft neighbourhood development plan complies with the provisions made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004
  - c) whether the area for any referendum should extend beyond the neighbourhood area to which the draft neighbourhood development plan relates
  - d) whether the draft neighbourhood development plan is compatible with the European Convention on Human Rights
- 3.7 The draft neighbourhood development plan meets the basic conditions if:
- a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan
  - b) the making of the neighbourhood development plan contributes to the achievement of sustainable development
  - c) the making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area,
  - d) the making of the neighbourhood development plan does not breach, and is otherwise compatible with EU obligations.
- 3.8 Following the six weeks public consultation the plan and all of the supporting information and documents including copies of the representations on the post submission consultation (Appendix E) were sent to the Examiner.
- 3.9 The examination was conducted by written representations during February/March 2015. The Examiner did not consider that a public hearing was necessary in this case. Formal hearings maybe used in the interest of fairness, or where an issue needs to be discussed in more depth.
- 3.10 Under the legislation the examiner must make a report with recommendations, the reasons for them and a summary of findings, the report must recommend either:
- a. the draft plan is submitted to referendum,
  - b. modifications specified in the Examiner's report are made and the draft report as modified is submitted to referendum, or

c. the proposal is refused.

- 3.11 Modifications can only be those that the examiner thinks are needed to:
- a) make the plan conform to the basic conditions
  - b) make the plan compatible with the European Convention on Human Rights
  - c) make the plan comply with definition of an NDP and the provisions that can be made by a NDP or to correct errors.
- 3.12 If a recommendation to go to a referendum is made it must also be accompanied by a recommendation as to whether the area for the referendum should go beyond the neighbourhood, and if so what the extended area should be.
- 3.13 The Council and Hook Norton Parish Council were formally sent a copy of the Examiner's report (Appendix F) on the 12 March 2015. The examiner has recommended that the HNNP should proceed to a referendum subject to a number of modifications.
- 3.14 The Council is now required to consider the recommendations and to decide on what action to take.

#### **Examiner's Report**

- 3.15 The examiner has recommended that the HNNP should proceed to a referendum. The Examiner's findings are presented in his report (Appendix F). The recommended modification in relation to each of the policies have been extracted and displayed below the policy of the submitted plan (Appendix G)
- 3.16 The Examiner is satisfied that the HNNP subject to the recommended modifications would meet the four basic tests, that:
- a) It broadly complies with the provisions of National Planning Guidance, in particular the NPPF, and the PPG;
  - b) the Plan contributes to the achievement of sustainable development;
  - c) it is in is in general conformity with the strategic policies of the development plan for the area;
  - d) it does not breach and is otherwise compatible with European obligations.
- 3.17 On this basis, the Examiner is satisfied that the HNNP should proceed to the referendum. The Examiner has not recommended that the referendum area should be extended beyond the neighbourhood plan area.
- 3.18 In reaching his decision the Examiner recognized the following issues:
- that the Plan has been prepared in accordance with Sections 38A and 38B of the Town and Country Planning Act 1990 and the Neighbourhood Planning Regulations 2012;
  - that the plan was prepared in a difficult strategic context in the absence of an up to date local plan;
  - that the intention to achieve conformity with the emerging local plan has been complicated by modifications to that plan which increased the amount of housing being planned for in the District;
  - that there has been thorough engagement with the community throughout the process and the Plan reflects a strong consensus within the community about the main issues to be addressed.



- that the Sustainability Appraisal has helped in the development of the goals, objectives and policies that are included in the Plan. In this way it has helped to ensure that the policies in the Plan contribute to sustainable development. It has also been updated following the pre-submission consultation to take account of changes to the Plan in response to the consultation.

### **Proposed Modifications**

3.19 The key proposed modifications can be summarized as follows:

- The Examiner considered that Policy HN-H1 does not set any limits on the number of developments and so it could theoretically be capable of accommodating any number of dwellings. The recommended modification would permit proposals for up to 20 dwellings where it would not result in more than 20 dwellings being built at any one location.
- The examiner has recommended the deletion of Policy HN-COM3 which requires the LPA to consult with the Parish Council regarding the provision of Section 106 Agreements. It was considered as procedural and not related to the development and use of land.
- The deletion of the “Bell Public House” and “Brewery” from the table of locally valued resources. The Bell Public House was no longer in use as a public house and was being used as a photo copying shop ... it cannot now be regarded as a locally valued resource, particularly as there are 3 other public houses in the village. The Brewery is a manufacturing industry within Use Class B2, changes of use to other uses within use classes B1 and B2 would not be subject to planning control and, while it contains a café ... it cannot be regarded as a community resource in the same way as the other facilities in Table 1.
- The requirement in Policy HN – H4 for applicants to submit an objective assessment of housing need for Hook Norton was considered too onerous. The Examiner recommended its deletion and the insertion of ... “with any planning application a statement setting out how the proposed housing types, sizes and tenures comply with the most up to date Strategic Housing Market Assessment and Local Housing Needs Survey.”
- Recommended amendment to Policy HN – H5 to ensure that allocation of affordable housing takes into account Cherwell District Council’s Housing Allocation Scheme.

### **Proposed Actions**

#### *Decision Statement*

3.20 Subject to endorsement by the Executive of the recommendations the next step is to produce a ‘Regulation 18 decision statement’ in accordance with the Regulations to accept the recommendations. This should be published along with the examiner’s report on the CDC website. The decision statement and the report should also be made available at the CDC Offices and locations in Hook Norton. A period of 6 weeks should also be worked into the timetable for any possible legal challenges, from the date of publication of the statement. The Council is in any case required to

give 28 days' notice of a referendum. It should be noted that under the legislation where a LPA does not agree with the Examiner's recommendation then there would need to be another round of consultation including notifying all those on the consultation statement of the Parish Council.

- 3.21 Under Paragraphs 12(5) and (6) of Schedule 4B of the Town and Country Planning Act 1990 the LPA is responsible for making the modifications to the Plan to take into account the Examiner's recommended modifications and other minor updating and typographical corrections and publish before the Referendum. If the Parish Council is not happy with the proposed modifications then it has the option of withdrawing the Plan.

#### *Referendum*

- 3.22 The referendum must be undertaken in accordance with The Neighbourhood Planning (Referendums) Regulations 2012. There will be cooperation on this between Strategic Planning and Democratic and Elections Team. This stage requires a timetable to be drawn up for the referendum and the publication of an information statement with a requirement to publish and to give at least 28 days' notice of the Referendum. This information will also need to be made available on the website and at locations in Hook Norton.

- 3.23 The information statement prepared by the Council must include the following information:

- a) that a referendum will be held
- b) the date of the referendum
- c) the question to be asked (the question is set out in legislation – see note below)
- d) a map of the referendum area, which in Hook Norton's case will be the neighbourhood plan area as designated and recommended by the examiner)
- e) a description of those entitled to vote in each referendum
- f) the referendum expenses limit applicable and the number of people identified as entitled to vote on which the limit was calculated
- g) that the referendum will be conducted in accordance with procedures similar to those for local government elections, and
- h) the address and times at which a copy of the specified documents can be inspected.

- 3.24 The referendum question as set out in the Regulations will be:

**'Do you want Cherwell District Council to use the Neighbourhood Plan for Hook Norton to help it decide planning applications in the neighbourhood area?'**

- 3.25 Should more than half of the people who vote in the referendum vote in support of the question then the Executive would need to ratify the plan before it is made and publish this on the website.

- 3.26 Once the Plan is ratified by the LPA it would then form part of the Cherwell District Council's Development plan meaning that it becomes a material consideration in the determination of planning applications in Hook Norton.

## **4. Conclusion and Reasons for Recommendations**

- 4.1 The HNNP as recommended for modification by the Examiner would satisfy the basic conditions, the preparation has been in accordance with the legislation and it complies with the definition of a Neighbourhood Plan.
- 4.2 The Examiner's modifications involve additions and amendments which do not raise issues of major concern. The majority of the recommended modifications are intended to provide more clarity particularly in relation to compliance with the strategic policies of the submitted and examined Cherwell Local Plan. The Hook Norton neighbourhood plan as recommended for modification by the Examiner should therefore proceed to a referendum.

## **5.0 Consultation**

- 5.1 Cllr Michael Gibbard, Lead Member for Planning,  
Hook Norton Parish Council  
Hook Norton Neighbourhood Plan Team.

## **6.0 Alternative Options and Reasons for Rejection**

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below:

- Option One** Not to approve some of the Examiners recommendations and to proceed to a referendum. Where a LPA proposes to make a decision that differs from the Examiner's recommendation then there would need to be another round of consultation including notifying all those on the consultation statement of the Parish Council. This would take more time and would have cost implications.
- Option Two** Not to accept the examiner's report of recommendations and not to proceed to a referendum. This option can only be justified if the Examiner recommends that the Plan should not proceed to a referendum, or the Council is not satisfied that the plan has met the procedural and legal requirements.
- Option Three** To extend the area in which the referendum is to take place. Under the neighbourhood planning legislation the LPA cannot make a decision that differs from the Examiner's recommendation about the referendum area.
- Option Four** To adopt the course of action proposed in this report. This is consistent with both the Hook Norton Neighbourhood Plan, the Examiners proposed modifications and the Regulations that apply to Neighbourhood Plans.

## **7.0 Implications**

### **Financial and Resource Implications**

- 7.1 The costs of appointing the Examiner, undertaking the examination and the holding of the referendum are the responsibility of Cherwell District Council.
- 7.2 There have been costs associated with the preparation for and the undertaking of the examination mainly the examiner's fees and staff resources, which have been met from the CDC Planning Policy budget. The decision not to hold a hearing contributed to lower costs.
- 7.3 The preparation for and the undertaking of the referendum will require a significant amount of officer time from Planning Policy and the Democratic Elections team.
- 7.4 The elections team have estimated that the cost for the referendum will be approximately £3,000 in Hook Norton. The team will have to create brand new templates for every document poll cards (ordinary, postal and proxy), envelopes, postal packs etc.
- 7.5 However, as the Plan has been successful at examination the Council qualifies to claim the third phased payment of £20,000 from the DCLG Neighbourhood Planning Grant. This is to cover costs of the examination and any other further steps that may be needed for the neighbourhood plan to come into legal force, including the referendum. However, the payment is not dependent on pursuing the referendum route if both parties agree the neighbourhood plan could be taken forward as part of the local plan or as a supplementary planning document).
- 7.6 The Council have already taken the decision not to combine any referenda with the May elections.

Comments checked by:

Paul Sutton, Head of Finance and Procurement, 0300-003-0106

Paul.Sutton@cherwellandsouthnorthants.gov.uk

### **Legal Implications**

- 7.7 When completed the HNNP will become part of the Development Plan for Cherwell District council and become a 'material consideration' in the determination of planning applications in the Hook Norton Parish Council areas.
- 7.8 The HNNP has been prepared in accordance with the Town and Country Planning Act 1990 (as amended), the planning and Compulsory Purchase Act 2004, and has followed the Neighbourhood Planning Regulations 2012.

Comments checked by:

Nigel Bell, Team Leader – Planning, 01295 221687

Nigel.Bell@cherwellandsouthnorthants.gov.uk

### **Risk Management**

- 7.9 There is a risk that the Council's decision to proceed to a referendum may be legally challenged by a claim for judicial review. It is therefore important to follow

the regulations and to ensure that the council's decision making process is transparent.

- 7.10 There is also risk that the plan may fail to achieve the 50% support required at the referendum. However the plan has had strong community support and this risk is considered to be relatively low.

Comments checked by:

Nigel Bell, Team Leader – Planning, 01295 221687

Nigel.Bell@cherwellandsouthnorthants.gov.uk

## 8.0 Decision Information

**Key decision** No

**Financial Threshold Met** No

**Community Impact Threshold Met:** No

### Wards Affected

Hook Norton

### Links to Corporate Plan and Policy Framework

- Accessible, Value for Money Council
- District of Opportunity
- Safe and Healthy
- Cleaner Greener

### Lead Councillor

Councillor Michael Gibbard - Lead Member for Planning

### Document Information

Appendix No	Title
Appendix A	HNNP – Submitted Plan, July 2014
Appendix B	HNNP – Consultation Statement, July 2014
Appendix C	HNNP – Basic Conditions Statement, July 2014
Appendix D	HNNP – Sustainability Appraisal Report
Appendix E	HNNP – Rule 16 Representations to the Submitted Plan
Appendix F	HNNP – Examiners Report, March 2015
Appendix G	HNNP – Extract of Examiner's Recommended Modifications.
Background Papers	
None	
Report Author	Shukri Masseri, Planning Policy
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# Hook Norton Neighbourhood Plan 2014 -2031

Submission version

July 2014



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## 1. INTRODUCTION

### 1.1 Hook Norton & background to this Plan

Hook Norton has a long history and distinctive character. A settlement known as Hocneratune dates back to at least AD 922<sup>1</sup>, and the parish now has just over 2,000 residents<sup>2</sup>. It is one of the most western parishes in the Cherwell District, and is within the Ironstone belt of North Oxfordshire. The village is set in a countryside of hills and small valleys where fields are used mainly for pasture. Many springs arise and contribute to the tributaries of both the River Stour (north of the parish) and River Swere (south of the parish).

It was once a centre of the wool industry, and has supplied iron ore from local ironstone to the Brymbo Steel Company in Wales. The industry ceased after the Second World War. Similarly, Banbury and Cheltenham railway is also now closed down but parts of the construction remain, including two viaducts. The Brewery, which dates back to 1849, continues to provide employment. However, many residents travel long distances to work.

The village has retained a range of services and Hook Norton has a vibrant community. There is a strong local feeling that house prices are high and young people with Hook Norton connections are being forced to go elsewhere. Very recent development pressure has focussed the challenges of maintaining and enhancing a sustainable community, and the quality of the natural, built and historic environment. This Neighbourhood Plan has been prepared to help address the challenges.

### 1.2 Who and what is this Plan for

This Neighbourhood Plan has been prepared by Hook Norton residents under the provisions of the Localism Act of 2011 to guide the future development of Hook Norton. The Plan covers the period 2014 to 2031, with a review every five years. The end date of 2031 was selected to correspond with the Cherwell District Council Local Plan.

The Neighbourhood Plan covers Hook Norton Civil Parish area (shown on Fig 1 overleaf).

This is the Submission version of the Neighbourhood Plan. It is submitted to Cherwell District Council for approval to progress to examination. The next stage will then be for the Plan (with any modifications required by the Examiner) to progress to a referendum. A vote in favour at referendum stage means that the Neighbourhood Plan will then become part of the Development Plan for the area, against which any proposals for development will be assessed. In the lead up to the referendum, decision makers are expected to consider this Neighbourhood Plan as a material consideration in any development planning decisions.

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<sup>1</sup> Source: History of Hook Norton 912-1928, Margaret Dickens.. Pub. The Banbury Guardian 1928, reprinted Hook Norton Local History Society Group, 2009

<sup>2</sup> Source: Census 2011, Key Statistics. Population is 2,117

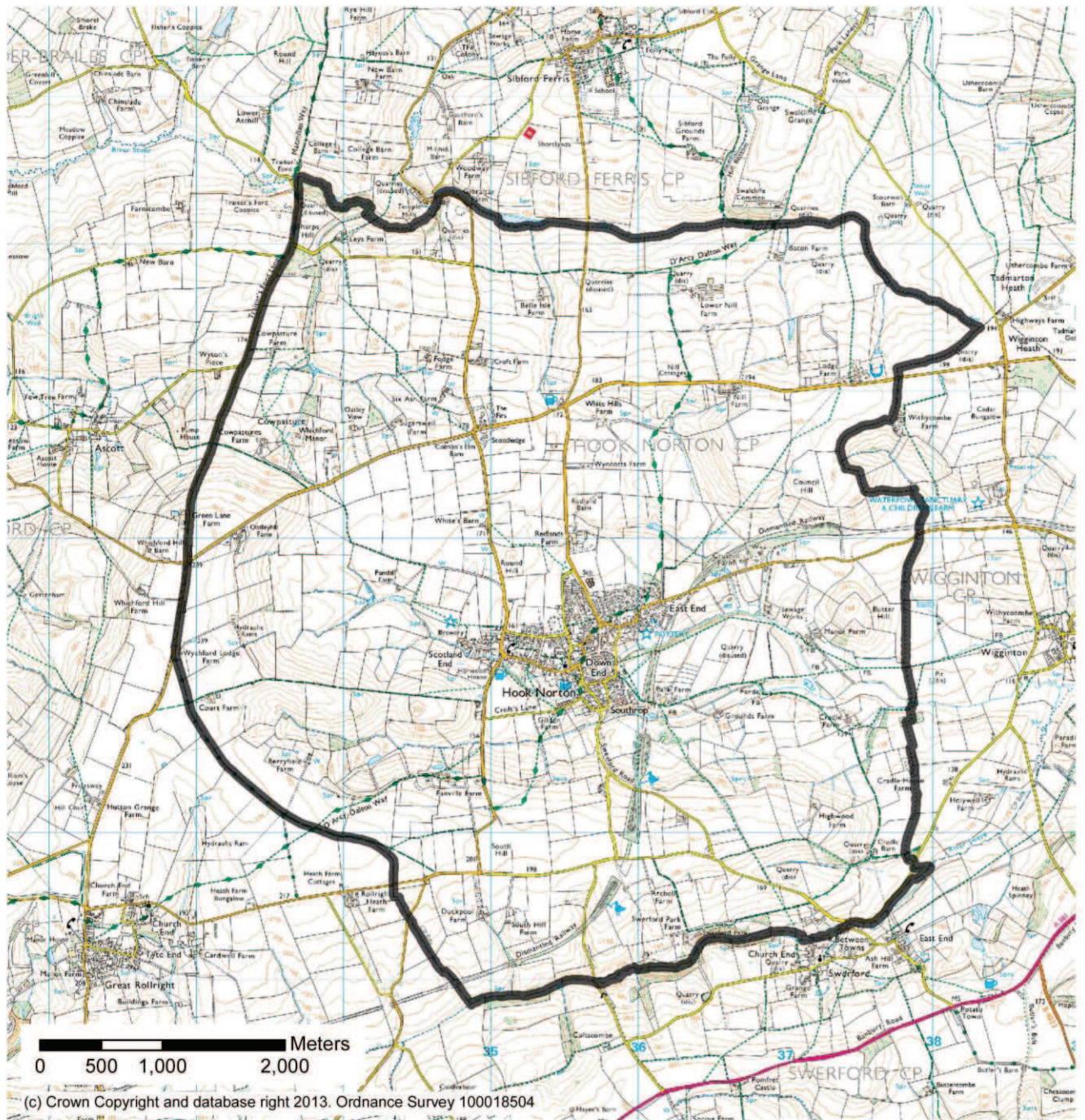


Fig 1 Civil Parish of Hook Norton



### 1.3 How does this plan fit with Cherwell District and National Plans

This Neighbourhood Plan provides locally focussed policies and actions to address matters identified as important to the local community, particularly where it is perceived that these matters are not being adequately addressed through existing planning policies.

The adopted Local Plan for the Cherwell District is the Cherwell Local Plan, 1996, from which many policies have been 'saved' for use until replaced by a new plan. Cherwell District Council has been working on a replacement for several years. There is a Non-Statutory Local Plan 2011 which was never adopted, and more recently the emerging Cherwell District policy is contained in the Cherwell Local Plan 2006-2031. This has been through public consultation and the Draft Submission Document was approved by Cherwell District Council in October 2013 for progression toward examination and adoption. Examination commenced in June 2014 and is scheduled to recommence in December 2014.

This Neighbourhood Plan has been prepared to be in general conformity with the adopted Local Plan of 1996 and the emerging policies of the proposed replacement, the Cherwell Local Plan 2006-2031<sup>3</sup>, together with the National Planning Policy Framework. The Neighbourhood Plan does not seek to repeat National or Cherwell policies but, where appropriate, to add local detail to those policies. The Neighbourhood Plan makes use of evidence gathered and prepared for the emerging Local Plan. It also takes account of National planning practice guidance.

### 1.4 How the plan was prepared

Local involvement and consultation is at the heart of neighbourhood planning. The Parish Council of Hook Norton started the process with a resolution in September 2012. A public meeting was held by the Parish Council to explain the concept and invite volunteers. From this, a Steering Group was formed primarily of non-Parish Council members as the Council considered it important that the Neighbourhood Plan was not simply seen as something produced by the Parish Council but was a community effort. The Parish Council formally registered with Cherwell District Council to become a Neighbourhood Area on 26 November 2012 and this was approved by Cherwell District Council on 3 June 2013.

The Steering Group used a range of methods to inform people about the Plan and its progress including the local newsletter delivered to each household, posters placed throughout the village, a dedicated Neighbourhood Plan website, emails and social media. Consultation roughly followed 5 stages and included various methods. These are summarised below:

- Identifying the issues – by questionnaire delivered through the Newsletter; two presentations and workshops advertised by posters and to which invitations were sent to representatives of local services, businesses, clubs and societies; and informal discussions such as at the Village Market
- Survey relating to key issues – commissioned from Oxfordshire Rural Community Council
- Consultation on goals and objectives, and potential sites – distributed through the Newsletter, plus two 'drop-in' style presentations
- Consultation on policies – 2 workshop style presentations with questionnaires
- Consultation on Pre-Submission version of the Neighbourhood Plan – in accordance with the requirements of paragraph 14 of the Neighbourhood Planning (General) Regulations 2012 and including consultees as advised by Cherwell District Council.

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<sup>3</sup> Cherwell Local Plan, Submission, January 2014

The Neighbourhood Plan has been informed by extensive background research to identify the social, environmental and planning context, and the main sources used are identified in the Evidence base section of this Plan (Section 7). In addition to using existing sources for initial background information, the Steering Group commissioned a survey to obtain more detail, and maintained an ongoing review of relevant material produced during the preparation of the Neighbourhood Plan. This material included: national planning guidance; Cherwell District Council documents, planning applications and decisions; and the development of other Neighbourhood Plans. The preparation of the Hook Norton Neighbourhood Plan has also been informed by a process of Sustainability Appraisal.

## **1.5 Key issues, goals and objectives**

Early consultation identified the importance of the countryside, rural character and amenities to the community of Hook Norton. Concerns were raised about development, lack of affordable housing, and issues about transport. To obtain more detail about some of these, particularly housing, a survey was commissioned<sup>4</sup>.

Five main themes emerged from the consultation: housing; community and amenities; environment; employment; and transport. A series of goals were developed within these five themes, together with objectives arising from the goals, and these were endorsed by a strong majority through local consultation<sup>5</sup>. Taking into account feedback from the Sustainability Appraisal process, the goals and objectives for this plan are as follows:

### **Housing**

**Goal To provide existing and future residents with the opportunity to live in a decent home**

#### **Objectives arising:**

- 1.1** To deliver a mix of housing that caters for the full range of housing needs in the village, as identified in the housing needs survey
- 1.2** To provide suitable accommodation for older residents and those with other particular requirements, to enable them to continue to live in the village
- 1.3** To provide suitable 'truly' affordable housing to enable young and lower income residents to remain living in the village
- 1.4** To provide a limited amount of housing with preferential access to current village residents, or those with a strong local connection
- 1.5** To ensure that new development is of high quality design, in keeping with the village and parish character and to a high level of sustainability
- 1.6** To limit the size of individual developments to ensure that growth in the parish is sustainable and does not negatively impact on the infrastructure and amenities for existing residents

### **Community and Amenities**

**Goal 1 To maintain and enhance the character, vitality and community spirit of the village**

#### **Objectives arising:**

- 1.1** To retain and protect from inappropriate development the village "Crown Jewels" (for example the library, the Sun public house)
- 1.2** To maintain and enhance the existing range of amenities, services and facilities
- 1.3** To encourage the purchase of locally produced goods and services
- 1.4** To provide a safe and healthy environment for all the people of our community

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<sup>4</sup> Hook Norton Neighbourhood Plan Survey. Oxfordshire Rural Community Council,

<sup>5</sup> Hook Norton Neighbourhood Plan Consultation Statement refers

**Goal 2 To maintain and develop an infrastructure to support our community activities**

**Objectives arising:**

- 2.1 To maintain and enhance the facilities for children and young peoples' activities
- 2.2 To maintain and enhance facilities for a range of sporting and non-sporting leisure activities

**Employment**

**Goal To maintain and enhance employment opportunities and businesses providing sustainable services and local employment**

**Objectives arising:**

- 1.1 To encourage and support local agriculture and businesses in suitable locations
- 1.2 To ensure that any new employment opportunities are appropriate to the surroundings and meet high standards of sustainability (in terms of location and design)
- 1.3 To encourage new business start-ups and opportunities for local people

**Environment**

**Goal 1 To maintain the rural character and tranquility of the parish whilst seeking opportunities for landscape, heritage, recreational and ecological gain**

**Objectives arising:**

- 1.1 To retain and enhance the special character of the locality and distinctive local identity of the village
- 1.2 To maintain and enhance key views within and of the village and the wider District, including the Cotswolds Area of Outstanding Natural Beauty
- 1.3 To maintain and enhance the village's Conservation Area
- 1.4 To retain and enhance accessible open spaces within and around the village
- 1.5 To encourage sympathetic management of the countryside around the village to enhance the high quality landscape and improve local biodiversity

**Goal 2 To minimise the environmental impact of new development, and ensure that any development is sympathetic to its setting within the village and the wider neighbourhood**

**Objectives arising:**

- 2.1 To ensure that any development is compatible with the built and natural environment
- 2.2 To encourage development that makes use of previously developed land and buildings rather than greenfield locations

**Goal 3 To reduce harm to the environment by aiming for a low carbon community**

**Objectives arising:**

- 3.1 To improve the energy efficiency of the village
- 3.2 To encourage and support home working
- 3.3 To require all development to meet high standards of sustainability

**Transport**

**Goal Improve access within the parish, improve travel choices and reduce the need to travel**

**Objectives arising:**

- 1.1 To reduce traffic congestion
- 1.2 To encourage buses to serve existing and new areas, run at appropriate times and be affordable
- 1.3 To ensure there is adequate car parking available in any new development
- 1.4 To promote alternatives to minimise the use of cars e.g. car sharing
- 1.5 To protect, develop and improve the network of footpaths, bridleways and cycle paths in the parish to improve links within the parish and with other parishes, and enable all people to actively move around

## 1.6 Policies and actions

Feedback from the consultations, and the results of the survey, were used to develop draft policies. It was recognised that not all of the issues raised would be appropriate for Neighbourhood Plan policies. However, the plan process could suggest alternative ways in which some aspects could be taken forward and the Steering Group has therefore recommended to the Parish Council actions which could be taken to assist the community. The Neighbourhood Plan therefore refers, where relevant, to these suggestions and further detail has been provided to the Parish Council.

Policies and actions for this Plan were identified in four subject areas:

- Hook Norton character and countryside
- Community – Living and working in Hook Norton
- Transport
- Housing

Consultation took place on the draft policies and the feedback received was taken into account in this Plan.

The policies and actions in this Plan together provide for sustainable development of Hook Norton. In planning terms there are 3 dimensions of sustainable development. These are:

- Economic – contributing to building a strong, responsive and competitive economy
- Social – supporting strong, vibrant and healthy communities
- Environmental – contributing to producing and enhancing our natural, built and historic environment.

This Neighbourhood Plan recognises that these 3 roles are mutually dependent, and also takes account of the particular and special qualities of Hook Norton.

The Cherwell Local Plan seeks to focus growth in the urban areas of the District. Hook Norton is a rural parish which is appreciated by residents and enjoyed by visitors. It shares with many rural areas a lack of affordable homes and a need to retain local services to enable the village to continue to thrive. The community accepts that there will be development but is very aware that development simply to meet housing numbers can erode the qualities which make a place special and valued. Approval has recently been granted for large scale housing development in Hook Norton and a further application for a large residential development has recently been made. Strong concern has been expressed that the infrastructure is unsuited for this type of growth, and that this will result in characterless estates of standardised homes more typical of suburbia than the village.

This Neighbourhood Plan therefore seeks to carefully manage growth, taking into account infrastructure and amenities. It is not anti-development and it does not provide for less than the amount of development described in higher level plans. This Plan seeks to meet the needs of the community in a way which retains and enhances the character of Hook Norton now and for the future.

Applicants and decision makers must read this Plan and Policies as a whole when assessing if a proposal would be acceptable.

## 2. HOOK NORTON CHARACTER AND COUNTRYSIDE

### 2.1 Policy background and reasoning

Sustainable development is at the heart of the National Planning Policy Framework. One of the Core Principles of the Framework recognises the intrinsic character and beauty of the countryside. The spatial strategy of the Cherwell Local Plan focusses development on urban areas of the District and development in the countryside is to be strictly controlled. This represents the most sustainable approach.

In relation to villages and rural areas, Cherwell wishes to protect our built and natural environments and the character and appearance of our villages and relevant policies to this effect are included in both the adopted and emerging Local Plans.

The Government places great importance on good design and recognises it is a key aspect of sustainable development. Design is fundamental to the retention of local distinctiveness, which is supported by the Framework.<sup>6</sup>

The Local Plan requires development to be of a “high standard”<sup>7</sup> and provides some elements of guidance. The emerging plan similarly requires any development in villages to be “built to exemplary design and building standards”<sup>8</sup>. Hook Norton has a rich heritage interest. It has many examples of high quality design, and expects only the best of any new development.

The Hook Norton Neighbourhood Plan policies seek to supplement aspects of the Local Plan with particular reference to Hook Norton, with a view to ensuring a cohesive approach to any development in the parish.

The policies reflect results of consultation which showed the high importance and value placed on Hook Norton's character and countryside. Particular aspects which are expected to have significant weight when considering any planning application are:

- Hook Norton parish is immediately adjacent to the Cotswolds Area of Outstanding Natural Beauty;
- Landscape in the parish has for many years been designated as an Area of High Landscape Value in recognition of its environmental quality;
- The tranquillity map referred to in the emerging Local Plan policy ESD 13 shows virtually the whole of the parish is categorised as “most tranquil” ;
- The Cherwell District Landscape Assessment which informed the Countryside Design Summary Supplementary Planning Guidance classifies the majority of landscape in Hook Norton as “conservation type”;
- A large part of Hook Norton village is designated as a Conservation Area (as shown on plan in Appendix A);
- Good design and positive contribution to local character is not just a matter for designated areas – it is applicable to all of Hook Norton in order to maintain the integrity of the landscape and environment as a whole;
- The landscape and character of Hook Norton attracts visitors which contribute to the local economy;
- Maintenance of unspoilt rural views is an inherent part of landscape quality, particularly from Public Rights of Way, to and from ridgelines and hillsides and other frequently used viewpoints. Views of countryside generally, and particular views to

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<sup>6</sup> Para 60

<sup>7</sup> Policy C28 of Cherwell Local Plan, November 1996

<sup>8</sup> Para C218 of Cherwell Local Plan 2006 – 2031. Submission January 2014

and from hills were identified as most important in the Neighbourhood Plan Survey. Important views also included buildings unique to Hook Norton, including the viaduct, church and brewery. The Conservation Area Appraisal identifies "a series of impressive deflected views".

**Policy HN - CC 1: Protection and enhancement of local landscape and character of Hook Norton**

**Any development must be located and designed so that it is readily visually accommodated into its surroundings and setting, and provides a positive contribution to the locally distinctive character and context of Hook Norton.**

**Proposals which would introduce development to isolated sites in the open countryside which would adversely affect the tranquillity, unspoilt character and amenity value of the landscape will not be permitted.**

**Development which makes use of previously developed land and buildings will generally be preferred to greenfield locations. Residential gardens are not considered previously developed land and redevelopment of residential gardens to provide inappropriate housing is specifically not supported.**

**Policy HN - CC 2: Design**

**Any planning application for development must contain sufficient detail to demonstrate the proposal is of high quality design. In particular for Hook Norton, high quality design means that any proposal must build upon the principles set out in the Hook Norton Conservation Area Appraisal and must:**

- **Reflect local distinctiveness and be readily assimilated particularly in terms of: the extent and amount of development; scale; layout; open spaces; appearance; and materials**
- **Respect and enhance the historic environment of the parish and its heritage and natural assets**
- **Ensure that locally important views and vistas are maintained or enhanced**
- **Retain and enhance open spaces, walls, hedgerows and trees which are important to the local character**
- **Take account of information and design guidance included in the Cherwell Countryside Design SPD, Oxfordshire Wildlife and Landscape Study, Hook Norton Conservation Area Appraisal and any specific design guidance provided by Hook Norton Parish Council**
- **Incorporate features to improve environmental performance and reduce carbon emissions, unless it is demonstrated to be not practicable and viable.**



**Policy HN - CC 3: Local distinctiveness, variety, and cohesiveness**

The traditional pattern of growth which characterises Hook Norton is small scale and gradual change. This must be reflected in the extent and amount of any development in Hook Norton. Designs which could be 'anywhere place' will not be acceptable. Variety in density, layout, building orientation and sizes will be sought to reflect the local context. Building styles and materials must also reflect and positively contribute to local distinctiveness. Hook Norton is one of Oxfordshire's Ironstone villages and it is therefore expected that local ironstone will continue to be the predominant building material. All elements of schemes must be considered at an early stage to produce a cohesive and high quality design in which detailing such as car parking, boundary treatments, bin stores, meter boxes, and lighting are all provided for in a harmonious and inclusive design.

**Policy HN - CC 4: Resource efficient design**

High levels of resource efficiency will be expected and must be demonstrated in any application for development. Applicants will be expected to put forward site-specific proposals which take account of location, layout and building orientation to minimise energy consumption.

**Policy HN - CC 5: Lighting**

Any lighting proposed must be of a design which does not cause visual intrusion nor cause adverse effects due to light pollution. All lighting must meet high levels of energy efficiency.

### 3. COMMUNITY - Living and Working in Hook Norton

#### 3.1 Protection of Locally Valued Resources

##### **Policy background and reasoning**

The importance of rural services is recognised in the National Planning Policy Framework as contributing to a prosperous rural economy and promoting healthy communities.

All the consultation and survey results for the Hook Norton Neighbourhood Plan show that the services and facilities currently available in Hook Norton are greatly valued resources. The Parish Council has identified some of these as particularly special "Crown Jewels". During the consultation for this Plan, the Crown Jewels concept was supported and extended. Consequently a list of Locally Valued Resources has been drawn up and is to be reviewed on a regular basis. The current list is shown below. This list includes The Bell Public House which, at the time of preparing this Plan, is not currently trading but has been designated as an Asset of Community Value (on 19 July 2013) and an application for conversion to residential use was refused by Cherwell District Council on 10 July 2014, with a large amount of support from the local community.

Table 1. Locally Valued Resources

Shop	Peartree Public House	School
Post Office	Sun Public House	Playgroup
Doctor (& associated dispensing)	Brewery	Playground
Dentist	Memorial Hall	Playing fields
Vet	St Peters Church	Allotments
Gate Hangs High Public House	Baptist chapel & meeting room	
The Bell Public House	Library	

##### **Policy HN - COM 1: Protection of Locally Valued Resources**

**Any proposal which would adversely affect or result in the loss of any Locally Valued Resource will not be permitted unless in exceptional circumstances and where it has been clearly shown as the only, or most locally acceptable option, taking into account all relevant factors including:**

- full exploration of options to secure the continuation of the facility;
- designation as an Asset of Community Value and community purchase
- alternative provision

**to the extent that each factor is applicable. The list of Locally Valued Resources is shown in Table 1 and will be reviewed on an annual basis.**

#### 3.2 Communities and facilities generally

Comments made during the consultation for this Neighbourhood Plan will be collated and presented to the Parish Council to inform its considerations when various matters arise and should there be any opportunities to follow up any of the detailed suggestions and comments made.

### 3.3 Public Rights of Way

#### ***Policy background and reasoning***

The National Planning Policy Framework is clear that Public Rights of Way should be protected and enhanced. The emerging Local Plan policies consider Public Rights of Way only in the context of green infrastructure for the District.

Public Rights of Way within the Parish are well used and valued both locally and more widely as a recreational resource. Individuals and groups use the paths on a regular basis, as evidenced by the Hook Norton walking group and routes arranged by Ramblers and AONB. The paths include several long-distance trails. Consultation for the Neighbourhood Plan suggested creation of circular walks to/from the village of Hook Norton, routes to avoid roads, to link Hook Norton to Chipping Norton, and several other routes and links. These are listed in Appendix B for use in implementing Policy HN – COM 2, and for both Cherwell District Council and Oxfordshire County Council for use in their Rights of Way Improvement Plans.

#### **Policy HN - COM 2: Public Rights of Way**

**Existing Public Rights of Way in the parish will be protected from loss, re-routing or development which would adversely affect the amenity value to users.**

**Opportunities will be sought to enhance the network of Public Rights of Way through the creation of new links, improved maintenance and waymarking, and making use of developer contributions, agricultural schemes and local partnership initiatives.**

### 3.4 Infrastructure and utilities

#### ***Policy background and reasoning***

Great concern was expressed in the consultation for this Neighbourhood Plan about the need to co-ordinate any development with necessary infrastructure, and to provide this in a harmonious way, with considerations of sustainability being fundamental. The extent of provision, and the ability of the infrastructure and those utilities which there are in the parish, to cope were consistent themes throughout the consultation.

In response to the pre-Submission draft of this Plan, Thames Water specifically requested that the Plan include the advice that developers should engage with Thames Water at the earliest opportunity to establish:

- The demand for both water supply and sewage treatment and the necessary infrastructure, and whether these can be met, and
- Surface water drainage and flood risk requirements and whether these can be met.

In relation to flooding and water management, the Environment Agency advise that there should be no new development in Flood Zone 2 or 3, nor within 8 metres of any watercourse.

The community of Hook Norton has expressed strong feeling about the limited opportunity for local involvement in identifying where any developer contributions might be required and be most useful to the community. In particular, concerns were raised in relation to the

acceptance of a recent Section 106 contribution which appears to be sufficient only to bus primary age children elsewhere rather than enable attendance at the village school.

Community contributions may be considered in a measured way by the various relevant authorities, including Planning from Cherwell District Council, and the Highways and Education Authorities at Oxfordshire County Council, working with the Hook Norton Parish Council as the representative of the community of Hook Norton.

**Policy HN - COM 3: Developer Contributions to Community Infrastructure**

**For any planning application which triggers a Section 106 Agreement or similar, the determining authority shall consult with Hook Norton Parish Council, as the representative of the community, regarding the provisions of the Agreement.**

### **3.5 Facilities for young people**

The Parish Council owns a play area which was recently re-equipped to a high standard with play equipment for younger children and adjacent hard and grassed spaces for informal games. There have been some problems in the area caused by noise and antisocial behaviour. Some respondents in the Neighbourhood Plan consultations thought this may be helped by providing additional facilities, and others that it was a matter of the behaviour regardless of provision. Therefore the Neighbourhood Plan Steering Group has recommended to the Parish Council that this be considered by a small, specific group involving the Parish Council, local young people, and the Sports & Social Club. The Sports & Social Club facilities include large areas of playing field, a Multi Use Games Area and a clubhouse, all of which are available to members.

### **3.6 Local employment**

#### ***Policy background and reasoning***

Local employment opportunities are limited and many residents travel long distances to work<sup>9</sup>. The Cherwell Local Plan 1996 proposed a site at the old Brymbo works for employment generating development. An adjacent site (to the north) was granted permission in February 2000<sup>10</sup> for fabrication and repair of agricultural, commercial and equestrian boxes etc. However, the site at Brymbo has not been developed for the industrial use envisaged. Employment land at the Stanton engineering site was granted permission for housing in 2013<sup>11</sup>.

Consultation showed support for local employment and home-working. It also noted that a recent initiative which provided small offices in Hook Norton had been unsuccessful and identified broadband provision as a critical factor to home working. Retention of existing businesses, services and facilities in Hook Norton will assist in keeping local employment.

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<sup>9</sup> Source: ORCC Community profile for Hook Norton, 2013

<sup>10</sup> Application No. 99/02275/F

<sup>11</sup> Application No. 12/00472/F

**Policy HN - COM 4: Broadband**

It is understood that Oxfordshire County Council will be rolling out high speed broadband to Hook Norton by 2015<sup>12</sup>. In the event that this does not happen, proposals which would facilitate better quality broadband to Hook Norton will be supported provided this can be delivered in compliance with other relevant policies in this Plan, and in particular policies regarding Protection of Local Landscape and Character of Hook Norton. Any development occurring after high speed broadband infrastructure has been provided to Hook Norton will be expected to provide connectivity to that infrastructure.

**Policy HN - COM 5: Retention of Local Employment**

Sites providing local employment within the parish should be retained for employment use except in circumstances where it is demonstrated not to be viable.

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<sup>12</sup> Source: <http://www.oxfordshire.gov.uk/cms/public-site/broadband-oxfordshire>

## 4. HOUSING

### 4.1 Sustainable housing growth

#### ***Policy background and reasoning***

The National Planning Policy Framework makes clear that Neighbourhood Plans should support the strategic development needs set out in Local Plans, and plan positively to support, shape and direct development in their area that is outside the strategic elements of the Local Plan.

In relation to housing growth, this Neighbourhood Plan takes a pragmatic approach which has regard to policies in both the adopted Local Plan and the emerging Local Plan, and provides positively for sustainable housing growth.

Both adopted and emerging Local Plans adopt a village categorisation approach, and both provide policies to manage unanticipated or windfall development. For Hook Norton, both Local Plans allow for infilling, minor development and conversions. In addition, the Submitted Local Plan also includes Hook Norton within an allocation of growth in the rural areas.

#### ***Type of development***

The understanding of minor development, infilling, and conversions varies between the adopted and emerging Local Plans. Both Plans refer to the scale of development which is appropriate for Hook Norton as "small" and the Submitted Local Plan identifies this as "typically but not exclusively for less than 10 dwellings."

Hook Norton is one of the villages which have recently had permissions for new housing granted under the National Planning Policy Framework provisions relating to 5 year housing land supply. The Neighbourhood Plan consultation responses made clear that the recent approvals for housing in the village are considered to represent development at an inappropriate scale for Hook Norton. One will result in a development of 37 dwellings and another of 70 dwellings. Both are due to be developed in the same time frame and the consultation responses expressed concerns about the effects and sustainability of this at parish level (Section 3.4 of this Plan refers).

This Plan therefore seeks to provide clarity about the type of development which is appropriate in Hook Norton.

#### ***Local Plan allocation and recent growth***

The adopted Local Plan does not allocate numbers but identifies Hook Norton as able to "accommodate some limited extra growth".

The Submitted Local Plan distributes growth across the rural areas by allocating new housing, on sites for 10 or more dwellings, during the plan period to groups of villages. Policy Villages 2 of the Submitted Local Plan shows Hook Norton is within a group required to deliver 252 dwellings between 6 villages in the period 2012 – 2031. The numbers take account of completions and permissions as at 31 March 2012.

As part of the evidence base for this Neighbourhood Plan, the relevant figures in the Submitted Local Plan have been updated to take into account further completions and permissions between 31 March 2012 and 30 June 2014. For the group which includes Hook Norton, all of the 6 villages have had recent approvals granted which in total will provide for 528 dwellings (as shown in Appendix C). This represents 210% of the allocation for this group of villages. It also exceeds the entire anticipated allocation for all the villages of Cherwell

during the whole Plan period. There is therefore a need for policy at parish level to take this very recent extent of growth into account.

The effect of recent approvals for Hook Norton is that 107 dwellings (42% of the total allocation to the group of 6 villages) are now due to be built on the outskirts of the village, all in the same time frame. A further application for 54 dwellings in Hook Norton has recently been made<sup>13</sup>. The emerging Local Plan seeks to avoid overdevelopment in any village<sup>14</sup>. Account has been taken of this in developing policy for this Neighbourhood Plan. The Neighbourhood Plan therefore does not allocate nor anticipate a need to allocate any sites for 10 or more dwellings. This accords with Cherwell District Council's aim of supporting the long term sustainability of rural areas through a measured approach to development<sup>15</sup>.

### **Future sustainable growth**

In identifying future sustainable growth, this Plan takes account of the findings of CRAITLUS<sup>16</sup>, part of the emerging Local Plan evidence base, which gives Hook Norton a poor sustainability rating.

Large developments are not acceptable to the community. Consultation results showed 44% of respondents preferred future housing developments to be 10 -20 dwellings, and 41% preferred development to be less than 10 dwellings. Sustainable housing growth in Hook Norton therefore focuses on small scale development to provide incremental and balanced growth which respects the character of the area.

#### **Policy HN - H1: Sustainable housing growth**

**Sustainable housing growth for Hook Norton in this Plan period (2014 to 2031) means conversions, infilling, and minor development. 'Conversions' means the conversion of either residential or non-residential buildings. 'Infilling' means the development of a small gap in an otherwise continuous built-up frontage, typically but not exclusively suitable for one or two dwellings. 'Minor development' means small scale development proposals, typically but not exclusively for less than 10 dwellings. To maintain a sustainable community, proposals for up to 20 dwellings will be allowed where justified by objectively assessed local housing need and where this does not result in more than 20 dwellings being built in any location at any time, taking into account any extant permissions. In all cases, housing growth must comply with all relevant policies in this Plan.**

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<sup>13</sup> Application 14/00844/OUT

<sup>14</sup> Para C.235. Cherwell Local Plan 2006 -2031 Submission January 2014

<sup>15</sup> Para C.6a. Cherwell Local Plan 2006 -2031 Submission January 2014

<sup>16</sup> Cherwell Rural Area Integrated Transport and Land Use Study (CRAITLUS), August 2009

## 4.2 Location of development

### **Policy background and reasoning**

The presumption of the National Planning Policy Framework is avoidance of new isolated homes in the countryside. This was supported in consultation for the Neighbourhood Plan. Respondents were clearly not in favour of a general expansion of the village beyond existing settlement limits. In responses to the question where housing should not go, 92% identified areas outside the current village extent as areas not considered appropriate for housing.

Three locations which would extend the built up area into open countryside to the North or West of the village accounted for 45% of the total areas where respondents thought housing should not go – these were: off Bourne Lane; the “Beer Festival” fields between Clay Bank and Hayway Lane; and the field between the School and Redlands Farm.

Similarly, land between the old railway and Park Hill/Beanacre was not considered suitable, nor was development to the south of the village (off the Chipping Norton Road, Swerford Road, Burycroft Road/Crofts Lane or the fields either side of the stream).

The area between Ironstone Hollow and the old railway evoked a close split between respondents who thought it appropriate for housing and those who did not.

Locations most frequently identified as possible for future potential housing were: the “derelict” site off Rope Way; the old KMS site between Scotland End and Old School End; and land adjacent to the Doctors surgery.

As part of the Neighbourhood Plan consultation, sites identified in the Cherwell District Council Strategic Housing Land Availability Assessment (SHLAA) were ranked in order of preference<sup>17</sup>. The rankings show that the top three most popular and least popular sites accord with the same general conclusions as above. Specific sites which were included in the top 3 but not mentioned above are: near the telephone exchange; and the small piece of land accessible off the Bourne and immediately to the south of the consented Bourne Lane development.<sup>18</sup>

Results of the consultation about SHLAA sites provided not just rankings but also many comments about whether all or part of a site was considered potentially suitable, and the potentially suitable areas were also indicated graphically by respondents. These comments, and the responses about preferred size of development<sup>19</sup>, make clear that a ranking for any site has also to be seen in the context that not all of that site may be considered suitable.

Sites suggested as potentially suitable in part only were: land between Ironstone Hollow and the old railway; off Bourne Lane (subsequent to the consultation, the whole site was consented), and the land near the Doctor’s surgery. In each of these cases, the smaller potentially suitable areas identified were those closest to existing housing. Also identified as potentially suitable in part were: land near the telephone exchange; and land between Old School End and Scotland End. In both these cases, it was noted that the sites are, in part, currently in alternative uses and it is anticipated these may/should continue. Furthermore these sites may be relevant to the ongoing work of the Forum addressing transportation factors including car parking.<sup>20</sup>

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<sup>17</sup> Note that since the Station Road/Stanton site had been approved this was not included in rankings. Also, the Bourne Lane site as shown in the SHLAA was split to show the small, roughly triangular shape section in the south, & accessed off The Bourne, as a separate site. This gave a total of 11 sites.

<sup>18</sup> Application No. 11/01755/OUT

<sup>19</sup> See Section 4.1 of this Plan

<sup>20</sup> See section 5.1 of this Plan



### **Policy HN - H2: Location of housing**

**Any applications for housing development will be assessed for suitability of location using the following criteria. Suitable locations will:**

- **Not be in Flood Zone 2 or 3 or within 8 metres of a watercourse**
- **Comply with policies and advice in this Neighbourhood Plan**
- **Comply with the evidence gained during Neighbourhood Plan consultation regarding general locations and extents of sites, as set out above in Section 4.2**
- **Take account of existing or potential alternative site uses which shall be identified in consultation with the Parish Council.**

## **4.3 Density**

### ***Policy background and reasoning***

The adopted Local Plan provides design control to ensure that new housing is compatible with the density of existing dwellings in the vicinity. The emerging Local Plan generally seeks a density of at least 30 dwellings per hectare on net developable areas but allows for lower densities where there are justifiable planning reasons.

Density is a component of local distinctiveness. Therefore, in addition to the Policies provided in the Hook Norton character and countryside section of this Neighbourhood Plan, a specific policy relating to housing density is required.

### **Policy HN - H3 : Housing density**

**For housing development within Hook Norton the maintenance of local character has a higher significance than achieving a minimum housing density figure. The appropriate density for a housing site should in every case within Hook Norton result in a development that is in character with the local surrounding area.**

## **4.4 Types of housing**

### ***Policy background and reasoning***

Hook Norton has a high proportion of larger sized homes. The 2011 Census shows 41% of homes with 4+ bedrooms in Hook Norton, whereas in the Cherwell (Non Metropolitan) District, the comparative figure is 24%<sup>21</sup> The most recent information is from the Neighbourhood Plan Survey of May 2013 which indicates 52% of homes in Hook Norton having 4 or more bedrooms.

Neighbourhood Plan consultation identified a need for a range of types of accommodation, particularly affordable and sheltered housing. This accords with the emerging Local Plan

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<sup>21</sup> Table QS411EW

which concludes<sup>22</sup> that for the foreseeable future the direction of travel should be to provide more moderately sized family homes which are affordable to those on average incomes, and more downsizing homes which will appeal to 'empty nesters.'

To balance the current mix and respond to consultation feedback, a range of housing types is therefore required. It is expected that in assessing any proposals, considerable weight will be given to the desirability of including homes meeting the Lifetime Home Standards<sup>23</sup> and homes which meet the needs of older people.

#### **Policy HN - H4: Types of housing**

**A mix of dwelling types and sizes to meet the needs of current and future households in Hook Norton will be sought in any development resulting in 3 or more homes. Scheme proposers are required to submit with any application for planning an objective assessment of the need for the proposed housing types, sizes and tenures in Hook Norton and to demonstrate how the proposed development addresses these needs.**

### **4.5 Affordable housing**

#### ***Policy background and reasoning***

Affordability of housing was strongly identified in the Neighbourhood Plan consultations as crucial to the vitality of Hook Norton. In particular, the responses identified the need for affordable housing for: young people with Hook Norton connections; for people working and providing key services locally; and to enable older people to remain in their community.

Both the adopted and emerging Local Plan consider affordable housing and allow for this to be provided in two ways:

- Through a planning obligation (Section 106 Agreement)
- Through a Rural Exception Site development.

Cherwell District Council's Allocation Scheme sets out how any such affordable housing will be allocated to those on the Council's Housing Register.

#### ***Planning obligation/Section 106 Agreement affordable housing***

Both the adopted and emerging Local Plan provide policies to include an element of affordable housing in new developments. The emerging Local Plan makes specific provision<sup>24</sup> for rural areas which requires all development of, or suitable for, 3 or more dwellings gross to provide at least 35% of new housing as affordable homes on site.

Under Cherwell District Council's Allocation Scheme, people with village connections may obtain up to 50% of all new lettings, and at least 1 in 3 of re-lettings for social housing which is not a Rural Exception Site development.

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<sup>22</sup> Para B.122. Cherwell Local Plan 2006 -2031. Submission January 2014

<sup>23</sup> The Lifetime Homes standard is a set of 16 criteria that provide a model for building accessible and adaptable homes. More information from <http://www.lifetimehomes.org.uk/index.php>

<sup>24</sup> Policy BSC 3

### **Rural Exception Sites**

In addition to affordable housing from planning obligations, the adopted Local Plan provides for small scale low cost housing on sites within or immediately adjacent to rural settlements subject to local need and reservation for local people. There is a similar provision in the emerging Local Plan in Policy Villages 3. Policy Villages 3 permits a proportion of market housing in limited occasions in order to enable a degree of cross subsidisation, with the number of market homes not to exceed 25% and subject to robust justification.

Cherwell District Council's Allocation Scheme allows that applicants with a village connection have first priority for affordable housing built on Rural Exception Sites.

In order to meet the particular need for affordable housing for people with Hook Norton connections, and to retain affordable housing for those people, a further policy is required at parish level.

#### **Policy HN - H5: Provision and retention of affordable housing**

**Any affordable housing provided as a Rural Exception Site development in Hook Norton will be subject to a legally binding obligation to ensure that initial occupation, and any subsequent lettings or sales, is limited to people meeting Hook Norton Needs or Connections Criteria as set out in Appendix D. This obligation will have permanent effect unless it can be demonstrated that there is no longer any requirement for the affordable housing.**

**Where affordable housing is provided under a Section 106 agreement or similar planning obligation Agreement as a requirement of a housing development under Local Plan policy, the maximum proportion possible of the total units provided shall at every opportunity be allocated to people meeting Hook Norton Needs or Connections Criteria as set out in Appendix D. This obligation will have permanent effect unless it can be demonstrated that there is no longer any requirement for the affordable housing.**

## 5. TRANSPORT

### 5.1 Policy background and reasoning

Hook Norton has no rail link, the nearest station is Banbury. The old railway line has been partly developed and partly recognised as of nature conservation interest.

Road access to Banbury necessitates travel through other villages, such as Milcombe and Bloxham, or Broughton. All roads in the parish are minor and many are unsuitable for large vehicles due to gradient, width, bends or a combination of those factors. The route through Hook Norton village has several acute bends and narrow stretches, particularly at East End, Chapel Street, High Street and Scotland End which are difficult for buses and large vehicles. Access to the centre of the village requires use of at least part of this route.

A bus service connects the village to Banbury and Chipping Norton but service times do not enable people working standard hours to travel to and from Chipping Norton for work. Similarly, it is also not feasible for Hook Norton bus users who work standard hours to make use of the S3 bus connection from Chipping Norton to Oxford.

The car is the principal mode of transport.<sup>25</sup> Transportation factors make Hook Norton one of the least sustainable locations within the Cherwell District.<sup>26</sup>

Consultation for the Neighbourhood Plan showed concerns arising from the combination of limited bus services, narrow rural roads, large vehicles and on-street parking. In addition to the policies below, the Neighbourhood Plan Steering Group recommended to the Parish Council that a Forum be set up to consider these concerns and to explore possible solutions on a Standing Working Group basis with a range of relevant Authorities, organisations and individuals. Some of the options identified for the Forum were Routing Agreements<sup>27</sup>, liaison with Satellite Navigation providers, amendments to bus timetabling, and working with landowners in relation to car parking provisions.

#### **Policy HN - T1: Access and parking**

**Any new development must provide access to the local road network which is suitable and sympathetic to the surroundings, and must provide sufficient off road parking in line with Oxfordshire County Council's parking standards. Applicants for planning permission must clearly set out the proposed level of parking provision in relation to objectively assessed needs at the time, and show how future needs have been taken into account.**

#### **Policy HN - T2: Non-car transport**

**Opportunities will be sought to improve the local footpath/cycleway network to facilitate safe, active and energy efficient means of transport and provide enhanced linkages, including to bus stops. All development proposals must demonstrate how their proposal has taken this requirement into account. Developer contributions will be expected towards the provision of an enhanced bus service for Hook Norton.**

<sup>25</sup> Census 2011, Table QS701EW

<sup>26</sup> Cherwell Rural Area Integrated Transport & Land Use Study (CRAITLUS)

<sup>27</sup> Taking into account Oxfordshire County Council's advisory lorry route map – see <http://www.oxfordshire.gov.uk/cms/sites/default/files/folders/documents/roadsandtransport/streets/1Banburywithins et.pdf>

## 6. IMPLEMENTATION AND MONITORING

Following a 'yes' vote at Referendum, this Plan will become part of the Development Plan for the area.

Implementation is expected to be principally through two main organisations, Cherwell District Council and Hook Norton Parish Council, with input from other organisations. The main roles are anticipated as follows:

Implementation of Neighbourhood Plan – main roles

Cherwell District Council (CDC)	Decision-making body determining planning applications
	Monitoring the more strategic aspects of policy eg housing numbers (Annual Monitoring Report)
	Primary role of liaison & coordination with Oxfordshire County Council
	Maintain housing register
Hook Norton Parish Council (HNPC)	Lead body for maintaining the List of Locally Valued Resources (Annual Review)
	To review this Plan at 5 yearly intervals and consider any changes required
	To work with CDC and OCC in regard to local initiatives and actions
	Input toward determining planning applications
	Follow up on non-policy recommendations of this Plan eg Transport Forum, & a Group to consider facilities for young people
CDC and HNPC	To maintain positive working relationship in dealing with future planning documents relating to the Local Plan and this Plan
	To cooperate regarding developer contributions to community infrastructure
Oxfordshire County Council (OCC)	Input required - particularly as Highway Authority; Education Authority & responsibilities for libraries & Public Rights of Way
	Provide high speed broadband (target by 2015)
OCC, CDC & HNPC	Co-operate regarding developer contributions to community infrastructure
	Work with others on initiatives eg Public Rights of Way

## 7. REFERENCES AND EVIDENCE BASE

Cherwell District Council ([www.cherwell.gov.uk](http://www.cherwell.gov.uk)):

Annual Monitoring Report 2013 (December 2013)

Approved Allocation Scheme (Committee approval, November 2012)

Cherwell Local Plan. November 1996. – for list of saved policies see

<http://www.cherwell.gov.uk/media/pdf/3/5/pdf9113687191646230866.pdf>

Cherwell Local Plan 2006 -2031 Proposed Submission. August 2012

Cherwell Local Plan 2006 -2031 Proposed Submission Focussed Consultation. March 2013

Cherwell Local Plan 2006 -2031. Submission January 2014

Cherwell Rural Area Integrated Transport & Land Use Study (CRAITLUS). August 2009

Countryside Design Summary SPD. June 1998,

Hook Norton Conservation Area Appraisal. May 2007

Strategic Housing Market Assessment review and update. December 2012

Strategic Housing Land Availability Assessment. March 2013, revised October 2013

Cobham Resource Consultants (November 1995) Cherwell District Landscape Assessment, available via [www.cherwell.gov.uk](http://www.cherwell.gov.uk)

Department for Communities & Local Government :

National Planning Policy Framework (March 2012)

Planning Practice Guidance –<http://planningguidance.planningportal.gov.uk/>

Hook Norton Neighbourhood Plan Steering Group:

Consultation Statement. July 2014

Sustainability Appraisal Scoping Report. October 2013

Neighbourhood Plan. Pre-submission version. November 2013

Sustainability Appraisal Report. November 2013

Sustainability Appraisal Report. Submission Version. July 2014

via [www.hooknortonneighbourhoodplan.org.uk](http://www.hooknortonneighbourhoodplan.org.uk)

Office for National Statistics. Census 2011

Oxfordshire County Council

Advisory lorry route map – via <http://www.oxfordshire.gov.uk/cms/content/lorry-routes>

Better Broadband for Oxfordshire - via

<http://www.oxfordshire.gov.uk/cms/public-site/broadband-oxfordshire>

Rights of Way Improvement Plan – via

<http://www.oxfordshire.gov.uk/cms/content/oxfordshires-rights-way-improvement-plan>

Oxfordshire Wildlife and Landscape Study. 2004 - via

<http://owls.oxfordshire.gov.uk/wps/wcm/connect/occ/OWLS/Home/>

Oxfordshire Rural Community Council

Hook Norton Neighbourhood Plan Survey Report. September 2013.

(with ACRE and OCSI) Rural community Profile for Hook Norton. August 2013

via [www.hooknortonneighbourhoodplan.org.uk](http://www.hooknortonneighbourhoodplan.org.uk)

## APPENDICES

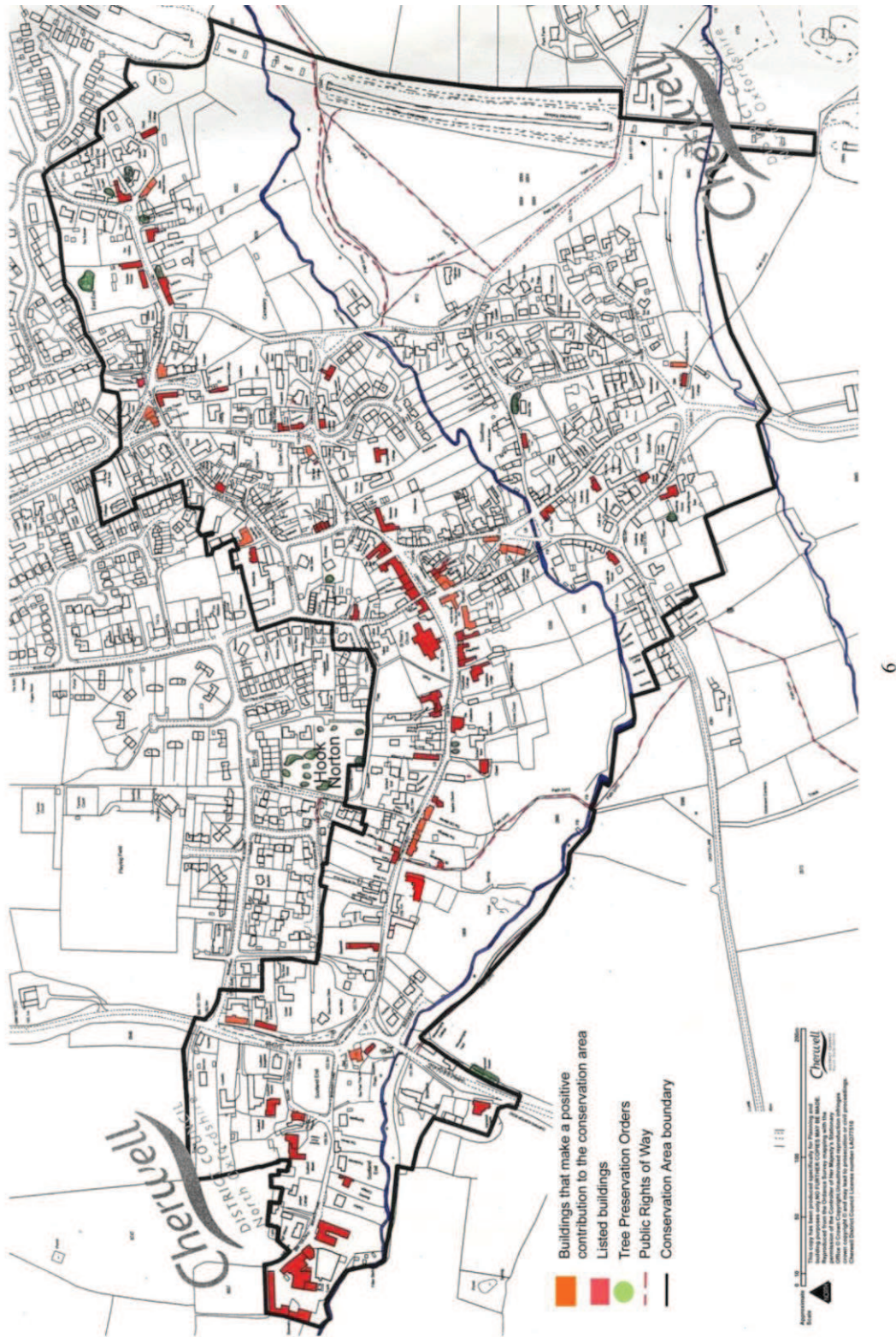
- Appendix A** Hook Norton Conservation Area
- Appendix B** Public Rights of Way – suggestions made in Hook Norton Neighbourhood Plan Survey Report (September 2013)
- Appendix C** Recent growth - Update to housing completions and permissions for the group of villages including Hook Norton, between 31 March 2012 and 30 June 2014
- Appendix D** Affordable housing – Hook Norton Needs and Connections Criteria
- Appendix E** List of policies

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# Appendix A Hook Norton Conservation Area

Source: Cherwell District Council



## **Appendix B Public Rights of Way – suggestions made in Hook Norton Neighbourhood Plan Survey Report**

Circular walks from and to the village

Use old railway

Footpath on land opposite Redlands Farm towards Gate Hangs High, linking to existing footpaths

Chipping Norton, Sibfords, Whichford

Around outskirts of village & interconnect existing footpaths – so could get off road & create web surrounding village

Top of South Hill (to bypass double bend), continuing in straight line to South (ancient) connecting Stanton site

Austins Way with rights of way across to Wigginton/ Swerford.

Reinstate Wheatsheaf to Viaduct/ Swerford path

Across manor fields to link path by stream to path beside allotments

HN – Sibfords/ Whichford HN – Rollright

Station Rd – Wigginton

To join the footpath from the allotments to the Court Farm Bridleway

Ironstone Hollow/ Hollybush

Direct access to school

Footpath track to Chipping Norton

Circular walk to east of village Redlands Farm/ Old railway

Bridlepath – Gt Rollright to Ascot footpath

## Appendix C Recent growth

### Update to housing completions and permissions for the group of villages including Hook Norton, between 31 March 2012 and 30 June 2014

Requirement as per Local Plan 2006 -2031<sup>28</sup> for the group of 6 villages including Hook Norton (Adderbury; Ambrosden; Chesterton; Deddington; Hook Norton & Launton) 252

Numbers permitted (in applications for 10 or more dwellings) in those villages between 31 Mar 2012 and 30 June 2014 (as listed below) 528

Application	Number Permitted
11/01755/OUT, Hook Norton, Bourne Lane, allowed on appeal	70
12/00305/OUT, Chesterton, allowed on appeal	44
12/000472/F, Hook Norton, Station Rd.	28
13/00186/F, Launton	11
13/00301/OUT, Deddington, allowed on appeal	85
13/00344/HYBRID, Ambrosden, Springfield Fm	90
13/00456/OUT, Adderbury, Milton Rd. S., allowed on appeal	65
13/00621/OUT, Ambrosden, Ambrosden Court, allowed on appeal	45
13/01768/F, Twyford (Adderbury), E. of Deene Cl.	59
14/00250/F, Adderbury, Milton Rd. N.	31
	<b>TOTAL 528</b>

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<sup>28</sup> Policy Villages 2. Cherwell Local Plan 2006 -2031, Submission January 2014

## **Appendix D Affordable housing – Hook Norton Needs and Connections Criteria**

### **Local Connection**

For the purpose of applying the policies in the Plan 'local connection' refers to people who are aged 16 years or above and who meet 2 or more of the following criteria:

- The person was born in Hook Norton or lived in the Parish as a child up to the age of 16;
- The person normally resides in Hook Norton and has done so for a continuous period of at least 3 years;
- The person has immediate family who are currently resident in Hook Norton and have been so for at least 15 years;
- Hook Norton is the person's permanent place of work.

### **Local Need**

For the purposes of applying the policies in the Plan, 'local need' means people who meet the 'local connections' criteria, who are in need of housing locally, but cannot meet those needs locally because they either cannot afford to buy a suitable home that may be currently available or cannot identify a suitable home in the parish that meets their needs to rent or buy and they fall within one of the situations listed below:

- An existing resident or family who have lived in Hook Norton for a continuous period of at least the last three years and is seeking to establish a separate household;
- People from outside Hook Norton who meet the criteria of having a 'local connection';
- People who have an essential need through age or disability to live close to those who have lived in Hook Norton for at least three years;
- People or households who have, for whatever reason, the written support of the Parish Council

### **Eligibility and Occupancy Cascade Arrangements**

For the purposes of applying the policies in the Plan and in preparing controls over future sales, lettings and occupancy arrangements for affordable housing a cascade arrangement will be set out in planning obligations associated with the grant of planning permission for new affordable housing (by new build or conversion) so that a clear hierarchy on eligibility to occupy the dwelling is made known when permission is granted.

- a) Properties will be sold or let first to people in need in Hook Norton.
- b) If, after a reasonable period (of active marketing) there are no applicants who meet the eligibility criteria, then applications will be invited from residents in the parishes adjacent to Hook Norton. If following a further reasonable period still no occupier has been found the property may be occupied on the open market.

## **Appendix E List of policies in this Plan**

### **Hook Norton character and countryside**

Policy HN - CC 1: Protection and enhancement of local landscape and character of Hook Norton

Policy HN - CC 2: Design

Policy HN - CC 3: Local distinctiveness, variety, and cohesiveness

Policy HN - CC 4: Resource efficient design

Policy HN - CC 5: Lighting

### **Community**

Policy HN - COM 1: Protection of Locally Valued Resources

Policy HN - COM 2: Public Rights of Way

Policy HN - COM 3: Developer Contributions to Community Infrastructure

Policy HN - COM 4: Broadband

Policy HN - COM 5: Retention of Local Employment

### **Housing**

Policy HN - H1: Sustainable housing growth

Policy HN - H2: Location of housing

Policy HN - H3 : Housing density

Policy HN - H4: Types of housing

Policy HN - H5: Provision and retention of affordable housing

### **Transport**

Policy HN - T1: Access and parking

Policy HN - T2: Non-car transport

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**Hook Norton Neighbourhood Plan  
2014 – 2013**

**Consultation Statement**

**July 2014**

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## 1. INTRODUCTION

This document has been prepared to accompany the Hook Norton Neighbourhood Plan when it is put forward to Cherwell District Council for approval to progress to the examination and referendum stages. It is a report of the consultation process with people living and working in the parish of Hook Norton to develop the Hook Norton Neighbourhood Plan.

It is divided into two parts:

- Part One - a summary of the consultation process, comments and outcomes to the pre – submission plan stage
- Part Two - a report of the pre – submission plan consultation, detailing the process, responses and the changes made to the plan as a result, in line with paragraph 14 of the Neighbourhood Planning (General) Regulations 2012.

Engaging with the community is essential to the process of local plan making and the Hook Norton Neighbourhood Plan has been prepared with local people in the parish by the Hook Norton Neighbourhood Plan Steering Group, in association with Hook Norton Parish Council.

## PART ONE

### 2. THE CONSULTATION PROCESS

#### 2.1 Background

Hook Norton Parish Council started the process of developing a Neighbourhood Plan with a resolution in September 2012. In October 2012 a public meeting was held by the Parish Council to explain the idea and invite people to volunteer to develop the Plan. From this, a Steering Group was formed mainly of non - Parish Council members as the Council considered it important that the Neighbourhood Plan was a community effort. The Parish Council formally registered with Cherwell District Council to become a Neighbourhood Area on 26 November 2012 and this was approved by Cherwell District Council on 3 June 2013.

At the start of the process the Steering Group established a set of Guiding Principles which aimed to ensure the plan would be:

- Transparent
- Open
- Inclusive
- Independent

The Steering Group has used a number of different communication and engagement methods to ensure they were able to reach and receive views and feedback from a wide variety of people including:

- Articles in every newsletter from December 2012 to date. The local newsletter is produced ten times a year and delivered to every household in the parish.
- Posters placed throughout the parish.
- A dedicated Neighbourhood Plan website, Facebook page and email
- Meetings with key parties
- Open meetings and drop-in's
- Surveys and questionnaires

All of the communication was headed by the logo below:



#### 2.2 Consultation Stages

The consultation broadly fell into five stages and included various methods as follows:

##### Identifying the issues:

- February 2013 - questionnaire delivered through the newsletter and a attending the village market
- May 2013 - two presentations and workshops advertised by posters and invitations sent to representatives of local services, businesses, clubs and societies; and informal discussions

#### Residents Survey:

- Commissioned from Oxfordshire Rural Community Council (ORCC) in July 2013 to gather information, give all households in the village the opportunity to express an opinion on local facilities and housing development and to register a housing need, if they had one.

#### Agreeing goals and objectives:

- August 2013 - consultation on goals and objectives, and potential sites – questionnaire distributed through the newsletter
- Two drop-in style presentations advertised through the newsletter, poster and website

#### Consultation on policies:

- September 2013 – two workshop presentations with questionnaires advertised through the newsletter, poster and website

#### Consultation on Pre-Submission Version of the Neighbourhood Plan - 18 November 2013 to 6 January 2014

In line with the requirements of paragraph 14 of the Neighbourhood Planning (General) Regulations 2012

- Copies of the plan and Sustainability Appraisal documents were placed in several venues in the village and on the website
- Letters/emails sent to representatives of local services, businesses, clubs and societies, a leaflet delivered to every household in the parish and three drop-in style presentations.
- Letters/emails sent to consultees as advised by Cherwell District Council
- Posters and banners were out up in the village and at key road junctions in the parish
- Entry in the Banbury Guardian, a weekly newspaper

### **2.3 Sustainability Appraisal**

A Sustainability Appraisal has been undertaken alongside the development of the Neighbourhood Plan, with consultation having been carried out at two stages. An initial consultation on the Sustainability Appraisal Scoping Report with the three statutory environmental bodies (Natural England, English Heritage and the Environment Agency) took place in October 2013. This was followed by a wider consultation on the Sustainability Appraisal Report that was published alongside the Pre-Submission Neighbourhood Plan in November 2014. Full details of the consultation responses and how they were taken into account are provided in the Submission Sustainability Appraisal Report

### 3. Report on the Stages of Consultation

#### 3.1 Identifying the Issues

In February 2013 a questionnaire was delivered to every household outlining the process for developing a neighbourhood plan and asking people to give their three top points to three questions:

- What did they like about living in Hook Norton?
- What would they like to improve?
- What else should the Neighbourhood Plan include?

There was a limited response to the questionnaire but some very clear themes.

People said they liked the:

- Village amenities (mentioned by nearly every questionnaire)
- Countryside location and rural nature of the village
- People and community spirit
- Leisure facilities and activities available

There was a more wide ranging set of responses to what people would like to see improved but roads and parking came out as clearly the biggest concern, with the future of the Memorial Hall and public transport as other key concerns.

The key theme that came out in the responses to what else the neighbourhood plan should include was a focus on development in terms of the scale, nature and affordability of housing. Again, protection of village amenities, with facilities for young people, facilities and accommodation for older people and the environment were other concerns.



The above is an extract from a PowerPoint presentation which summarised the initial results.

### 3.2 Presentations and Open Meetings

Two open meetings, advertised by posters and invitations sent to representatives of local services, businesses, clubs and societies were held at the Sports and Social Club on 20 May 2013 and the Memorial Hall on 5 June 2013. The meetings were attended by over 50 people, with several local organisations and businesses represented. A presentation set out the process to date and people were invited to give their views in groups.

The key themes that came out of the meetings were:

- Keep the character of the village
- A focus in the plan on local employment and business
- Support for home working
- Better quality broadband
- The protection and improvement of local footpaths and cycle routes
- The protection of village amenities - "Crown Jewels' and the village centre – the "heart of the village"
- Facilities for young people, possibly an alternative to organised sporting activities
- Better bus services
- To value and maintain the rural country aspect and protection of the environment and local wildlife
- The importance of any building development going hand in hand with infrastructure development
- Concerns about the ability of the local school to accommodate any more children and the resulting impact on families of primary school age children having to attend school outside of the village
- The access difficulties for vehicles in the village centre and the need for better off road parking
- New housing to look like other houses in the area
- The need for affordable housing and sheltered housing
- The provision of a mix of properties and smaller units
- Measures to minimise energy consumption and landfill waste and maximise renewable energy and recycling
- Promoting local solutions to sustainable energy sources and the self-sufficiency of the village
- The future of the Memorial Hall

### 3.3 Resident's Survey

To obtain more detail about the issues and themes raised by the questionnaire and open meetings, the Hook Norton Neighbourhood Plan Steering Group commissioned Oxfordshire Rural Community Council to carry out a residents' survey during July and August 2013. ORCC is a charity that works with and supports communities across the county and has long-standing expertise in helping communities with consultation strategies.

The survey was distributed to 892 households and 183 (20.5%) were returned.

The survey had three parts. All households were asked to complete Part 1: *Your Household* and Part 2: *Facilities and Housing in Hook Norton - Your Opinions*. Part 3 asked households that needed a new home in Hook Norton to state their requirements.

The following is the summary of findings:

<b>Part 1</b>	
Number of households intending to move within Hook Norton in the next 5 years but which cannot	22
Top 3 reasons preventing residents from moving within Hook Norton	<ul style="list-style-type: none"> <li>• Lack of suitable housing to meet my needs</li> <li>• Unable to afford a new home</li> <li>• Family reasons</li> </ul>
Number of Individuals who have left Hook Norton in the last 5 years	46
Top 3 reasons for leaving Hook Norton	<ul style="list-style-type: none"> <li>• Employment</li> <li>• Further Education</li> <li>• Lack of suitable housing</li> </ul>
<b>Part 2</b>	
Most valued services and facilities in Hook Norton	<ul style="list-style-type: none"> <li>• Shops</li> <li>• Post Office</li> <li>• Surgery</li> </ul>
Top 3 suggestions for new facilities and services	<ul style="list-style-type: none"> <li>• Replacement Village Hall</li> <li>• More shops</li> <li>• More varied facilities for the elderly</li> </ul>
Most valued views in Hook Norton	<ul style="list-style-type: none"> <li>• Towards viaduct</li> <li>• Hills/ surrounding countryside</li> <li>• All of them</li> </ul>
Top 3 types of accommodation that Hook Norton needs	<ul style="list-style-type: none"> <li>• Semi-detached bungalow</li> <li>• Supported housing</li> <li>• Semi-detached houses/ terraced housing</li> </ul>
Top 3 tenure types that Hook Norton needs	<ul style="list-style-type: none"> <li>• Shared-ownership</li> <li>• Affordable rent through Housing Association</li> <li>• Owner occupation</li> </ul>
<b>Part 3</b>	
Number of households wishing to return to Hook Norton	42
Number of households which need a new home in Hook Norton	23
Top 3 reasons for requiring a new home	<ul style="list-style-type: none"> <li>• To be near family</li> <li>• Need bigger home/ Want to start first home</li> <li>• Tenure insecure</li> </ul>
Top 3 types of home required	<ul style="list-style-type: none"> <li>• Detached house</li> <li>• Semi-detached house</li> <li>• Detached bungalow</li> </ul>
Top preferences for housing tenure	<ul style="list-style-type: none"> <li>• Self-ownership</li> <li>• Shared ownership (with Housing Association)</li> <li>• Private rent</li> </ul>
Number of households with a supported housing need	2

### 3.4 Agreeing Goals and Objectives

By the late summer of 2013, five main themes had emerged from the consultation:

- Housing
- Community and amenities
- Environment
- Employment
- Transport

Goals and objectives were identified within the five themes and these were distributed in a questionnaire through the newsletter. Two drop-in style presentations were also held at the Memorial Hall on 8 and 15 August 2013. 25 responses were received to the questionnaire and 21 people attended the meetings.

There was strong support for the goals and objectives with 26 objectives achieving support from over 91% of the people responding, 2 achieving 89% and 2 over 72%.

The responses were as follows:

(Figures in brackets show the percentage of responses in favour)

#### 3.4.1 Housing

**Goal To provide existing and future residents with the opportunity to live in a decent home**

**Objectives arising:**

- 1.1 To deliver a mix of housing that caters for the full range of housing needs in the village, as identified in the housing needs survey (76%)
- 1.2 To provide suitable accommodation for older residents and those with other particular requirements, to enable them to continue to live in the village (93%)
- 1.3 To provide suitable 'truly' affordable housing to enable young and lower income residents to remain living in the village (93%)
- 1.4 To provide a limited amount of housing with preferential access to current village residents, or those with a strong local connection (72%)
- 1.5 To ensure that new development is of high quality design, in keeping with the village and parish character and to a high level of sustainability (90%)
- 1.6 To limit the size of individual developments to ensure that growth in the parish is sustainable and does not negatively impact on the infrastructure and amenities for existing residents (93%)

#### 3.4.2 Community and Amenities

**Goal 1 To maintain and enhance the character, vitality and community spirit of the village**

**Objectives arising:**

- 1.1 To retain and protect from inappropriate development the village "Crown Jewels" (for example the library, the Sun) (100%)
- 1.2 To maintain and enhance the existing range of amenities, services and facilities (100%)



- 1.3 To encourage the purchase of locally produced goods and service (97%).
- 1.4 To provide a safe and healthy environment for all the people of our community (97%)

**Goal 2 To maintain and develop an infrastructure to support our community activities**

**Objectives arising:**

- 2.1 To maintain and enhance the facilities for children and young peoples' activities (100%)
- 2.2 To maintain and enhance facilities for a range of sporting and non-sporting leisure activities (100%)

**3.4.3 Employment**

**Goal To maintain and enhance employment opportunities and businesses providing sustainable services and local employment**

**Objectives arising:**

- 1.1 To encourage and support local agriculture and businesses in suitable locations (97%)
- 1.2 To ensure that any new employment opportunities are appropriate to the surroundings and meet high standards of sustainability (in terms of location and design) (100%)
- 1.3 To encourage new business start-ups and opportunities for local people (97%)

**3.4.4 Environment**

**Goal 1 To maintain the rural character and tranquillity of the parish whilst seeking opportunities for landscape, recreational and ecological gain**

**Objectives arising:**

- 1.1 To retain and enhance the special character of the locality and distinctive local identity of the village (97%)
- 1.2 To maintain and enhance key views within and of the village and the wider District, including the Cotswolds Area of Outstanding Natural Beauty (97%)
- 1.3 To maintain and enhance the village's Conservation Area (97%)
- 1.4 To retain and enhance accessible open spaces within and around the village (97%)
- 1.5 To encourage sympathetic management of the countryside around the village to enhance the high quality landscape and improve local biodiversity (97%)

**Goal 2 To minimise the environmental impact of new development, and ensure that any development is sympathetic to its setting within the village and the wider neighbourhood**

**Objectives arising:**

- 2.1 To ensure that any development is compatible with the built and natural environment (97%)

- 2.2 To encourage development that makes use of previously developed land and buildings rather than greenfield locations (97%)

**Goal 3 To reduce harm to the environment by aiming for a low carbon community**

**Objectives arising:**

- 3.1 To improve the energy efficiency of the village (97%)
- 3.2 To encourage and support home working (97%)
- 3.3 To require all development to meet high standards of sustainability (97%)

**3.4.5 Transport**

**Goal Improve access within the parish, improve travel choices and reduce the need to travel**

**Objectives arising:**

- 1.1 To reduce traffic congestion (90%)
- 1.2 To encourage buses to serve existing and new areas, run at appropriate times and be affordable (97%)
- 1.3 To ensure there is adequate car parking available in any new development (100%)
- 1.4 To promote alternatives to minimise the use of cars e.g. car sharing (93%)
- 1.5 To protect, develop and improve the network of footpaths, bridleways and cycle paths in the parish to improve links within the parish and with other parishes, and enable all people to actively move around (97%)

The points coming out of the comments made in the questionnaires and the presentations included:

- The need for affordable housing for rent and for first time buyers
- No large scale developments
- No development outside of existing village or on green field sites.
- Concentrate development on brown field sites, such as the Stanton site.
- Cricket field and playground should be 'Crown Jewels'
- If more homes are built the Doctor's surgery hours need to be increased
- Narrow rural roads creating difficulty parking in the village and traffic pressure points
- Improvement of the footpath network and links with other settlements
- Involve younger members of the population in decisions about the community

**3.5 Consultation on Policies and Sites**

Two workshop presentations outlining possible policies and sites with questionnaires were held on Thursday 26 September 2013 at the Memorial Hall and Saturday 28 September 2013 at St Peter's Church. 37 responses were received.



A summary of the responses is as follows:

*What is your preference for the size of any future housing development?*

- 10-20 properties was the most popular, with less than 10, the second most popular.

*Out of two questions asking where housing development **should** go, the top three responses most frequently identified were:*

- Rope Way
- The old KMS Litho site on Scotland End and adjacent to Old School End
- land near the Doctor's surgery

People said that new development should be kept within existing village boundaries (92% identified areas outside the current village extent) and on brown field sites.

*Where do you think housing development **shouldn't** go?*

- 45% of the total areas where respondents said that development **shouldn't** go were the Bourne Lane, Beer Festival and the land between Redlands Farm and the school sites.

*Comments on the draft Neighbourhood Plan Policies*

Key themes coming out of the comments on the draft Neighbourhood Plan Policies were:

- Large scale developments are not acceptable
- Strong feeling about local involvement in identifying where new housing should be built
- The need for development to be sustainable
- Affordability of housing
- A focus on infilling within existing sites

### **3.6 Summary of Other Consultation and Comments**

#### **3.6.1 Views from Older People at the Day Care Centre**

As part of following up some of the comments coming out of the early consultation, older people attending the day care centre on 12 August 2013 were given an update on the process and asked to give their views. The main things they said were:

*What they liked about living in Hook Norton:*

- Activities and facilities
- Community spirit – "...it's a happy place"

*Things older people would like to see improved:*

- The bus service, particularly a Sunday service
- Parking

*Other comments included:*

- The need for public toilets
- More and a better mix of housing for older people

### **3.6.2 Other comments**

A small number of other comments were received, including by email, throughout the consultation period to the pre – submission report stage, between January and October 2013. These are summarised below:

- The need for affordable housing, which should be provided as part of a housing mix
- Any affordable housing provision for people with a link to the village should include people employed in the village
- Keeping open spaces within the village
- Protecting particular views, for example the viaduct, church and brewery

As a result of the consultation some issues were identified that the Steering Group considered either fell outside the brief of the neighbourhood plan or needed to be taken forward by the Parish Council, such as facilities for young people and the future of the Memorial Hall. These have been raised with the Parish Council.

## PART TWO

### Pre-Submission Consultation

#### 4. Consultation Process

The consultation on the Hook Norton Pre – Submission Neighbourhood Plan began on 18 November 2013 and ended on 6 January 2014 giving people seven weeks to respond. Some responses were received after that date and were included.

In line with the requirements of paragraph 14 of the Neighbourhood Planning (General) Regulations 2012 consultation was in two main ways with:

- All residents and a total of 96 local services, businesses, clubs and societies in the parish
- Statutory consultees as advised by Cherwell District Council in relation to Schedule 1 of the Regulations.

Please see appendix B for the full list of consultees.

#### 5. Consultation Timetable

Date	What	How	Where/Who
Week beginning 18 November 2013	Article	Village newsletter	Delivered to all households in the parish of Hook Norton
Week beginning 18 November 2013	Letters/emails	Sent to local services, businesses, clubs and societies	Parish of Hook Norton
Week beginning 18 November 2013	Letters/emails	Sent to statutory consultees and other consultation bodies	As advised by Cherwell District Council
Week beginning 18 November 2013	Posters	Displayed	Throughout the village
Week beginning 18 November 2013	Consultation details and a copy of the pre-submission neighbourhood plan and sustainability appraisal, plus summary documents	Website and Facebook	
Week beginning 18 November 2013	Hard copies of consultation details, pre-submission neighbourhood plan and sustainability appraisal, plus summary documents	Hook Norton library, Doctor's surgery, Sports and Social Club and village pubs	
Week beginning	Banners	Displayed	At all main road entrances to Hook Norton
Week beginning 16 December 2013	Leaflet and summary of the draft neighbourhood plan	Delivered	Households in Hook Norton
14 and 18 December	Open meetings	Presentation summarising the plan	Memorial Hall and St Peter's Church

Date	What	How	Where/Who
2013, 4 January 2014		and inviting comments	

## 6. Overview of consultation responses and changes made to the Plan as a result of the Consultation

There were 20 written responses to the consultation and 51 people attended the open meetings.

A complete list of the pre-submission consultation responses, together with the response of the steering group, identifying changes made to the submission version of the plan is included as Appendix A to this statement. The following is a summary of the responses.

There was substantial overall support for the Hook Norton Neighbourhood Plan and the policy areas and some positive comments and suggestions.

*I give my full support to this thoroughly comprehensive and well thought out plan.*

*I think it is a well-balanced, informative and considered plan.*

### 6.1 Hook Norton Character and Countryside

There was widespread support for this section of the plan and policies from statutory consultees/consultation bodies and local people. No changes to this part of the plan were required.

### 6.2 Community

As a result of the feedback the section on infrastructure in this part of the plan was expanded to include utilities and Policy HN-COM3 was reworded. Some amendments were suggested to the list of locally valued resources, but no changes to the plan were required.

### 6.3 Housing

Useful comments were made particularly in relation to affordable housing. Support for affordable housing was confirmed, but it was clear the plan would benefit from a review regarding how that housing might be provided. Section 4.5 of the plan and Policy HN-H5 was revised to provide greater clarity.

Amendments were also made to clarify and update the sections about sustainable housing growth, location and types of housing.

### 6.4 Transport

Policy has been refined in this section as a result of feedback from Oxfordshire County Council Transport Services.

Some respondents commented on transport issues, such as traffic controlling measures and the hours of operation of the local bus service which were judged to be outside the scope of the plan. However these could be addressed through the forum proposed by the Steering Group.

### 6.5 Other Comments

A number of comments were raised which the Steering Group considered could not be addressed directly by the plan. These included a review of available venues for village

activities, and the ability of the village infrastructure to keep pace with new housing development, particularly relating to the capacity of the local primary school to accommodate the increase in the number of children in the village. The plan addresses these as far as possible and through recommendations to the Parish Council.

There were several comments about the timescale for the Hook Norton Neighbourhood Plan to progress to the stage of being part of the Development Plan and in the meantime how much decision makers would/could take it into account when considering new planning applications. The wish to see the plan implemented as quickly as possible was clearly expressed.

## **7. Next Steps**

The submission version of the Hook Norton Neighbourhood Plan reflects the consultation carried out with the local community and key parties to meet the requirements of the neighbourhood planning regulations.

The Hook Norton Neighbourhood Plan Steering Group will continue to keep the local community informed of the progress of the plan and look forward to it being accepted at the referendum.



## Appendix A

### Hook Norton Neighbourhood Plan - Summary of responses received to consultation on Pre submission plan - and Plan responses

Note: Names are given only for organisations: responses from individuals are anonymised & referred to by reference number only

Respondent	Consultation comments	Plan response
1 Woodland Trust	Many thanks for send your plan to us to comment, it looks great so far. I just have a couple of comments that you may like to think about: Policy HN-CC 1 and HN-CC2 are a great starting point for setting out what you want development in your village to look like. CC2 recognises the importance of trees to the character of the village. You might like to consider making the policy more specific with regard to trees. For example you could consider a policy specifying that a certain number of street trees could be planted for every new residential unit built. This would not only soften the impact of new residential development but would bring numerous benefits for the local community, contributing to your sustainability aspirations. Please do keep in touch and let me know if there is anything we can help with on your plan	HN-CC1 requires positive contribution & HN-CC2 provides for flexibility - No change required
2 Natural England	Many thanks for the above consultation. Natural England has reviewed the draft plan. In general terms it appears to address the natural environment well, and in particular has good policies related to public rights of way. We have no other comments to make.	No change required
3 Network Rail	Thank you for the opportunity to provide feedback to the proposed policy. Network Rail is the "not for dividend" owner and operator of Britain's railway infrastructure, which includes the tracks, signals, tunnels, bridges, viaducts, level crossings and stations – the largest of which we also manage. All profits made by the company, including from commercial development, are reinvested directly back into the network. As the proposal contains no railway land and does not adjoin any railway land we have no comments.	No change required
4	As a resident of Hook Norton and one who lives like the a sizeable 'minority' next to a traffic lane I know there are a number of residents concerned that the plan itself doesn't appear to cover all the areas of transport that could bring more peace, quality of life, and above all greater safety to the village. National and rural traffic is bound to increase between 2014 and 2031 as it has historically up to date. I give examples of two goals that I consider would be extremely conducive to making Hook Norton a better and safer place to live. (However, perhaps these areas are not covered by this plan for the future? If that is the case perhaps you could advise me of the correct route to take). Vehicle/Traffic Management in Hook Norton. a) Why is traffic legally allowed to drive along certain 'very narrow' lanes in the village, and along cut throughs such as 'The Bourne' at 30mph where there are stationary obstacles and young Children	Sections 1.6 & 5.1 refer (recommendation to Parish Council to establish a forum to consider transport issues). No change required

Respondent	Consultation comments	Plan response
	frequently playing outside their houses? Other villages recognise the dangers and have implemented 20mph zones advising drivers to slow down that not only improves safety but also the quality of life for residents regards traffic noise. b) Why are there HGV vehicles frequently driving through the centre of Hook Norton and along Clay Bank using the lane/s as a cut through when there could be a 7.5t access limit for such traffic, HGV traffic that has no intention of delivering or collecting from Hook Norton.	
5	I think this is an outstanding document and an amazing piece of work by all of you. This is all I can say really. Thanks so much.	No change required
6a	(Confidential aspects of comments removed at the request of the respondent.) The low cost/affordable model needs refining – it is not the job of a landowner to provide low cost land, this has to be properly funded. I have a concern that the proposal to limit development to 20 houses, and only 10 of these in the first half of the plan may limit or almost prevent affordable housing development? Your proposal to introduce some provision to keep affordable housing for local people is commendable. In Affordable housing - Policy background and reasoning - a limit of 25% of market homes in a mix of affordable housing just won't stack up. There has to be an acceptance that if land is acquired for affordable housing, there is a price to pay and that has to be realistic, or it just won't happen. This figure has to be at least 50%, but I am unsure of other restrictions on this?	Section 4 of plan amended and Section 4.5 refers.  Figures are as per CDC Local Plan - no change required
6b	I must also just register my concern that should a village amenity become unviable, we need to be mindful of resisting change of use if that is the only realistic way forward.	HN-COM1 allows for this - No change required but policy has been reformatted for greater clarity
6c	HN CC3 - I think the view that ironstone should be the preferred material of construction may preclude/adversely affect affordable homes. There is a large amount of brick in the village, and Old School End in part reflected the brick house opposite, and these homes have a pleasant appearance. Hollybush and Orchard Road have a mix of brick and stone, and this also leads to individuality.	Section 4.5 (amended) refers - No change required
6d	HN-COM3 - I think this would need "toughening up" to make sure developer contributions are correctly spent – there could almost be a separate trustee type group to ensure any monies are spent in the best interest of the village. The PC need to be involved, but may not be the best medium?	Any S106 agreement or similar to cover allocation & monitoring of spend. HN-COM3 wording amended (see also response 16b)
6e	Types of housing - Policy background and reasoning - I was very surprised to see the survey result showing over half the village homes have 4 or more bedrooms? I guess in a lot of cases	Section 4.4 text clarified

Respondent	Consultation comments	Plan response
7 English Heritage	<p>bedroom 4 has room for a bed and little else, but it did seem a very high figure?</p> <p>We welcome the addition of “heritage” to the goal “<i>To maintain the rural character and tranquillity of the parish whilst seeking opportunities for.....heritage.....gain</i>”. We also welcome the recognition of the Conservation Area; that good design and positive contribution to local character is not just a matter for designated areas; and important views to buildings unique to Hook Norton as being particular aspects which are expected to have significant weight when considering any planning application. We particularly welcome Policies HN - CC 1, HN - CC 2 and HN - CC 3 for their references to the locally distinctive character and context of Hook Norton/local distinctiveness, respecting and enhancing heritage assets and the Hook Norton Conservation Area Appraisal. We also welcome Objectives 1.1 and 1.3 under “Environment” in Appendix A. nevertheless, given the historical significance of the Parish and the range of heritage assets therein, we remain a little disappointed that there is not greater specific reference to the conservation and enhancement of the historic environment of the parish and its heritage assets within the Plan, either in the objectives or in the policies, nor any indication of an intention to undertake a characterisation of the village as a whole which could help inform locations and details of proposed new development and identify possible townscape improvements. As regards the Sustainability Appraisal, we are grateful for the changes that have been made in response to our comments on the Scoping Report.</p>	<p>Goals &amp; objectives moved from Appendix A to main body of the plan</p> <p>HN-CC2 amended</p>
8 Cherwell District Council (CDC) Strategic Housing	<p>Policy background and reasoning Paragraph 3 – there should be clarification over the provision of affordable housing through the delivery of a Rural Exception Site and through planning gain i.e. S106 requirements. Policy HN – H5: Provision and retention of affordable housing – a distinction needs to be made between S106 affordable housing provision and affordable housing provision gained through the development of a Rural Exception Site. S106 affordable housing will be secured for the use of those who bid for properties and are nominated through the Council’s Housing Register, and not necessarily will have a local connection, although the Council will still endeavour to secure 50% of the nominations to the new homes for those with a local connection. It is reasonable for an obligation for rural exception affordable housing to be secured for those whom have a local connection.</p>	<p>Changes made to Section 4.5 to clarify</p>
9a Oxfordshire County Council (OCC) - general	<p>No objection in principle, subject to the issues raised below. The county council supports the preparation of a neighbourhood plan for Hook Norton and welcomes the opportunity to provide comments on this working paper. Officers have raised a number of issues in response to this consultation; these are set out below</p>	

Respondent	Consultation comments	Plan response
9b OCC - Transport	Public Transport. A strategy exists to improve the local bus service between Banbury and Chipping Norton, in particular to extend the hours of operation so work journeys are possible, to both Banbury and Chipping Norton, including onward travel at either end of the route. Residential developments along this route have been, and will be, expected to contribute towards the cost of this strategy. - This should be referenced in Policy HN-T2, which could be expanded: "Opportunities will be sought to improve the local foot/cycleway network to facilitate safe, active and energy efficient means of transport and provide enhanced linkages, including to bus stops. All development proposals must demonstrate how their proposal has taken this requirement into account. Contributions will be expected towards the provision of an enhanced bus service to Banbury and Chipping Norton, with the provision of earlier and later journeys to facilitate journeys to employment opportunities."	HN-T2 amended
9c OCC - Transport	The Plan should refer to the County Council's advisory lorry route map in relation to concerns over large vehicles travelling through the village and 'routeing agreements.' These maps were developed in early 2012 to help logistics managers and drivers of large goods vehicles to select the most appropriate routes for their journeys within Oxfordshire. The material can be accessed online at: <a href="http://www.oxfordshire.gov.uk/cms/content/lorry-routes">http://www.oxfordshire.gov.uk/cms/content/lorry-routes</a> . It can be seen from the Lorry Route maps that the unclassified rural routes through Hook Norton do not feature on the advisory lorry routes, therefore OCC does not recommend such HGV traffic to use these routes, unless for local access (e.g. delivery). For journeys between Chipping Norton and Banbury HGV traffic is recommended to use the A361. HGV traffic accessing the Ferris Hill Farm Waste Transfer Station Site, north of Hook Norton, should access the site via the recommended access route displayed in the Lorry Routes map, thus avoiding the village entirely.	Section 5 amended
9d OCC - Transport	Policy HN – T1 Access and Parking policy should make reference to Oxfordshire County Council's parking standards, e.g. any new development must provide access to the local road network which is suitable and sympathetic to the surroundings, and must provide sufficient off road parking in line with Oxfordshire County Council's parking standards. Applicants for planning permission must clearly set out the proposed level of parking provision in relation to objectively assessed needs at the time, and show how future needs have been taken into account.	Policy HN-T1 amended
9e OCC - Public Rights of	The County Council supports policy aspirations in HN - COM2 and also the principle of using developer contributions and other resources to fund community infrastructure. The comments in Appendix C which set out suggestions for additional rights of way are also noted. A more detailed analysis of the survey data would be useful as it would give an understanding of	No change required. Steering Group to provide separate response to OCC re survey data & HNPC liaison. (Note:

Respondent	Consultation comments	Plan response
Way	relative values if we know how many people are asking for which routes.	appendices relabelled & list is now Appendix B)
9f OCC - Education	Hook Norton Primary School does not currently have capacity to absorb local housing growth, but a feasibility study has been conducted into expanding the school from 1 form entry to 1.5 form entry. This would provide sufficient capacity for the level of housing development expected in this area, including from the surrounding villages which are in the designated area for Hook Norton Primary School. Developer contributions are sought towards the capital cost of this expansion. Chipping Norton (Secondary) School has sufficient capacity to absorb the expected level of housing growth in its catchment.	Noted – revised Sections 3.4 and 4.1 refer
9g OCC – Ecology	The Neighbourhood Plan needs to consider biodiversity (in line with Cherwell's planning policies and the National Planning Policy Framework) and must ensure that the ecological value of all the potential housing sites have been assessed to understand their relative value. The ecological value of the sites should be taken into account when considering which sites to allocate for development, so that site/s with the lowest environmental value are allocated. Fully understanding the ecological value and any potential constraints should help avoid possible delays at a later stage.	Sections 1.3 & 2 refer - No change required
10 Thames Water	Thames Water are the statutory water and sewerage undertaker for the Hook Norton Neighbourhood Plan area and the whole of the Cherwell District. They consider that there should be a section on 'Infrastructure and Utilities' in the Hook Norton Neighbourhood Plan which should make reference to the following: Developers need to consider the net increase in water and waste water demand to serve their developments and also any impact the development may have off site further down the network if no/low water pressure and internal/external sewage flooding of property is to be avoided. We would therefore recommend that the following text is included in the Neighbourhood Plan: 'Developers engage with Thames Water at the earliest opportunity to establish the following - The developments demand for water supply and network infrastructure both on and off site and can it be met. - The developments demand for sewage treatment and sewerage network infrastructure both on and off site and can it be met. - The surface water drainage requirements and flood risk of the area and downstream and can it be met'. Thames Water should also be consulted regarding proposals involving building over or close to	Section 3.4 amended

Respondent	Consultation comments	Plan response
	<p>a public sewer. If building over or close to a public sewer is agreed by Thames Water it will need to be regulated by an Agreement in order to protect the public sewer and/or apparatus in question. It may be possible for public sewers or water mains to be moved at a developer's request so as to accommodate development in accordance with Section 185 of the Water Act 1989.</p>	
11a	<p>Thank you for the dedicated and determined way in which you have gone about developing the Neighbourhood Plan – it's a pretty unforgiving task! Once it is settled and adopted, we must hope that CDC, OCC and central government will adhere to our wishes! I have a couple of comments on the policies that you have alighted upon, CC1: in particular - development which makes use of previously developed land and buildings will generally be preferred to greenfield locations. Residential gardens are not considered previously developed land and redevelopment of residential gardens to provide inappropriate housing is specifically not supported. I understand the thrust of this policy, and agree that previously developed land and buildings should have a preference for development, all other things being equal. My concern is the definition of "developed land and buildings". Locally, there are several areas of previous quarrying and embankments that have been reverted to agricultural use or have been adopted into the local environment as path ways or as part of the local scenery. Furthermore, the "new" Stanton Engineering building was never really used and was an "at cost" building designed as a stalking horse to get planning permission for housing. I, therefore, think that this policy should make it clear that land reverted to agriculture or which has become part of the local environment does not prime facie have a preference in favour of development, and should be treated as "greenfield" for this policy. To do otherwise would mean that large areas of the village and its immediate surroundings will have a presumption for development. In addition a preference should be taken against the situation when buildings are erected as a deliberate precursor to gaining wider housing development approval as this has worked to the community's disservice in the past.</p>	PDL definition in NPPF – No change required
11b	<p>General goal: To reduce harm to the environment by aiming for a low carbon community. Although there are several references in the various policies to a low carbon community, there is no real amplification of this goal. My concern here is that whilst, to my mind at least, the policy references to low carbon are totally supportable, there is a clear concern that this general goal could be used as a stick to beat the renewables drum. Specifically, it would be totally wrong to conclude from this Plan that there is any community endorsement for renewable schemes such as the mooted wind turbine/farm or other scheme such as solar</p>	Section 2 refers - No change required

Respondent	Consultation comments	Plan response
	arrays. I think, therefore, words of limitation should be introduced to ensure that the Plan and this generalised goal cannot be misconstrued as community approval for any such scheme.	
12	I give my full support to this thoroughly comprehensive and well thought out plan.	No change required
13	Following the presentation at the Church today, can I first thank everybody for the amount of hard work which has been put into the preparation of the Plan. My particular interest is in the provision of affordable housing. Whilst I think that the strict limitation on new housing development post Bourne Lane and Stanton Engineering is a reasonable position to take, one consequence of this is that any further development in the village up to 2031 is likely to be below the threshold which requires developers to provide affordable housing. As most affordable housing is provided through the planning system, there is a danger that the village would only have that provided by the two sites which have recently received consent. I would hope that particular emphasis could be placed in the Plan on regular updates of housing needs surveys, and that if as a result of such surveys additional affordable housing were required, exception sites where consent might be given for affordable housing only could be identified. Policy HN - H5 as currently drafted is more concerned with ensuring that affordable housing remains affordable, but should perhaps also address the issue of identifying future locations for additional affordable homes up to 2031.	Section 4.5 and Policy HN –H5 amended to clarify affordable housing provision  Section 6 refers - No change required
14	Just a thought re any additional dwellings to be permitted 2014-2031. Would this/ could this include garaging as well as I do think provision for this because of the parking problems would be pretty much essential? Could someone use a plot for a garage for say 2 cars providing of course they were in keeping with the character of the village, without a house necessarily having to be built as well?	Sections 2, 3 & 5 refer - no change required
15	I would just like to thank you for all your hard work in producing such a clear and well thought out Neighbourhood Plan. I fully agree with your findings and recommendations. My only comment would be that we should do all possible to get this adopted and in place as soon as possible. This to ensure we don't have another Bourne Lane type development foisted on the community.	No change required
16a CDC	Thank you for consulting the District Council on your pre-submission Neighbourhood Plan. The Council supports collaborative working with Hook Norton Parish Council in order to facilitate the progression of the Neighbourhood Plan to adoption. The effort and work that has gone into the production of the first draft neighbourhood plan and the associated sustainability appraisal in Cherwell is to be commended, and is welcomed. The Plan is succinct and focuses on local concerns and issues generally without duplicating strategic policies in the Local Plan. The Plan will provide the local community with the enabling power to shape sustainable development in	



Respondent	Consultation comments	Plan response
	<p>the neighbourhood. It would also provide support to the strategic policies of the Cherwell Local Plan. In response the following officer comments are, therefore, provided.</p> <p>The Neighbourhood Plan should of course reflect any changes to the emerging Local Plan as it progresses through Examination and to adoption. Presently, it is expected that the Local Plan will be submitted for Examination on 24 January 2014. It would be helpful if the paragraphs in the document are numbered. This would help in the referencing of the text. It would be particularly useful when the plan comes up for examination. References Section - this is in fact the evidence base which informed the preparation of the Plan, and will need to accompany the Plan when submitted. This needs to be made clear or the title changed to evidence base. The publication of separate evidence documents might be appropriate.</p>	<p>Submission version of Plan updated to reflect Submitted version of Local Plan. Formatting amended. Section 7 amended</p>
16b CDC	<p>Policy HN – COM3. It should be recognized that there are limitations to the use of Section 106 agreements. Planning obligations entered into must be: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. Should in the future the Authority adopt an infrastructure charging levy then, the CIL regulations require that fifteen percent of revenues received will be passed directly to those Parish and Town Councils where development has taken place.</p>	<p>HN-COM3 amended</p>
16c CDC	<p>Page 14 – Paragraph 1. Cherwell District Council reviews the housing land supply position at least on an annual basis; it is in a constant state of flux, and changes from year to year. Reference to the current position of the 5 year housing land supply should therefore be deleted as the Plan is intended as a long term document. The Plan could make reference to the monitoring of the 5 year housing land supply and the Annual Monitoring Report in the Implementation and Monitoring Section.</p>	<p>Sections 4 &amp; 6 amended</p>
16d CDC	<p>Policy HN – H1. Conversions could also relate to the subdivision of residential property. An example case is when large residential properties are converted into two or more flats to cater for the needs of smaller households and single people. Also an infill site in some cases may be suitable for more than 2 dwelling units. The Local Plan does not refer to infilling as being suitable for only one or two dwellings. Minor development is defined in the Policy as 'typically but not exclusively for less than 10 dwellings'. The adopted Cherwell Local Plan 1996 and Draft Submission Local Plan (October 2013) provide a qualitative approach to assessing what constitutes minor development. There is no information currently in the Draft Hook Norton Neighbouring Plan on why a numerical definition is needed at the local level, or whether 10 dwellings is the most reasonable figure.</p>	<p>Section 4.1 &amp; HN-H1 amended</p>
16e	<p>Page 16 – Paragraph 3 of Policy HN-H1 states that "...the number of additional dwellings to be</p>	<p>Section 4.1 &amp; HN-H1 amended</p>

Respondent	Consultation comments	Plan response
CDC	permitted during the plan period shall not exceed 20 unless justified by exceptional circumstances..." Consider reviewing the wording of this paragraph in view of NPPF paragraph 16, which explains the implications of the 'presumption in favour of sustainable development' for Neighbourhood Plans. Any threshold or proposed phasing should be supported by evidence as to why proposed development would not be acceptable if it did not comply with the suggested policy.	
16f CDC	Policy HN - H2. Assessment criteria for housing proposals should seek to take into account any particular local considerations that are important to the Parish and can be supported by evidence. More general development management criteria will be set by the District Council through a Development Management Policies DPD. Some sites identified in the SHLAA have been suggested as potentially suitable for residential development, but not allocated under a policy. An explanation should be provided as to why the Neighbourhood Plan provides a criteria based policy for assessing housing proposals, and does not proceed to the allocation of the identified sites. Review the use of the wording 'very significant weight' because the policy will be used to determine planning applications, and the terminology used should be as clear as possible. The status of adopted Neighbourhood Plans as part of statutory Development Plans may remove the need for this criterion.	Section 4 refers – no change required  HN-H2 clarified
16g CDC	Policy HN – H5 and Policy background and reasoning including Appendix E. A distinction needs to be made between Section 106 affordable housing provision and affordable housing provision gained through the development of a Rural Exception Site. National policy allows for the exceptional release of small sites for affordable housing within or adjoining villages in circumstances where planning permission would not normally be given and where there is a demonstrable local need for affordable housing that cannot be met in any other way. Rural exceptions sites are considered as additional to the general allocation of housing identified in the Local Plan. In every case the needs of the particular village are assessed by the Council in partnership with the parties involved before a scheme is progressed. Occupancy controls can be imposed through a Section 106 agreement to ensure that the benefits of affordability (usually gained by the low land value derived from the exceptional basis of the scheme) are preserved so that they continue to meet local need of applicants with a village connection in perpetuity. S106 affordable housing will be secured for the use of those who bid for properties and are nominated through the Council's Housing Register, and not necessarily will have a local connection, although the Council will still endeavour to secure 50% of the nominations to the new homes for those with a local connection. It is reasonable for an obligation for rural exception affordable housing to be secured for those who have a local connection. The	Comment & plan response as per No. 8 above. (Note: Appendices reviewed & previous Appendix E is now Appendix D)

Respondent	Consultation comments	Plan response
	proposed Policy should be amended to accord with national planning guidance and Policy Villages 3 of the emerging Cherwell Local Plan.	
16h CDC	Appendix D .The housing figures referred to should be updated before the Plan is examined, and take into account any changes to the District Local Plan as it progresses to adoption.	Submission version of plan uses updated figures. (Note: Appendices reviewed & previous Appendix D is now Appendix C)
16i CDC	Sustainability Appraisal Page 6 – second and third paragraphs refer to the July 2012 update of the Cherwell Local Plan SA. The SA report has been updated again in October 2013 and approved for submission by Council alongside the Local Plan. The requirements of the NPPF have been fully incorporated into the Local Plan. The text should be amended to take these two points into account. Page 23 – Habitat Regulations Assessment, paragraph needs updating to refer to the October 2013 Local Plan and the accompanying update.	SA amended
17	Can I start by congratulating the team on an excellent document, it is well thought through, well researched, well written and well produced. Clearly a lot of time and effort has been expended and the resulting document reflects this. I also think it is a well-balanced, informative and considered plan. I have not been involved in the public meetings or discussion, and while I did respond to the questionnaire there are a few related points that the plan prompted that I wish to raise. These relate to the first two goals and objectives listed – maintaining community spirit and maintaining and developing the infrastructure for community activities. We have lived in the village for nearly 17 years and are therefore relative newcomers to a village which went through significant growth and development in the previous 30 years, but has been relatively stable in housing and growth terms since then. There are a number of long-standing infrastructure aspects which have been cause for concern in the past, although many of these have improved; water pressure, electricity supply, roads and (my main point) internal public spaces. We have several of these – the Memorial hall, the School, St Peter's, the Library and adjacent hall, the Baptist chapel and hall, the Brewery centre, the Sports and Social club. Some are clearly in private or commercial ownership or have certain limitations on their use. What strikes me is that we lack a space capable of supporting large-scale village activities. By contrast other villages of similar size have much larger Village Halls. I question whether the continued regular investment in the Memorial Hall is really worthwhile when the facility itself is limited in scale and capability. This is a personal opinion, and I have no real feel for whether there is any general consensus on the requirement for a larger space. I think this could be	Sections 3 & 6 refer - No change required

Respondent	Consultation comments	Plan response
	<p>considered under the COM1 policy – locally valued resources. A number of options could be considered – some of these based on what seems like under-utilisation of existing spaces; 1) A new, larger village hall – I would suggest adjacent to the school – the obvious place would be in the field between the school and Redlands Farm although I recognise the resistance to housing development on this site. If the school is likely to have to expand then there could be some shared usage which would benefit many. This could also address the parking issues in Sibford Road outside the school (policy T1) – with sufficient off-road parking serving both the school and a community hall...? I was surprised that HN did not take advantage of the Millenium Lottery funding for new village halls – Shipton-u-Wychwood benefitted from this, and sold the land where their existing hall had stood for infill housing. Could HN consider something similar? What other sources of funding might be available? 2) Better use of St Peter's church – this from my position as a former churchwarden, although probably not the view of the parochial church council (PCC)! A very large space directly in the centre of the village which is extremely under-utilised. It is difficult to imagine what would happen if the C of E church community reached the position of not being able to maintain the building. There are many villages where this has happened already – but a derelict St Peter's is hard to contemplate. The Anglican community in the village of approx. 60-80 regular worshippers have raised significant sums of money in the time we have been in the village to maintain the church in its current state. The church has estimated a spend running into several million having been spent on the upkeep of the church fabric and its maintenance during his time in the village. This is hardly central to the purpose of the church itself (the people not the building), but the constraints of English Heritage and the wider desire to maintain historic buildings conflict with this purpose and some form of resolution will have to be found eventually. There are examples of changed and shared usage of church buildings with the main body of the church being used and maintained by a community trust, and the chancel being the preserve of the Anglican communion. Could we do something similar? 3) A weaker option in my opinion – alternative use of Brewery buildings? Is this something the village and brewery could develop further in tandem? 4) Something else???</p>	
18	<p>Thank you for the effort that you have put into this Plan. I'd like to confirm that there is not anything in the plan that seems out of place on a sustainability standpoint. It is certainly something I will be promoting to the HNLC membership/contact group to vote on positively when it comes to the referendum. One thought to build on in the Plan. In the "Key issues, goals and objectives" section on P6 there is a very helpful statement "To reduce harm to the environment by aiming for a low carbon community". Unlike the specific housing related areas which are then backed up by specific numbers there isn't so far a measure of progress against</p>	<p>Several policies in the Plan relate to the objectives arising from this goal. Policy implementation &amp; monitoring is provided for in Section 6 - information passed to HNPC &amp; CDC - No change required</p>

Respondent	Consultation comments	Plan response
	this goal. If it is not too late I am wondering whether we can include some independent research that has just been conducted by Oxford University (under the EVALOC project) which shows that between 2010 and 2013 Hook Norton has reduced its emissions from its existing housing stock by 15-20% (the actual number was 18% but that is over-precise). Would it be possible to include that statistic (I can send you their presentation they made to the Open meeting on 27th Nov) and then include a target to continue this trend of decreasing energy use / carbon emissions (most appropriately phrased as a per house basis)? We would quite understand if it was too late in the process - just having got this valuable independent measure of the success of the community in reducing its carbon emissions it would seem worthwhile including this aspect to strengthen the goal relating to a "low carbon community".	
19a	Thank you for the opportunity to comment. This appears to be a thorough piece of work and is of a high standard that many of the large town planning consultancies would struggle to reach. The authors should be very proud of their efforts.	No change required
19b	The section on Policy background and reasoning for Hook Norton Character and countryside makes no mention of the Hook Norton Cutting site. It may have been excluded as beyond the remit of the plan, but may I suggest that it is considered for mention in this section as an example of the particular environment of Hook Norton?	HN Cutting/Banks has a specific designation (SSSI) addressed by National & CDC policies - No change required
19c	Locally Valued Resources. I was surprised not to see the fire station in the list. It may not be the most attractive building in the village, but it is functional and the function it provides is important to the well-being of the village. We are so far from so many resources and if we had to rely on services from Banbury or Chipping Norton there would be considerably more risk for all of us. In addition the fire brigade members themselves bring a great deal to the community life of the village and we would all the poorer if that organisation was not in place. Likewise the sports and social club facilities are surprisingly not in the list. I note the playing fields are – perhaps this was meant to include all the pitches and courts of the club? In which case a definition would be appropriate, perhaps in a footnote, that we are not talking here about the kickabout space proposed by TW on Sibford Road being sufficient or the school playing field, but it is the greater facilities on Bourne Lane that are the valued resource. I understand that why the Bell is in the list, but do think that these two resources are more worthy of specific inclusion than a defunct and arguably superfluous public house when there are 3 others on the list.	Playing fields definition included in NPPF. Policy HN-COM1 provides for annual review of LVR. Employment function of fire service - Policy HN-COM 5 refers – No change required
19d	In Policy HN - COM 4: Broadband "It is understood that Oxfordshire County Council will be rolling out high speed broadband to Hook Norton by 2015", there isn't a footnote to go with the reference 1. I suggest that you reference <a href="http://www.betterbroadbandoxfordshire.org.uk">http://www.betterbroadbandoxfordshire.org.uk</a>	Formatting clarified
19e	Page 15 – "The two villages within the group which have had no recent permissions for 10 or	Submission version of the Plan

Respondent	Consultation comments	Plan response
	more homes are Adderbury and Deddington". You should note that this is no longer accurate. The Planning Inspector has allowed the appeal by Pegasus (on behalf of Prudential Group) for outline planning permission to build 85 houses in the field on the edge of the village between Gaveston Gardens and Banbury Road in Deddington. Same grounds as Bloxham and Hooky. You might therefore argue that there is now oversupply in the group.	updates Section 4 and related Appendix
19f	Housing, pages 17 – 18 The focus on affordability is to be praised, but in the context of an aging population there should also be a greater focus on accessibility. If you want empty nesters to downsize, the housing must be of a sort to make that an attractive move, before a final move into supported living of some form. Housing must be accessible, i.e. 3 floor mews style housing is in-appropriate for this more mobility challenged group and as a result may mean that housing density is reduced to allow for more single floor living spaces, wheel chair accessible doors etc.	Sections 4.4 & 4.5 clarified
19g	This also has an impact on transport requirements – having a PO, shop, library and a GP in the village with dispensing services provide many of the necessary day to day services for those that do not drive (for whatever reason) but other medical services are increasingly and rightly being centralised. Getting to/from the JR by public transport is an all day exercise, taking 2hrs each way if the connections are good and the patient has sufficient mobility to walk between the bus and train stations in Banbury. If they don't, it is 2.5 hours at best on 3 different buses. This should be reflected in the policy background and reasoning together with standard working hours.	Section 5.1 refers - No change required
19h	With the late start of the buses, early finish and afternoon doldrums, the public transport is very poor. This limits the ability of all to work, learn, socialise and access essential services and increases the amount of subsidy the buses require, as they do not run at times when they might usefully be used by fare paying, rather than concession, passengers.	Section 5.1 (forum to consider transport issues) refers. Policy HN- T2 amended
20 Environment Agency	We are pleased to see that one of the key goals of the neighbourhood plan is to minimise environmental impact of new development and reduce harm to the environment by aiming for a low carbon community. However, we note that there is no specific reference to flood risk in this document. We would advise that a bullet point is added to Policy HN-H2: Location of housing. This should state that 'no new development will be located in Flood Zone 2 or 3'. Alternatively you could include a separate policy within the neighbourhood plan which clearly states the following: - no new development will be located in Flood Zone 2 or 3 - no new development will be located within 8 metres of any watercourse We feel that the neighbourhood plan area has plenty of space for development without the need to build in Flood zone 2 or 3 or encroach within 8 metres of any watercourse. We feel that	National & CDC polices - & Section 1.3 of this Plan refer. Section 3.4 & HN-H2 amended

Respondent	Consultation comments	Plan response
	this needs to be stated specifically within your plan so that the water environment is protected and the risk of flooding is not increased. Please don't hesitate to contact me if you wish to discuss policy wording or any other issues.	



## Appendix B

The following organisations/bodies were notified of the Hook Norton Neighbourhood Plan and invited to comment

Statutory Consultees	Non-Statutory Consultees	Parish Consultees	
Cherwell District Council	Berkshire, Buckinghamshire, Oxfordshire Wildlife Trust	Academy Framing	The Sun
Oxfordshire County Council	Butterfly Conservation (Upper Thames Branch)	Acreman's Arboriculture	The Village Shop
West Oxfordshire District Council	Campaign to Protect Rural England (Oxfordshire)	Andy Mariner Handyman Services	Top Dog Day Care
Sibford Gower PC, Cherwell District Council	Cotswolds Conservation Board	Andy Page Roofing	Turpins Lodge Riding Centre
Sibford Ferris PC, Cherwell District Council	Council for British Archaeology	Azure Beauty	William Curtis Landscape and Garden Design
Swalcliffe PC, Cherwell District Council	Defence Infrastructure Organisation	Banbury Blinds	Woodworm & Timer Treatment / Pest control
Wigginton PC, Cherwell District Council	General Aviation Awareness Council	Banbury Marquee Hire Ltd	Baptist Church
Swerford PC, West Oxfordshire District Council	Home Builders Federation (HBF)	Banbury Turf	St Peter's Church
Whichford PC, Stratford-on-Avon District Council	National Trust	Catherine Wright Lid	Pre-School Playgroup
Little Tew PC, West Oxfordshire District Council	Oxford Architectural & Historical Society	Chris Hobbs Dry Stone Walling	School
Rollright PC, West Oxfordshire District Council	Oxford Geology Trust	Chris Smith - handyman	FOHNS
Warwickshire County Council	Oxford Preservation Trust	Christopher's Private Hire & Chauffeur Services	Allotment Group
Stratford-upon-Avon DC	Oxfordshire Business Enterprise	Cotswold Carriers	Beer Festival
Homes and Communities Agency	Oxfordshire Geology Trust	CW Smith Building Contractors	Bellringers
Natural England	Oxfordshire Mental Healthcare NHS Trust	David Smith Landscaping, Dry Stone Walling & Hedge Laying	Hook Norton Charitable Association

Statutory Consultees	Non-Statutory Consultees	Parish Consultees	
Environment Agency	Oxfordshire Nature Conservation Forum	Firs Garage	Cubs and Beavers
English Heritage	Oxfordshire PCT	Garden Design Services & Plants	Daycare – Monday lunchtime
Network Rail	Oxfordshire Playing Fields Association	Gasson Associates	Film Society
Highways Agency	Oxfordshire Preservation Trust	George Fisher Woodwork	FOHNL
BT Group PLC	Oxfordshire Bat Group	Haircuts@Home	Gardening Club
Mobile Operators Association	Royal Society for the Protection of Birds	Hook Norton Brewery	Senior Section, Guides, Brownies and Rainbows
Manx Telecom UK Ltd	South Central Ambulance Trust (Oxfordshire and Berkshire Division)	Howard Electrical Contractors	HN Brass Band
Orange Personal Communications Service Ltd	South Central Strategic Health Authority	Ian Street Painting & Decorating	Hooky Car Club
Opal Telecom UK	Southern Gas Networks - Plant Protection Team	James Holiday Ltd	Hooky Players
T-Mobile UK	Thames Valley Police	John Harris	Hooky Ukes
Vodafone UK	Thames Valley Police	Kim Cooke Cleaning	Kestrels
Thames Water	Thames Water Property Services	KMS	Lee Stratford Community Trust
Anglian Water Services Ltd	Thames Valley Police	MJB General Services Limited	Local History Group
EDF Energy	The National Energy Foundation	Nigel Hollis - Computer Solution	Hook Norton Low Carbon
Good Energy	The Woodland Trust	N L Matthews	Mums & Tots
National Grid	United Sustainable Energy Agency	Orangeberry Books	Sports & Social Club
Powergen Plc	Mobile Operators Association	P Pickering Boiler Services	Weavers, Spinners & Dyers Group
Scotia Gas		Paul Swingle painting and decorating	Doctors
Scottish and Southern Electric (SSE)		P Tanner Building Services	Fire Service
Scottish Power		Peter Hibberd	Hook Norton Vets
Southern Gas Networks - Plant Protection Team		Post Office	Library

Statutory Consultees	Non-Statutory Consultees	Parish Consultees	
Oxfordshire Primary Care Trust		Re-pointing and conservation - Oxford Traditional Lime Mortars	Lion House Dental Practice
Thames Valley Police		RMH Boiler Maintenance	Police
		Salon 2	MP
		Sewn by Whim Wham	County Councillor
		Taylor Made Soft Furnishings	District Councillor
		The Gate Hangs High	Prime Minister
		The Pear Tree	Guardian Newspaper

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**Hook Norton Neighbourhood Plan  
2014 -2031**

**Basic Conditions Statement**

**July 2014**

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## 1. INTRODUCTION

This Statement has been prepared to accompany the Hook Norton Neighbourhood Plan as required under s15 (1) of the Neighbourhood Planning (General) Regulations 2012.

In this Statement, the “Neighbourhood Plan” and “HNNP” means the Hook Norton Neighbourhood Plan.

The Statement:

- Confirms the qualifying body
- Confirms that the nature, timescale and coverage of the Neighbourhood Plan meet the legal requirements
- Demonstrates that the Neighbourhood Plan meets all of the Basic Conditions applicable to Neighbourhood Plans.

### 1.1 Submitting body

The Neighbourhood Plan has been prepared by Hook Norton Neighbourhood Plan Steering Group on behalf of Hook Norton Parish Council which is a qualifying body as defined by the Localism Act 2011 (confirmed by Cherwell District Council Executive at committee meeting on 3 June 2013).

### 1.2 Neighbourhood development plan

The Neighbourhood Plan is a Neighbourhood development plan. It relates to the use and development of land in the civil parish of Hook Norton in the county of Oxfordshire. It has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.

### 1.3 Time period

The Neighbourhood Plan covers the period 2014 – 2031. The duration was chosen to reflect the Local Plan prepared by Cherwell District Council.

### 1.4 Excluded development

The Neighbourhood Plan does not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.

### 1.5 Neighbourhood Area

The Neighbourhood Plan relates solely to the Hook Norton Neighbourhood Area which covers the civil parish of Hook Norton. No other neighbourhood development plans relate to the same area.

### 1.6 Basic Conditions

In order to meet the Basic Conditions, a neighbourhood plan must:

- Have regard to National policy
- Contribute to the achievement of sustainable development
- Be in general conformity with strategic local policy
- Be compatible with EU obligations.



## 2. REGARD TO NATIONAL PLANNING POLICY

This section of the Statement demonstrates that the Neighbourhood Plan has had regard to the National Planning Policy Framework and that the 12 planning principles have been achieved as set out below.

### **Principle 1**

The Neighbourhood Plan was prepared following consultations with local residents, statutory authorities and other interested parties (HNNP Section 1)

It provides for joint working and co-operation between Hook Norton Parish Council, Cherwell District Council, Oxfordshire County Council and other agencies in implementation and monitoring (HNNP Sections 3.4, 5.1 and 6).

### **Principle 2**

The Neighbourhood Plan has been created to meet many objectives. It contains policies designed to meet community needs in a way which retains and enhances the character of the physical setting (eg HN-CC1, HN-CC2 and HN-CC3).

HNNP actively provides for an integrated approach in order to achieve sustainable development, advising applicants and decision-makers that they must read the plan and its policies as a whole (Section 1.6). In this way, it seeks to consider elements of location (eg Sections 2 and 4.2), design (eg Sections 2, 4.3 and 4.4) and function (eg Sections 3.1, 3.6 and 4.5), together with temporal factors (Section 4, especially 4.1 and HN-H1) and linkages (Sections 3.3, 3.6 and 5).

### **Principle 3**

As well as providing for sustainable housing development, HNNP includes specific housing policy in relation to affordability (Section 4.5). It also seeks a sustainable community by supporting rural employment (Section 3.6) and provides policies to respond positively to transport and other development needs (Sections 5 and 3.4).

### **Principle 4**

High quality design is an important aspect of the Neighbourhood Plan. HNNP seeks to facilitate a cohesive approach to development which integrates new development into the natural and historic environment (Section 2). The importance of local distinctiveness is recognised (Policies HN-CC2, HN-CC3, HN-H3) and the Neighbourhood Plan provides positively for the use and enjoyment of existing and future generations (eg HN-COM2, Sections 4.4 and 5).

### **Principle 5**

The intrinsic character and beauty of the countryside is one of the key themes in the HNNP (Section 2) and policies are also provided which seek to support the rural community (Sections 3.1, 3.4, 3.6, 4.1, 4.5, and HN-T2)

### **Principle 6**

Climate change, flood risk and the need to reduce carbon and improve energy efficiency are fully recognised in the Neighbourhood Plan and provisions are made as an integral part

of policies (Section 2, specifically Policies HN-CC2, HN-CC4, HN-CC5, Section 3.4, Section 5 specifically HN-H2, and Policy HN-T2).

### **Principle 7**

Conservation and enhancement of the natural environment is an important part of the Neighbourhood Plan. It seeks to enable development which minimises pollution and other adverse effects on the local and natural environment (Section 2, specifically HN-CC1, HN-CC2 and HN-CC3).

The contribution of travel to pollution is recognised and policies provided to enable sustainable housing growth, support local employment and reduce car usage (Sections 3.6 and 4.1, and Policy HN-T2).

### **Principle 8**

The Neighbourhood Plan encourages effective use of land and includes policy relating to re-use of buildings and brownfield land (Policy HN-CC1, Sections 4.1 and 4.2).

### **Principle 9**

HNNP recognises that land can provide multiple benefits such as for wildlife, heritage and recreation (Sections 2 and 3.3). The mixed use of homes as places for work is promoted as part of sustainable development (Section 3.6).

### **Principle 10**

A large part of Hook Norton village is designated as a Conservation Area and the Neighbourhood Plan provides for conservation of the historic environment and heritage assets in Section 2, specifically HN-CC1, HN-CC2 and HN-CC3. Many of the Locally Valued Resources (Section 3.1) are also important heritage assets.

### **Principle 11**

The Neighbourhood Plan actively seeks to manage growth in a sustainable way. As well as considering the type and nature of growth, HNNP addresses locations and local need (Section 4).

The Neighbourhood Plan recognises that the car is the principal mode of transport but provides policies to promote non-car transport in HN-T2. The retention of local services, employment, and provision of infrastructure is also relevant (Sections 3.1, 3.4 and 3.6).

### **Principle 12**

HNNP seeks to support local strategies to improve health, social and cultural wellbeing for all residents and provides positively for community facilities in Section 3.

Safe access by cycling and walking is encouraged through Policy HN-T2, which also seeks to promote non-car links between Hook Norton and towns offering a range of services and facilities.

Social and cultural wellbeing is promoted by the emphasis on a measured approach to development (as set out in Sections 1.6 and 4.1). Policies HN-CC3, HN-CC2, HN-H1 are designed to provide development at a 'human' scale and Sections 4.4 (Policy HN-H4) and 4.5 (Policy HN-H5) make provision to reflect changing life styles and local need.

### 3. CONTRIBUTION TO THE ACHIEVEMENT OF SUSTAINABLE DEVELOPMENT

The Neighbourhood Plan has been subject to Sustainability Appraisal (SA). This has helped ensure that the principles of sustainable development have been included during the preparation of the Neighbourhood Plan.

An SA Scoping Report was submitted to the statutory environmental bodies (English Heritage, Natural England, and Environment Agency) and their comments taken into account. An SA Report was prepared to accompany the consultation on the Pre submission Neighbourhood Plan. This report provided an assessment of how the HNNP would help progress towards the achievement of meeting a series of sustainability objectives. Consultation comments were taken into account in the preparation of the Submission SA Report and Non-Technical Summary, which are submitted in support of the Neighbourhood Plan.

Some of the ways in which the Neighbourhood Plan guides development to sustainable solutions are by:

- Protecting and enhancing the natural and historic environment of Hook Norton
- Supporting rural services and facilities, which contributes to both the local economy and local community
- Providing for measured housing growth which reflects local circumstances and accords with the spatial strategy set out by Cherwell District Council
- Reducing the need to travel and promoting non-car transport, which promotes a healthy community
- Requiring resource efficient design.

The HNNP addresses all three roles of sustainable development – environmental, social and economic.

### 4. GENERAL CONFORMITY WITH STRATEGIC LOCAL POLICY

The adopted Local Plan for the Cherwell District is the Cherwell Local Plan, 1996, from which many policies have been 'saved' for use until replaced by a new plan. The proposed replacement, the Cherwell Local Plan 2006-2031, commenced Examination in June 2014 and is due to recommence in December 2014.

The Neighbourhood Plan has been prepared to be in general conformity with the adopted Local Plan of 1996 and with the emerging strategic policies of the proposed replacement, the Cherwell Local Plan 2006-2031. The Neighbourhood Plan does not seek to repeat National or Cherwell policies but, where appropriate, to add local detail to those policies.

Each Neighbourhood Plan policy is considered below in relation to the adopted Local Plan, together with reference to the emerging strategic policies.

#### **Policy HN - CC 1: Protection and enhancement of local landscape and character of Hook Norton**

The importance of countryside and character is a fundamental theme and reflected in many policies in the adopted Local Plan, for example: C7; C8; C9; C13; C18; C21; C 23; C27; C28; C38; C39.

This HNNP policy also accords with the 2006-2031 Local Plan, see for example Policy ESD13 and the principles of BSC2.

**Policy HN - CC 2: Design**

The adopted Local Plan requires all development to be of a high standard and sets out expectations relating to a range of factors including materials, appearance, and sympathy with context, in C28. Other relevant policies refer to the type, size and scale of development, for example C9; C27; C30; C31 and C33. It also considers the siting, form, bulk and design, for example in H19, AG2, and EMP4

The HNNP policy is also in conformity with the 2006-2031 Local Plan, see for example Policy ESD13 and ESD16.

**Policy HN - CC 3: Local distinctiveness, variety, and cohesiveness**

The HNNP policy supports and adds local detail to the adopted Local Plan – relevant policies include: EMP4; C9; C13; C18; C23; C27; C28; C30; C31; C33; C38.

It also conforms with the 2006-2031 Local Plan, see for example Policy ESD16 and ESD13.

**Policy HN - CC 4: Resource efficient design**

The adopted Local Plan does not specifically address this issue. The policy fits with the spirit of resource efficiency as set out in the 2006-2031 Local Plan policy ESD3 in relation to construction and ESD8 in relation to water resources.

**Policy HN - CC 5: Lighting**

Lighting is not specifically considered in the adopted Local Plan. The policy accords with Policies ESD13 and ESD16 of the 2006-2031 Local Plan.

**Policy HN - COM 1: Protection of Locally Valued Resources**

Cherwell District Council recognises the importance of village services in both adopted and emerging Local Plans – Policy S29 of the adopted Local Plan, and Section C5 of the 2006-2031 Plan refer.

**Policy HN - COM 2: Public Rights of Way**

The adopted Local Plan is silent on PROW as Policy R4 was not saved. The 2006-2031 Local Plan recognises the importance of PROW, particularly in relation to green infrastructure (ESD18).

**Policy HN - COM 3: Developer Contributions to Community Infrastructure**

The adopted Local Plan saved policies refer to infrastructure in relation to transport funding (TR1) and telecommunications structures (C39). The 2006-2031 Local Plan includes INF1 which considers infrastructure at District level. This HNNP policy seeks involvement at Neighbourhood level in identifying needs and how they may best be met through developer contribution.

**Policy HN - COM 4: Broadband**

The adopted Local Plan is silent on broadband distribution although it refers to telecommunications in C39. Telecommunications infrastructure is considered in relation to strategic allocations in the 2006-2031 Local Plan (B.157). The HNNP seeks to realise a sustainable solution to a rural area.

**Policy HN - COM 5: Retention of Local Employment**

The adopted Local Plan recognises the importance of retaining village services – which provide both services and employment – in S29, and seeks to encourage economic activity in rural areas in EMP4. This HNNP policy also accords with SLE1 of the 2006-2031 Local Plan.

**Policy HN - H1: Sustainable housing growth**

The adopted Local Plan directs development to the urban centres. It includes policies which identify the types of development which are considered appropriate, for example H4; H5;

H6; H12; H13; H17; H18; H19; H20 and H21. Policies C9 and C30 particularly address the scale of development compatible with a rural location, and TR7 limits development in relation to traffic on minor roads.

The 2006-2031 Local Plan spatial strategy focuses housing to Banbury and Bicester and provides for some housing development within rural areas to meet local needs. Particularly relevant parts of the 2006-2031 Local Plan are: Policy BSC1; Vision and Strategy for Villages and Rural Areas; Section C5.

#### **Policy HN - H2: Location of housing**

The adopted Local Plan proposals inset map identified three "committed housing sites" within Hook Norton which have now been built out. In relation to other locations, the following Policies relate to the area covered by the HNNP: H6; H13; H17; H18; H19 H20 and H21. The HNNP policy is in general conformity with these policies and with the spatial strategy set out in the 2006-2031 Local Plan.

#### **Policy HN - H3 : Housing density**

In the adopted Local Plan, Policy C27 addresses settlement pattern and form, C30 requires new housing to be compatible with the density of existing dwellings in the vicinity, and C33 considers important gaps. The 2006-2031 Local Plan similarly (in BSC2) allows for densities to reflect the local situation. HNNP policy accords with these policies.

#### **Policy HN - H4: Types of housing**

The adopted Local Plan considers some types of housing required in Policy H4 and the 2006-2031 Local Plan goes further (in BSC4) in the context of the District as a whole. The HNNP provides policy at Neighbourhood level.

#### **Policy HN - H5: Provision and retention of affordable housing**

In the adopted Local Plan, Policies H5 and H6 refer. The 2006-2031 Local Plan provides for affordable housing in BSC3 and Policy Villages 3 specifically relates to Rural Exception sites. The HNNP policy makes provision at Neighbourhood level.

#### **Policy HN - T1: Access and parking**

There are no specific parking requirements set out in the adopted Local Plan, but limits are placed in relation to traffic on minor roads (TR7). The HNNP policy accords with ESD16 of the 2006-2031 Local Plan.

#### **Policy HN - T2: Non-car transport**

Reference is made in the adopted Local Plan to public transport as a key factor in locating housing for elderly and disabled people (Policy H4). In the 2006-2031 Local Plan there is a specific Strategic Objective (SO13) which seeks to reduce dependency on the private car. The HNNP policy is consistent with both adopted and emerging Local Plan policy.

## **5. COMPATIBLE WITH EU OBLIGATIONS**

### **Natural environment**

Hook Norton does not contain a European site for nature conservation and the nearest European site is over 20 miles from the Plan area. The Neighbourhood Plan will therefore not impact the integrity of a European site.

The protection and enhancement of the natural environment were major considerations in the preparation of the Neighbourhood Plan and reflected the concerns of people living in the Plan area. Section 2 of the Plan particularly refers.

### **Human Rights**

The Plan does not diminish the human rights of either Hook Norton residents or others who may be affected by it, but seeks to enhance them (eg Sections 1.5, 3.3 and 4.4).

### **Sustainability Appraisal**

A Sustainability Appraisal Scoping Report was submitted to the statutory environmental bodies (English Heritage, Natural England, and Environment Agency) and to the Local Authority and their comments taken into account. An SA Report was prepared to accompany the consultation on the Pre submission Neighbourhood Plan. Comments on this second consultation were also taken into account.

### **Strategic Environmental Assessment**

The SA that was undertaken also meets the requirements of the European Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (the SEA Directive).

## **6. SUMMARY AND CONCLUSIONS**

This Basic Conditions Statement is submitted to accompany the Hook Norton Neighbourhood Plan.

It sets out the information as required under s15 (1) of the Neighbourhood Planning (General) Regulations 2012.

The Statement shows that in each regard, the Hook Norton Neighbourhood Plan meets the requirements and it is therefore concluded that the Neighbourhood Plan should progress to Referendum.

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**Hook Norton Neighbourhood Plan  
Sustainability Appraisal Report**

**Submission Version**

**July 2014**



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## NON-TECHNICAL SUMMARY

### INTRODUCTION

This is the Non-Technical Summary for the Sustainability Appraisal (SA) report of the Hook Norton Neighbourhood Plan (HNNP).

Sustainability Appraisal assesses the Neighbourhood Plan's environmental, social and economic effects, to ensure that the policies included in the Plan contribute towards the achievement of sustainable development. It has supported the plan making process and the testing of proposals for future development in Hook Norton.

The Neighbourhood Plan has been prepared by Hook Norton residents under the provisions of the Localism Act of 2011 to guide the future development of Hook Norton. The Neighbourhood Plan covers Hook Norton Civil Parish area. The 8 Goals of the Neighbourhood Plan are:

- To provide existing and future residents with the opportunity to live in a decent home
- To maintain and enhance the character, vitality and community spirit of the village
- To maintain and develop an infrastructure to support our community activities
- To maintain and enhance employment opportunities and businesses providing sustainable services and local employment
- To maintain the rural character and tranquillity of the parish whilst seeking opportunities for landscape, recreational and ecological gain
- To minimise the environmental impact of new development, and ensure that any development is sympathetic to its setting within the village and wider neighbourhood
- To reduce harm to the environment by aiming for a low carbon community
- Improve access within the parish, improve travel choices and reduce the need to travel.

### The Sustainability Appraisal Process

The Sustainability Appraisal has been informing the development of the Neighbourhood Plan from its outset by helping to develop the goals, objectives and policies that are now included in the Submission Plan.

A Scoping Report was prepared during the early stages, on the sustainability appraisal to identify the key sustainability issues and opportunities faced in Hook Norton parish. Following consultation on that report with Natural England, English Heritage and the Environment Agency, to ensure that the Sustainability Appraisal methodology covers all the important environmental considerations, the Submission policies have now been assessed against a series of sustainability objectives that cover the following topic areas:

- Housing
- Flood risk
- Well-being
- Social exclusion
- Crime
- Communities
- Accessibility
- Land use
- Air quality
- Biodiversity
- Landscape/Heritage
- Travel
- Resources
- Waste
- Water
- Energy
- Employment
- Economy

The Sustainability Appraisal Objectives were tested for their compatibility with the Neighbourhood Plan Goals and Objectives. This process did not identify any areas where there was potential conflict between the two sets of objectives.

## Assessment Findings

If the Neighbourhood Plan policies did not exist, any new development in Hook Norton would be controlled through Cherwell District Council policies and also national planning policy. The sustainability appraisal has therefore assessed the Neighbourhood Plan policies by comparing them with the 'do nothing' option of having no Neighbourhood Plan and relying on the policies at a district level to control the amount and nature of new development.

The assessment has found that the Neighbourhood Plan policies strongly support several of the SA objectives, whilst for others (e.g. crime) the Plan does not further contribute to the effects predicted for the policies at a district level. This is not a weakness of the Neighbourhood Plan, but more a recognition that the policies in place at a district level are appropriate at the Hook Norton level, as well as the district level.

This assessment was originally undertaken in 2013 to feed into the SA Report that was produced to accompany the consultation on the Pre-Submission Neighbourhood Plan. Following that consultation some of the draft Plan policies have been updated and it has therefore been necessary to revisit the assessment to determine whether any of the updates affect the findings of the original assessment.

Whilst the policy amendments were seen to enhance the effects predicted against certain SA objectives, in the majority of cases this did not result in a change being required to the original assessment 'scoring'. Only two changes were made to the scoring, these being in relation to the introduction of policy wording in the 'Housing' theme on avoiding flood risk and locating development away from watercourses. Therefore, other than these minor changes, the findings of the original assessment remain valid.

The policies in the Neighbourhood Plan, grouped under the themes of Hook Norton Character and Countryside; Community; Housing; and Transport, have been assessed against each of the SA Objectives. The figure below summarises the findings of the assessment.

		POLICY THEMES			
SA Objective		HOOK NORTON CHARACTER AND COUNTRYSIDE	COMMUNITY - LIVING AND WORKING IN HOOK NORTON	HOUSING	TRANSPORT
1	Housing	0	0	++	0
2	Flood risk	0	0	+	0
3	Well-being	0	+	0	+
4	Social exclusion	0	+	+	0
5	Crime	0	0	0	0
6	Communities	0	++	+	0
7	Accessibility	0	+	0	+
8	Land use	+	0	0	0
9	Air quality	+	+	0	+
10	Biodiversity	+	0	0	0
11	Landscape/Heritage	++	+	+	+
12	Travel	+	+	0	+
13	Resources	+	0	0	0
14	Waste	0	0	0	0
15	Water	0	0	+	0
16	Energy	+	0	0	0
17	Employment	0	+	0	0
18	Economy	0	+	0	0

--	Significant negative effects
-	Minor negative effects
0	No predicted effects
+	Minor positive effects
++	Significant positive effects

Significant positive effects have been identified against the SA Objectives for 'housing'; 'communities'; and 'landscape/heritage', along with a range of other minor positive effects. No negative effects have been identified, which is not surprising given that the Neighbourhood Plan is not allocating sites for development, but instead is providing policies to control any future development.

When considering the Neighbourhood Plan as a whole, rather than as separate groups of policies, the cumulative effects for several of the SA Objectives will become more significant. At this stage in the process it is difficult however to predict exactly how well all the objectives will be met.

### Monitoring

When the Neighbourhood Plan is adopted it will be necessary to monitor any significant effects that result from its implementation. It is envisaged that this monitoring will be undertaken by Cherwell District Council as part of the Council's Monitoring Report which is published on an annual basis.

### Habitats Regulations Assessment

In addition to undertaking the Sustainability Appraisal on the Neighbourhood Plan there is also a requirement to determine whether implementation of the NP 'in combination' with other projects and plans would have likely significant effects on the ecological integrity of internationally important nature conservation sites (Natura 2000 sites).

A Habitats Regulations Assessment carried out on the new Cherwell Local Plan concluded that the Plan would not lead to likely significant effects on Natura 2000 sites.

As the closest Natura 2000 site to Hook Norton is Oxford Meadows SAC, over 20 miles away, so the same conclusion can be drawn for the Hook Norton Neighbourhood Plan and no further detailed assessment will need to be undertaken.

### **Next Steps**

The SA Report prepared at the Submission Stage will be submitted alongside the Neighbourhood Plan and other supporting documentation when it is submitted for an independent examination to be undertaken by a planning inspector.

Any substantive changes that are made to the Plan as a result of the Examination will need to be subjected to Sustainability Appraisal to identify whether any new significant effects would result from the changes, or whether previously identified significant effects are no longer predicted as a result of the changes.

The next stage will then be for the Plan (with any modifications required by the Examiner) to progress to a referendum. A vote in favour at referendum stage means that the Neighbourhood Plan will then become part of the Development Plan for the area, against which any proposals for development will be assessed.

At the stage when the Plan is finally adopted an SA Adoption Statement will be produced that provides a summary of the SA process that has been undertaken and how it has influenced the development of the Plan.

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## 1. INTRODUCTION

Hook Norton is a parish with a population of just over 2,000 people, located in the north-west of Cherwell District, which in turn is located in North Oxfordshire.

This document is the Sustainability Appraisal Report (SA Report) for the Submission Hook Norton Neighbourhood Plan (HNNP). It describes the context and findings of the Sustainability Appraisal that has assessed the Plan's environmental, social and economic effects. It also incorporates the legal requirements of the Environmental Assessment of Plans and Programmes Regulations 2004. The purpose of sustainability appraisal is to ensure that the principles of sustainable development are incorporated into all levels of planning policy.

The HNNP needs to comply with the Cherwell Local Plan. In order to ensure consistency with the Sustainability Appraisal undertaken for the Local Plan this sustainability appraisal draws heavily on the methodology and information included in Cherwell Local Plan Sustainability Appraisal Reports.

The Sustainability Appraisal Report is being published alongside the Submission version of the Hook Norton Neighbourhood Plan (NP) 2014-2031. The report is structured as follows:

- Section 2 provides a summary of the Neighbourhood Plan
- Section 3 describes the stages of Sustainability Appraisal and the work undertaken to date
- Section 4 provides the sustainability context that has informed the Sustainability Appraisal and the development on the Neighbourhood Plan and identifies the issues and opportunities the Neighbourhood Plan could seek to address
- Section 5 provides the framework of objectives that have been used to undertake the Sustainability Appraisal and tests the compatibility of these objectives against the Neighbourhood Plan goals.
- Section 6 provides a summary of the findings of the assessment of the Neighbourhood Plan policies.
- Section 7 provides information on Habitats Regulations Assessment
- Section 8 details the next steps for the Sustainability Appraisal process

## 2. Hook Norton Neighbourhood Plan

The Hook Norton Neighbourhood Plan will be a Neighbourhood Development Plan covering the whole of the Civil Parish of Hook Norton. The extent of the parish is shown below.

NB: when referring to "Hook Norton" in this Scoping Report this applies to the Civil Parish and not just the village.



At the 2011 Census the parish had a population of 2,117 spread across 867 households.

The HNNP is being produced by the Hook Norton Neighbourhood Planning Steering Group (HNNPSG). This is a working group led by the Parish Council and made up of volunteers from the parish. This approach was chosen to ensure that the views of local people are obtained and was key to the development of the plan. Cherwell District Council officers have provided some support to the HNNPSG.

The Hook Norton Neighbourhood Plan is a parish implementation of the Cherwell Local Plan which is planned to be submitted to the Secretary of State in autumn 2013 for Examination by a Planning Inspector.

Once the Cherwell Local Plan is approved by the Planning Inspector and formally adopted by the Council any development that takes place in Hook Norton will need to comply with the following policies that are specific to villages, as well as the other more general policies included in the Local Plan:

- Policy for Villages 1 – Village Categorisation
- Policy for Villages 2 - Distributing Growth across the Rural Areas
- Policy for Villages 3 - Rural Exception Sites

The emerging Cherwell Local Plan does not allocate a specific number of new dwellings to Hook Norton for the Plan period, but instead in 'Policy for Villages 2' requires a group of six villages, including Hook Norton, to provide 252 during the Plan period.

Hook Norton had full planning permission granted for 28 houses on a brownfield site in August 2012 and outline planning permission granted at appeal (September 2013) for up to 70 new dwellings on a greenfield site on the edge of the village. Both count against this figure of 252 dwellings.



It is unlikely that the NP will allocate specific sites for new housing or employment development. Instead it will set out how future development should take place in Hook Norton to meet the goals and objectives of the NP.

## 2.1 Goals and Objectives

The Hook Norton Neighbourhood Plan is being developed around eight goals as follows:

- To provide existing and future residents with the opportunity to live in a decent home
- To maintain and enhance the character, vitality and community spirit of the village
- To maintain and develop an infrastructure to support our community activities
- To maintain and enhance employment opportunities and businesses providing sustainable services and local employment
- To maintain the rural character and tranquillity of the parish whilst seeking opportunities for landscape, recreational and ecological gain
- To minimise the environmental impact of new development, and ensure that any development is sympathetic to its setting within the village and wider neighbourhood
- To reduce harm to the environment by aiming for a low carbon community
- Improve access within the parish, improve travel choices and reduce the need to travel.

Each of these Goals is supported by a series of more detailed objectives. These goals and objectives have been developed through Community consultation. The detailed objectives that support these goals are provided in Appendix A of the Pre-Submission Neighbourhood Plan.

It is proposed that the Neighbourhood Plan will include policies that cover topics including, but not restricted to the following:

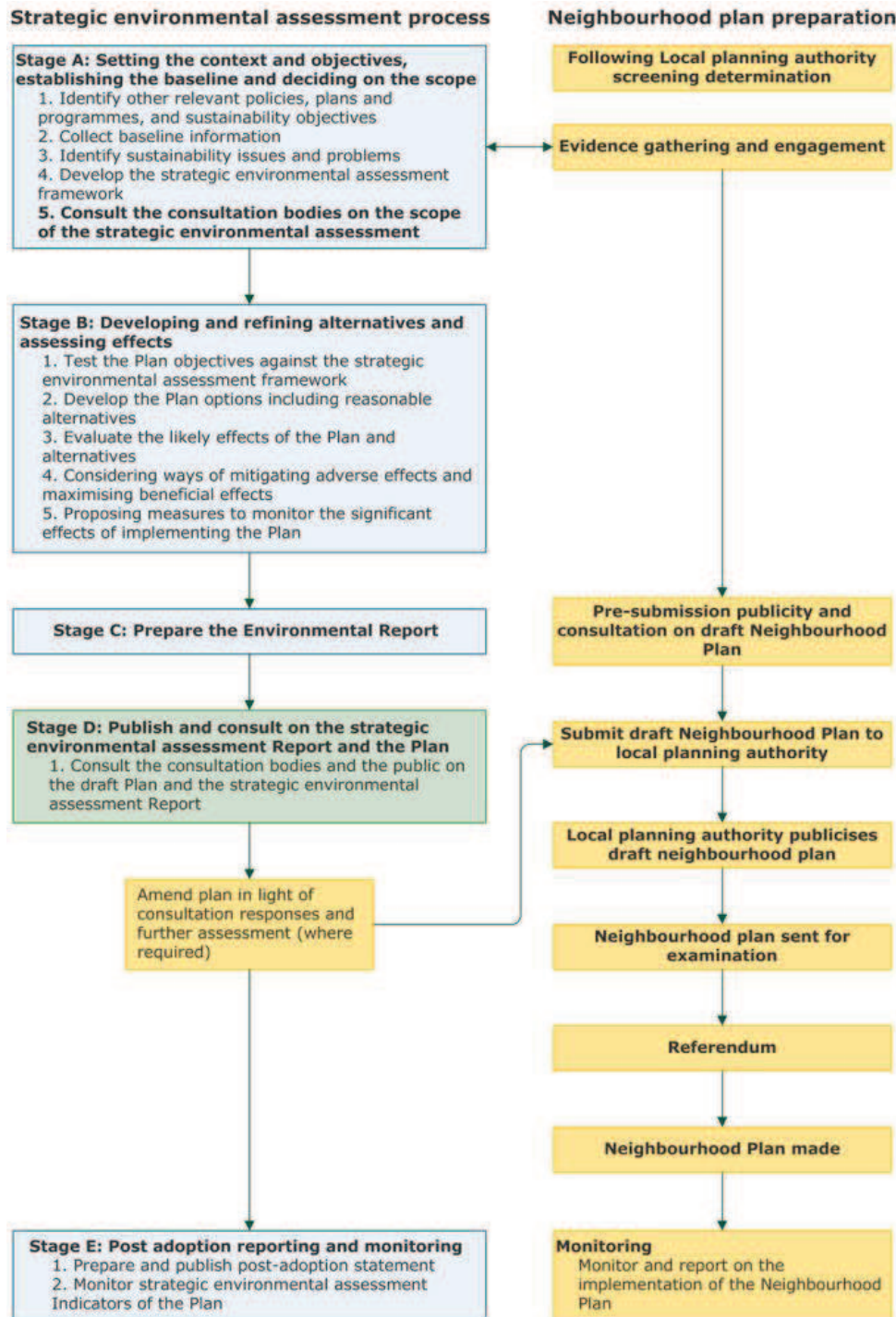
- HOOK NORTON CHARACTER AND COUNTRYSIDE
  - Protection and enhancement of local landscape and character of Hook Norton
  - Design
  - Local distinctiveness, variety, and cohesiveness
  - Resource efficient design
  - Lighting
- COMMUNITY
  - Protection of Locally Valued Resources
  - Public Rights of Way
  - Developer contributions to Community Infrastructure
  - Broadband
  - Retention of Local employment
- HOUSING
  - Sustainable housing growth
  - Location of housing
  - Housing density
  - Types of housing
  - Provision and retention of affordable housing
- TRANSPORT
  - Access and parking
  - Non-car transport

## 3. Stages of Sustainability Appraisal

The process undertaken for the Sustainability Appraisal of the Hook Norton Neighbourhood Plan has been based on Government guidance, in particular emerging National Planning Policy Guidance on Neighbourhood Planning:

<http://planningguidance.planningportal.gov.uk/blog/guidance/strategic-environmental-assessment-and-sustainability-appraisal/>

This Sustainability Appraisal process that is being followed is in line with the stages identified in the diagram below:



At 'Stage A' (in the diagram above) a Scoping Report was prepared that covered all the elements shown in the figure above.

As required by Regulations, this Scoping Report was sent to Natural England, the Environment Agency and English Heritage for their comments. It was also sent to Cherwell District Council. Where appropriate the representations received were taken into account when undertaking

the assessments, preparing the SA Report and also in finalising the Pre-Submission Neighbourhood Plan. Details of the representations and how they were taken into account are provided in Appendix C1.

Taking account of comments received from the Stage A consultation the SA methodology was updated for Stage B of the process, in which the SA contributed to the development of the Plan objectives and policies and provided an assessment of the likely effects on sustainability that would result from implementing the Plan.

The findings of the Stage B work were included in the SA Report (Stage C) which was then sent to Natural England, the Environment Agency and English Heritage and made available to the public for comment (Stage D). This consultation was undertaken alongside that for the Pre-Submission Neighbourhood Plan. Details of the representations received and how they have been taken into account are provided in Appendix C2.

## 4. Sustainability Context

### 4.1 Policy Context

The requirement to undertake the 'context review' arises from the SEA Directive which states (Annex 1(a) and (e)) that the Environmental Report should include:

*“an outline of the contents, main objectives of the plan or programme and relationship with other relevant plans and programmes”*

*“the environmental protection objectives, established at international, Community or Member State level, which are relevant to the plan or programme and the way those objectives and any environmental considerations have been taken into account during its preparation”*

Cherwell District Council (CDC) carried out this context review for the Scoping Report supporting their Local Plan and presented the findings in Appendix 1 of that Scoping Report. An update to this review was provided in Appendix A of the SA Report (October 2013) that was submitted alongside the Cherwell Local Plan to the Secretary of State for Communities and Local Government for Examination on 31 January 2014.

Since the publication of the HNNP Pre-Submission SA Report (November 2013), a further update to the CDC SA baseline and policy context has been produced<sup>1</sup> and this has also had to be taken into account.

As noted in Section 2 of this report the HNNP is a parish implementation of the Local Plan and thus this scoping report draws heavily on the CDC context review.

The CDC review looks at international, national, regional (South East England), and local (County and District) plans and policies and incorporates a review of the National Planning Policy Framework that was finalised in March 2012 and which is a key document for guiding development.

This section focuses on summarising the relevant local plans and policies which could influence the HNNP. This is because it is assumed that, if relevant, then international, national and regional sustainability objectives are contained within the county and local plans and policies.

The results of this review have been used to identify key issues for Hook Norton, to inform the baseline data and have been incorporated into the SEA/SA framework.

Other Policies, Plans and Programmes of relevance to the SA of the Hook Norton Neighbourhood Plan include the following:

- Adopted Cherwell Local Plan (1996)
- Draft Cherwell Local Plan (2012) and focused consultation (2013)
- Oxfordshire Local Transport Plan 2011 – 2030
- Oxfordshire's Draft Rights of Way Management Plan 2014-2024
- Oxfordshire Strategic Housing Market Assessment (SHMA) (2014)
- Cherwell Sustainable Community Strategy, our District, our Future. Cherwell Local Strategic Partnership 2010
- The Oxfordshire Local Investment Plan (LIP). Oxfordshire Spatial Planning and Infrastructure Partnership (SPIP)
- Low Carbon Environmental Strategy (2012)
- Cherwell Biodiversity Action Plan 2005-2010

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<sup>1</sup> Sustainability Appraisal Addendum for Main Modifications to the Cherwell Submission Local Plan - Scoping Report. Land Use Consultants June 2014

- Urban Housing Potential Study, CDC (Sept 2005)
- Cherwell District Council Housing Strategy (2005-2011)
- Cherwell's Housing Strategy for Older People 2009-2014, consultation draft-April 2009
- Cherwell Rural Strategy 2009-2014 (April 2009)
- Cherwell Recreation Strategy 2007-2012
- Oxfordshire Minerals and Waste Core Strategy
- Cherwell Rural Areas Integrated Transport Land Use Study (CRAITLUS), 2009

## 4.2 Baseline Context

The collection of baseline information is a requirement for the early stages of a Sustainability Appraisal. It provides a starting point for assessing the likely effects of the HNNP and identifying sustainability issues and opportunities.

The key source of baseline information used for this Sustainability Appraisal is the 'Community Profile for Hook Norton (Urban Area)'<sup>2</sup>. This was updated in August 2013 to incorporate data from the 2011 Census and is therefore very up to date. The profile covers a wide range of topics including:

- Social and cultural - information on who lives in the local community, how the local community is changing and community cohesion
- Equity & prosperity - information on deprivation, low incomes, poor health and disability in the local community
- Economy - information on the labour market, skills and resident employment
- Housing & the built environment - information on housing in the local area, household ownership, affordability and housing conditions
- Transport and connectivity - information on access to transport and services within the local area
- Services - information on distance to local services
- Environmental - information on the quality of the local environment
- Governance - information on the level of engagement within the local community

Whilst being wide-ranging in its scope and detailed in nature, the profile does not provide all the baseline information topics that need to be considered in the Sustainability Appraisal. Other sources of baseline data which have been used are detailed under the relevant topic in Section 4.

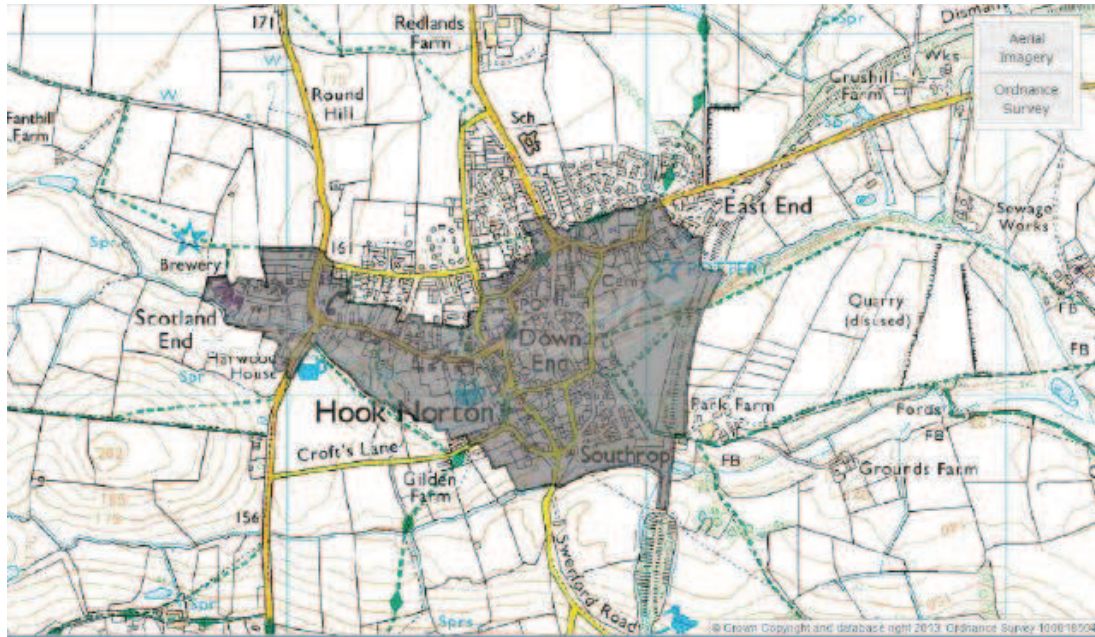
NB: the 'Community Profile for Hook Norton (Urban Area)' (2013) does not cover the entire parish of Hook Norton and so the data included within it differs slightly from that for the entire parish. As an example the Census 2011 has a population figure of 2,117 for the parish across 867 households, whilst the Profile has a population of 1,920 across 785 households. A map of the Hook Norton 'Urban Area' is reproduced below.

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<sup>2</sup> Action with Communities in Rural England (ACRE) Rural evidence project © ACRE, RCAN, OCSI 2013







Source: <http://www.cherwell.gov.uk/index.cfm?articleid=1672>

The Hook Norton Conservation Area Appraisal (May 2007) classifies the Conservation Area into 10 Character Zones and provides details on each zone, including threats to the areas. On-street parking and inappropriate developments/modifications are two threats that are common to several of these zones.

#### **Scheduled Ancient Monuments, Historic Parks and Gardens, and Listed Buildings**

There are no Scheduled Ancient Monuments in Hook Norton. Part of the Swerford Park Registered Parks and Gardens lies in the parish.

The parish contains the following Listed Buildings:

- One Grade I Listed Building: St Peter's Church;
- One Grade 2\* Listed Building: Swerford Park (partially within Hook Norton parish); and
- 69 Grade 2 Listed Buildings (see Appendix A for a full list).

#### **Undesignated Heritage Assets**

In addition to the Listed Buildings in the village the Hook Norton Conservation Area Appraisal identifies seventeen unlisted buildings that make a positive contribution to the Conservation Area and justify their preservation.

The Oxfordshire Historic Environment Record includes nearly 100 records relating to Hook Norton. In addition to the Listed Buildings mentioned above these include monuments and archaeological remains from the Bronze Age, Iron Age and Roman periods.

<http://publicapps.oxfordshire.gov.uk/>

The parish also has a range of buildings/structures of local importance such as Brymbo ironstone workings, the railway viaduct pillars and the Memorial Hall (a memorial to those that served in the Great War).

Further detail and mapping of heritage assets in the parish are available at:

<http://www.heritagegateway.org.uk>

#### **Buildings at Risk**

The 2013 Heritage at Risk Register includes 12 entries for Cherwell District but none in Hook Norton.

NB: The 2012 version of the Heritage at Risk Register included St Peter's Church. The explanation provided on the register for this is as follows:

*"Large church constructed of coursed rubble ironstone with limestone ashlar dressings, dating from Norman period. Roof coverings are failing and allowing water ingress. Repairs required to chancel roof, gutters, associated timbers, and stonework repointing. A Repair Grant for Places of Worship has been offered to support this work."*

Source: <http://www.english-heritage.org.uk/caring/heritage-at-risk/buildings/buildings-at-risk/>

#### **4.2.3 Landscape and village scape**

The entire parish lies in an Area of High Landscape Value as designated through Policies C13, C28 & C39 of the Cherwell Local Plan (1996).

The western boundary of the parish coincides with the boundary of the Cotswolds Area of Outstanding Natural Beauty (AONB).

#### Oxfordshire Rights of Way Improvement Plan (ROWIP) 2006

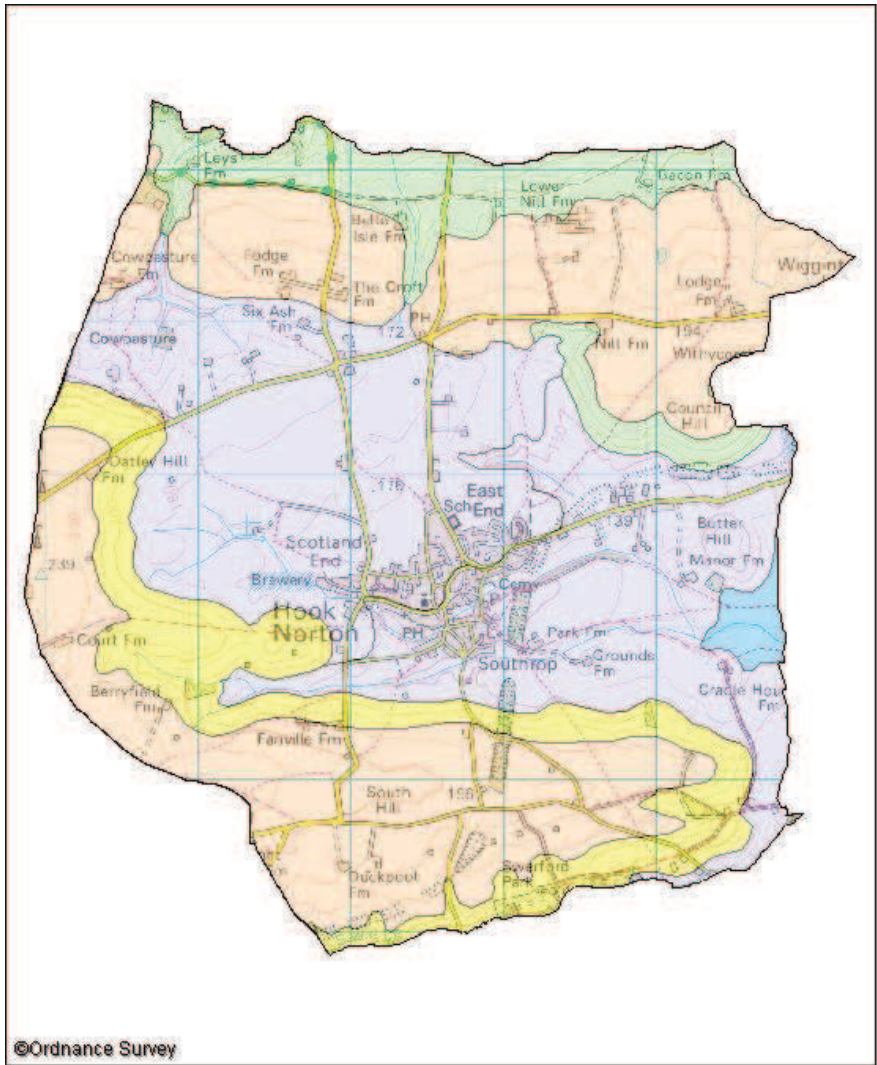
This plan is in two parts. 'Part 1: Statement of Action' sets out a vision and aims. Part 2 analyses the extent to which local rights of way meet present and future needs.

There are three references to Hook Norton in the ROWIP

- Additions suggested by the Ramblers Association: i) disused railways - Hook Norton to Chipping Norton
- Agri-environment scheme permissive access:
  - Cow Lane Farm - *near Hook Norton*
  - Nill Farm - *near Hook Norton*

The Oxfordshire Wildlife & Landscape Study (OWLS) provides a wide range of information relating to biodiversity and landscape at County and parish levels. The map below highlights the landscape types within Hook Norton, and its associated local character areas.





Source: <http://owls.oxfordshire.gov.uk/wps/wcm/connect/occ/OWLS/Home/>

OWLS also provides information and maps covering the following other topics:

- Regional Character Areas;
- Landscape Types;
- Oxfordshire Biomap; and
- Oxfordshire Biolandscape

NB: These four maps are at a level of detail that makes it difficult to use the information at a parish level and they have therefore not been considered appropriate for use to inform this SA.

#### 4.2.4 Nature Conservation (biodiversity, flora and fauna)

There are two Sites of Special Scientific Interest in Hook Norton parish:

**'Hook Norton Cutting and Banks SSSI'**, which is made up of three separate SSSI Units as follows:

- Unit 1 - Size: 2 hectares. Designated for: 'Earth Heritage' importance. Site condition: Unfavourable recovering (January 2010).
- Unit 2 - Size: 2 hectares. Designated for: 'Calcareous grassland – Lowland habitat' importance. Site condition: Unfavourable recovering (January 2010).
- Unit 3 - Size: 1 hectare. Designated for: 'Calcareous grassland – Lowland habitat' importance. Site condition: Favourable (October 2009).

**'Sharp's Hill Quarry SSSI'**, which is made up of a single unit as follows:

- Size: 2 hectares. Designated for: 'Earth Heritage' importance. Site condition: Favourable (March 2009).

There are no Local Nature Reserves (LNRs) in Hook Norton. Within Cherwell District there are three LNRs, two with Cherwell District Council as the declaring authority, with the third being declared by Adderbury Parish Council (Adderbury Lakes LNR designated in November 2011). <http://www.naturalengland.org.uk/ourwork/conservation/designations/lnr/default.aspx>

#### Local Wildlife Sites

There are five Local Wildlife Sites that lie wholly or partly within Hook Norton parish. These are as follows:

- Site Name: Berryfields Farm (Site Code 33G02)
- Site Name: Swere Bank (Site Code 33K01)
- Site Name: Temple Mills Quarries (Site Code 33N02)
- Site Name: Wood West of Swerford Park (Site Code 33Q03/3)
- Site Name: Cradle and Grounds Farm Banks (Site Code 33Q03/3)

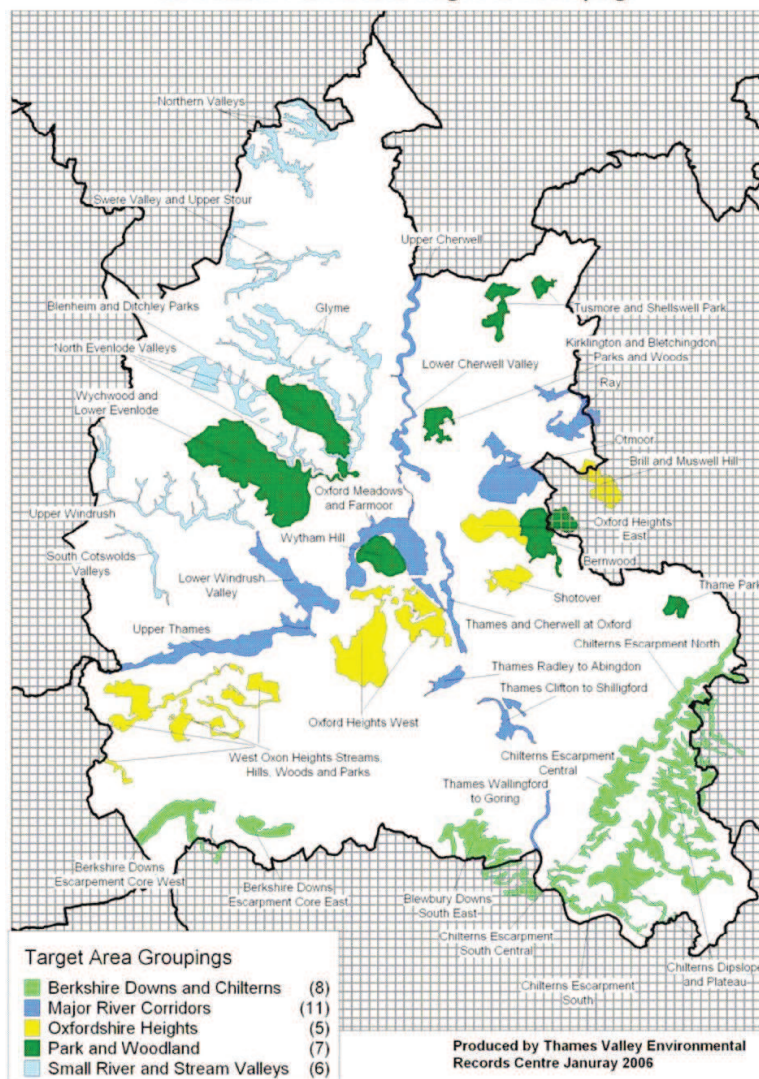
Source: Thames Valley Environmental Records Centre

#### Conservation Target Areas

Conservation Target Areas from Draft Cherwell Local Plan Policy ESD 11.

Mapped by Thames Valley Environmental Records Centre (TVERC). Ten of these areas lie wholly or partly in Cherwell.

### Oxfordshire Conservation Target Area Groupings



Source: <http://www.oncf.org.uk/pdfs/CTA%20map1.pdf>

The parish includes some areas of the following Biodiversity Action Plan Priority Habitats:

- Lowland Calcareous Grassland BAP Priority Habitat (England)
- Lowland Meadows BAP Priority Habitat (England)
- Fens BAP Priority Habitat (England) (NB: this covers only a very small area of the parish)
- Deciduous Woodland BAP Priority Habitat (England)
- Traditional Orchard BAP Priority Habitat (England) (NB: this covers only a very small area of the parish)

In addition there are some further areas that are included in the National Inventory of Woodland and Trees (England). A general indication of the extent of the BAP habitats is shown in the following figure, reproduced from the MAGIC website.





Source MAGIC website at URL: <http://magic.defra.gov.uk/>

The Oxfordshire Wildlife & Landscape Study (OWLS) provides information on wildlife habitats that fall within parishes. The following wildlife habitats are identified for Hook Norton:

- Farmland Plateau
- Rolling Village Pastures
- Wooded Pasture Valleys and Slopes

Full details of the sites associated with these habitats are provided in Appendix B.

#### 4.2.5 Soils and geology

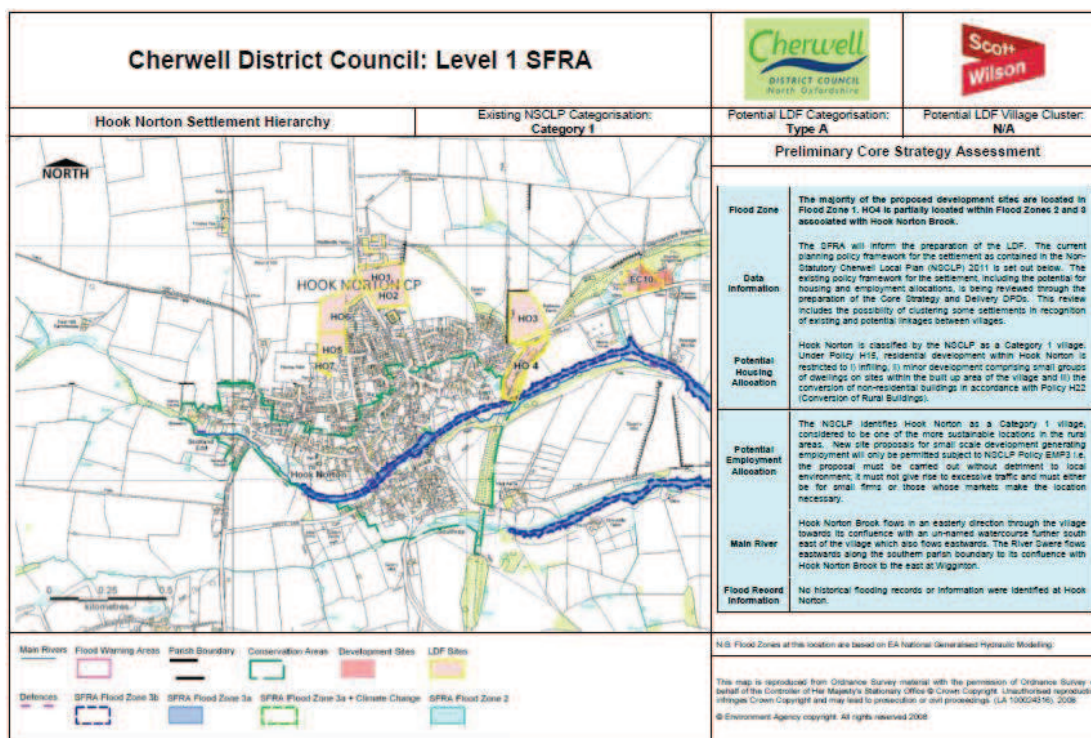
Hook Norton is in an area of Ironstone hills and valleys. The geology is complex, with a Marlstone rock bed, middle lias clay, iron-bearing limestone and finally sandy deposits mixed with iron rich soil. (Source: Cobham Resource Consultants, 1995 – reproduced in the Hook Norton Conservation area Appraisal (CDC, 2007))

No information was available on the detailed Agricultural Land Classification for the fields in the parish. This will be further investigated.

#### 4.2.6 Water

There are two main river watercourses within the extent of the parish, the Hook Norton Brook and the River Swere. The parish lies on a watershed with the River Swere draining into the Cherwell and then Thames, whilst the River Stour drains into the River Avon.

The parish has some areas in Flood Zones 2 and 3, as shown in the Cherwell District Council Strategic Flood Risk Assessment see below.



Source: Cherwell LDF Evidence Base <http://www.cherwell.gov.uk/index.cfm?articleid=3244>

The Oxfordshire County Council Preliminary Flood Risk Assessment provides a high-level summary of significant flood risk, based on available information, describing both the probability and consequences of past and future flooding. It lists Hook Norton as an area that experiences groundwater flooding issues.

Source:

<http://www.oxfordshire.gov.uk/cms/content/oxfordshire-preliminary-flood-risk-assessment-pfra>

The European Commission (EC) Nitrates Directive requires areas of land that drain into waters polluted by nitrates to be designated as Nitrate Vulnerable Zones (NVZs). Farmers with land in NVZs have to follow mandatory rules to tackle nitrate loss from agriculture (Environment Agency). Hook Norton parish lies in such a Nitrate Vulnerable Zone.

Source: <http://www.environment-agency.gov.uk/business/sectors/54714.aspx> and MAGIC website at URL: <http://magic.defra.gov.uk/>

#### **4.2.7 Population**

The Parish population at the time of the 2011 Census was 2,117. This compares to 2,001 in the 2001 Census and 1,361 in the 1971 Census. The parish population has therefore grown by 56% in the last 40 years.

The 'Community Profile for Hook Norton (Urban Area)' (ORCC, 2013) which has been used as a source of information for the majority of the social topics in the baseline is not based on the entire parish but on a smaller area that aligns more closely with the village itself. The information included therefore varies slightly from that for the full parish. The information on the ORCC profile is taken from a range of sources including amongst others the 2011 Census, the 2010 Index of Multiple Deprivation and data from the Commission for Rural Communities.

#### **Age Profile**

The percentages of under 16s (20.9%) and over 65's (18.4%) are both higher than the Oxfordshire average (18.8% and 15.9% respectively).

The percentage of pensioner households (25.5%) is higher than the England average (20.7%).

#### **Equity and prosperity**

The levels of people living on a low income are significantly lower than the England average, with average household incomes being significantly higher than average. The overall prosperity of the community should not however mask the fact that 4.1% of the population of Hook Norton live in 'income deprivation'.

#### **4.2.8 Health and wellbeing**

7.7% of the 16-64 year olds in Hook Norton have a limiting long-term illness, with 2.9% claiming disability living allowance.

#### **Key Services**

Whilst the distances to a Job Centre and a Secondary School are higher than the England average, distances to a Public House, GP Surgery and Post Office are all at or below the England averages.

#### **4.2.9 Material assets**

57% of dwellings are detached (England 22.3%) with 84% of housing being owner occupied (England 64.1%). Social rented housing makes up 7.6% (England 17.7%) whilst 6.1% is private rented (England 15.4%).

Only 2.8% of dwellings lie in Council Tax Band A (England 24.8%). From the 2009 Land Registry the median house price for a semi-detached house was £208,500 (England £211,043).

2.7% of households in Hook Norton live in overcrowded conditions (England 8.7%) with 13.2% estimated to be in Fuel Poverty (England 16.4%).

5.5% of dwellings are vacant, which is higher than for Oxfordshire (4.2%) and England (4.3%).

8.3% of households have no cars (England 25.8%), whilst 56.3% of households have two or more cars (England 32.1%).

In 2001, 12.3% of people travelled less than 2km to work (England 20%) whilst 11.7% travelled 40km+ (England 4.9%) (Source: Office for National Statistics. Indicator UV35).

3% of people travel to work by public transport (England 11%) with the average travel time to the nearest town centre by public transport/walking being 32 minutes (Oxfordshire average 18 minutes).

#### 4.2.10 Employment and jobs

73% of 16-74 year olds are economically active, compared to an England average of 69.9%. 17.4% are self-employed (England 9.8%) and 10.6% work from home (England 3.5%).

In February 2013 only 0.9% of working age adults claimed 'Jobseekers Allowance' (England 3.8%).

#### 4.2.11 Education and skills

14.9% of people aged 16+ have no qualifications (England 22.5%). 41% have degree level qualifications (England 27.4%)

### 4.3 Issues and Opportunities

Within Hook Norton certain sustainability issues are more significant than others, for example affordable housing and the need to safeguard facilities.

Issues of particular relevance to Hook Norton were identified from:

- Analysis of the baseline information;
- Consultation activities undertaken within the parish; and
- Issues identified in the Sustainability Appraisal for the Cherwell Local Plan.

The CDC Scoping Report for the Core Strategy identified the sustainability issues and problems for the District. Particular issues and problems relevant to Hook Norton are shown in Table 1.

**Table 1: Sustainability issues and opportunities identified for Hook Norton**

Issue/Opportunity	Evidence
<b>Environmental</b>	
The distinctive character and setting of the village needs to be protected	HN Neighbourhood Plan Survey Community consultation
Development needs to be controlled to retain historic and natural assets, views and unspoilt landscape	H N Neighbourhood Plan Survey Community consultation
Conservation and enhancement of the historic environment in the Parish	English Heritage response
Brownfield locations generally preferred over Greenfield for any necessary development	Community consultation
The rights-of-way network needs to be protected and enhanced	HN Neighbourhood Plan Survey Community consultation
Consideration needs to be given to wildlife sites and conservation.	Community consultation
There are some areas that are at risk from fluvial flooding	Cherwell SFRA Environment Agency response
There are some areas of the village that suffer from pluvial (run-off) flooding	Community consultation
New developments should be built to high standards of energy efficiency and maximise renewable energy generation and use	Community consultation
Combined heat and power should be considered in new developments	Community consultation
Reduce the need to travel generally; more low carbon public and	Community consultation



Issue/Opportunity	Evidence
private transport options to reduce greenhouse gas emissions	
Recycling of waste should be maximised	Community consultation
<b>Social</b>	
There is a need for affordable housing, including social housing to meet the needs of the local population. Starter homes are needed as is sheltered housing and possibly a nursing home. There is a lack of affordable rented property.	Community consultation. HN Neighbourhood Plan Survey
Local facilities need to be protected	Community consultation HN Neighbourhood Plan Survey
Cars parked on roads cause problems for traffic.	Community consultation
Heavy goods vehicles cause issues in the village	Community consultation
There is a lack of free places at the primary school with the potential for primary age children being bussed to other schools	Community consultation
The Memorial Hall needs to be refurbished / rebuilt	Community consultation
More facilities for the young people of the village are required	Community consultation
There is a need for safer cycle routes	Community consultation
Rural North: deficiencies are identified in natural and semi-natural greenspace (48.12ha), amenity greenspace (4.08ha), younger children's play (9.24ha), older children's play (1.70ha). Action plan includes negotiating public access agreements to privately owned natural/semi-natural green space, to meet shortfalls in Adderbury, Bloxham and Bodicote, Cropredy, <b>Hook Norton</b> and Sibford wards.	Cherwell DC Sustainability Appraisal
<b>Economic</b>	
Broadband speed and mobile reception for some networks are poor	Community consultation
Employment in the parish is limited	Community consultation



## 5. Sustainability Appraisal Framework of Objectives

As the Hook Norton Neighbourhood Plan will be a 'daughter' document of the Cherwell Local Plan (yet to be adopted) the framework of objectives that will be used when identifying and assessing the potential effects of implementing the Neighbourhood Plan is based on the framework from the Sustainability Appraisal for the Cherwell Local Plan. Some changes to the Cherwell SA Framework have been made to make it more appropriate for the Hook Norton context. These changes are shown below in strikethrough text (deletions) and underlined text (additions).

Table 2: Hook Norton Neighbourhood Plan Sustainability Appraisal Framework

	Sustainability Appraisal Objective
1	To ensure that everyone has the opportunity to live in a decent, sustainability constructed and affordable home. <ol style="list-style-type: none"> <li>1. Will it contribute to the parish housing requirements and completions?</li> <li>2. Will it increase the supply of affordable homes in the parish?</li> <li>3. Will it reduce the percentage of unfit/ non-decent homes?</li> </ol>
2	To reduce the risk of flooding and resulting detriment to public well-being, the economy and the environment <ol style="list-style-type: none"> <li>1. Will it reduce the risk of flooding from rivers, watercourses and sewer flooding to people and property?</li> <li>2. Will it result in inappropriate development in the flood plain?</li> <li>3. Will it increase the provision of sustainable drainage in new developments?</li> </ol>
3	To improve the health and well-being of the population & reduce inequalities in health. <ol style="list-style-type: none"> <li>1. Will it improve access to doctors' surgeries and health care facilities?</li> <li>2. Will it encourage healthy lifestyles and provide opportunities for sport and recreation?</li> </ol>
4	To reduce poverty and social exclusion. <ol style="list-style-type: none"> <li>1. Will it assist in reducing poverty and social exclusion?</li> </ol>
5	To reduce crime and disorder and the fear of crime. <ol style="list-style-type: none"> <li>1. Are the principles of good urban design in reducing crime promoted as part of the proposal?</li> <li>2. Will it assist in reducing actual levels of crime?</li> <li>3. Will it assist in reducing the fear of crime?</li> </ol>
6	To create and sustain a vibrant community and engage cultural activity across all sections of the Hook Norton community <ol style="list-style-type: none"> <li>1. Will it encourage a mixed use and range of housing tenure, including meeting affordable housing needs including for key workers?</li> <li>2. Will it improve residential amenity and sense of place?</li> <li>3. Will it improve the satisfaction of people with their neighbourhood as a place to live and encourage ownership?</li> <li>4. Will it reduce nuisance such as by noise, odour, visual intrusion, traffic congestion or pollutants?</li> <li>5. Will it provide, protect or enhance locations for cultural activities, including the arts?</li> <li>6. Will it enhance the village-scape and public realm?</li> </ol>
7	To improve accessibility to all services and facilities. <ol style="list-style-type: none"> <li>1. Will it promote compact, mixed-use development, with good accessibility to local facilities (e.g. employment, education, health services, shopping, leisure, green spaces and culture) that improves accessibility and decreases the need to travel?</li> </ol>
8	To improve efficiency in land use through the reuse of previously developed land and existing buildings, including the reuse of materials from buildings. <ol style="list-style-type: none"> <li>1. Will it maximise the provision of housing development on previously developed land as opposed to greenfield sites?</li> <li>2. Will it maximise the provision of employment development on previously developed land as opposed to greenfield sites?</li> <li>3. Will it ensure appropriate housing densities to make efficient use of land?</li> </ol>

Sustainability Appraisal Objective	
	<p>4. Will it promote the adoption of sustainable design in construction practices and the use of recycled materials?</p> <p>5. Will it promote good design which positively contributes to the locally distinctive character and context?</p> <p>6. Will it ensure land is remediated where appropriate?</p> <p>7. Will it reduce the loss of soil to development?</p>
9	<p>To reduce air pollution including reducing greenhouse gas emissions and ensure the parish is ready for its impacts</p> <p>1. Will it promote more sustainable transport patterns including public transport, walking and cycling?</p> <p>2. Will it address any particular air quality impacts arising from specific operational and/or construction related development activities?</p> <p>3. Will it improve air quality?</p>
10	<p>To conserve and enhance and create resources for the parish's biodiversity</p> <p>1. Will it, protect, enhance or restore a locally or nationally designated site of nature conservation importance?</p> <p>2. Will it assist Cherwell District Council's Biodiversity Action Plan (BAP) and/or the Oxfordshire BAP achieve its targets?</p> <p>3. Will it conserve or enhance biodiversity assets or create new habitats?</p> <p>4. Will it minimise the fragmentation of existing habitats and enhance, restore or create networks of habitats?</p> <p>5. Will it conserve and enhance species diversity; and in particular avoid harm to protected species?</p> <p>6. Will it encourage protection of and increase the number of trees?</p>
11	<p>To protect, enhance and make accessible for enjoyment, the parish's countryside and historic environment.</p> <p>1. Will it protect, enhance and restore the parish's natural environment assets (e.g. the locally distinctive countryside, integrity of local landscape, unspoilt rural views, common land, open spaces, woodland, AONBs etc.)?</p> <p>2. Will it protect, enhance and restore the parish's cultural and heritage assets (e.g. Listed buildings, Historic Parks and Gardens and the Conservation Area and locally important buildings, structures and features (e.g. important hedgerows and historic landscape such as Ridge &amp; Furrow fields)?)</p> <p>3. Will it promote the accessibility of the parish's countryside and historic environment in a sustainable and well-managed manner?</p> <p>4. Will it improve the landscape, ecological quality and character of open spaces?</p> <p>5. Will it help preserve and record archaeological features?</p>
12	<p>To reduce road congestion and pollution levels by improving travel choice, and reducing the need for travel by car/lorry</p> <p>1. Will it promote more sustainable transport patterns and reduce the need to travel, particularly in areas of high congestion, including public transport, walking and cycling?</p> <p>2. Will it promote more sustainable transport patterns in rural areas?</p> <p>3. Will it reduce journey times between key employment areas and key transport interchanges?</p>
13	<p>To reduce the global, social and environmental impact of consumption of resource by using sustainably produced and local products.</p> <p>1. Will it promote the use of locally and sustainable sourced, and recycling materials in construction and renovation?</p> <p>2. Will it reduce emissions of greenhouse gases by reducing energy consumption?</p>
14	<p>To reduce waste generation and disposal, and achieve the sustainable management of waste</p> <p>1. Will it promote sustainable waste management practices through a range of waste management facilities?</p> <p>2. Will it reduce hazardous waste?</p> <p>3. Will it increase waste recovery and recycling?</p>
15	<p>To maintain and improve the water quality of parish's groundwater and watercourses and to achieve sustainable water resources management</p>

<b>Sustainability Appraisal Objective</b>	
	<ol style="list-style-type: none"> <li>1. Will it improve the water quality of the district's rivers and inland water?</li> <li>2. Will it enable recycled water to be used?</li> <li>3. Will it promote sustainable water resource management, provision of new facilities/ infrastructure or water efficient measures?</li> </ol>
16	<p>To increase energy efficiency and the proportion of energy generated from renewable sources in the parish</p> <ol style="list-style-type: none"> <li>1. Will it lead to an increase in the proportion of energy needs being met from renewable sources?</li> <li>2. Will it promote the incorporation of small-scale renewable in developments?</li> </ol>
17	<p>To increase levels of employment within the parish.</p> <ol style="list-style-type: none"> <li>1. Will it promote accessible employment opportunities?</li> <li>2. Will it contribute to reducing short and long-term unemployment?</li> </ol>
18	<p>To sustain and develop an educated/ skilled workforce, local employment opportunities and the long term viability of the parish</p> <ol style="list-style-type: none"> <li>1. Will it encourage opportunities for local people?</li> <li>2. Will it assist in maintaining and increasing the viability of the rural and farming economy?</li> </ol>

## 5.1 Compatibility of Neighbourhood Plan Goals and SA Objectives

As part of the SA process the Goals of the Neighbourhood Plan have been tested against the SA framework to ensure that the principles of sustainable development are imbedded from the beginning of the project.

		To provide existing and future residents with the opportunity to live in a decent home	To maintain and enhance the character, vitality and community spirit of the village	To maintain and develop an infrastructure to support our community activities	To maintain and enhance employment opportunities and businesses providing sustainable services and local employment	To maintain the rural character and tranquility of the parish whilst seeking opportunities for landscape, recreational and ecological gain.	To minimise the environmental impact of new development, and ensure that any development is sympathetic to its setting within the village and wider neighbourhood	To reduce harm to the environment by aiming for a low carbon community	Improve access within the parish, improve travel choices and reduce the need to travel.
1	Housing	1	0	0	0	0	0	0	0
2	Flood risk	0	0	0	0	0	1	1	0
3	Well-being	1	1	1	0	1	0	0	1
4	Social exclusion	1	1	1	0	0	0	0	0
5	Crime	0	1	0	0	0	0	0	0
6	Communities	1	1	1	1	0	0	0	0
7	Accessibility	0	1	1	1	0	0	0	1
8	Land use	0	0	0	0	0	1	0	0
9	Air quality	0	0	0	0	0	1	1	1
10	Biodiversity	0	0	0	0	1	1	0	0
11	Landscape/Heritage	0	0	0	0	1	1	0	0
12	Travel	0	0	0	0	0	0	0	1
13	Resources	0	0	0	0	0	1	1	0
14	Waste	0	0	0	0	0	1	1	0
15	Water	0	0	0	0	1	1	0	0
16	Energy	0	0	0	0	0	0	1	1
17	Employment	0	0	0	1	0	0	0	0
18	Economy	0	1	0	1	0	0	0	0

-1	Incompatible objectives
0	No relationship between objectives
1	Compatible objectives
?	Uncertainty over compatibility

No incompatibilities have been identified that require any amendments to be made to the Neighbourhood Plan goals.

## 6. Assessment Methodology and Findings

### 6.1 SA Methodology

The approach to the SA of the NP has been to provide an expert judgement based system of prediction and assessment guided by the SA objectives. Broadly, the assessment has included:

- Identifying the sustainability effects of the NP; and
- Assessing effects for their significance.

In defining what is a 'significant effect' the same methodology is used as that for the Cherwell Local Plan SA.

In order to adhere to the SEA Regulations the following types of effects have been identified - short, medium and long term effects, permanent and temporary effects, positive and negative effects and secondary, cumulative and synergistic effects where relevant (and where possible to identify). The plan has been assessed using appraisal matrices. An SA matrix is designed to help identify the potential effects of the options / policies on the SA objectives (guided by the SA sub-objectives within the SA Framework – see Section 5). A combination of expert judgement and analysis of baseline data has been used to judge the potential effects of the plan.

The SEA Regulations specify the criteria that should be taken into account when determining likely significant effects. These criteria, which principally relate to the nature of the effects arising from the plan and the value and vulnerability of the receptors, are as follows:

- How valuable and vulnerable is the receptor that is being impacted?
- How probable, frequent, long lasting and reversible are the effects?
- What is the magnitude and spatial scale of the effect?
- Are the effects positive or negative?

The Cherwell Local Plan SA reported the findings of the assessment using the 'rating' system shown in the extract from the Cherwell SA Report below. The HNNP SA will use this same 'rating' system.

#### Geographical scope of the assessment

The assessment will primarily consider the effects of implementing the plan on the parish of Hook Norton. However it will also consider whether there could be effects on neighbouring parishes.

Table 3.2: SA scoring		
Score	Description	Symbol
Significant positive impact	The policy/site fully achieves the SA objective and will have a positive effect with relation to characteristics of the effect and the sensitivity of the receptors (where known)	++
Minor positive impact	The policy/site partly achieves the SA objective and has a positive effect with relation to characteristics of the effect and the sensitivity of the receptors (where known)	+
Neutral	The policy/site does not have an effect on the achievement of the SA objective	0
Minor negative impact	The policy/site will partially conflict with the SA objective and have a negative effect with relation to the characteristics of the effect and the sensitivity of the receptors (where known)	-
Significant negative impact	The policy/site will actively work against the SA objective and have a negative effect with relation to characteristics of the effect and the sensitivity of the receptors (where known)	--
Uncertain	It is unclear whether there is the potential for a negative or positive effect on the SA objectives	?

In keeping with the methodology for the Cherwell Local Plan SA the detailed assessments of plan elements have been recorded in assessment tables (see Appendix D).

Where the assessment identifies the potential for adverse environmental effects, the SA has either recommended changes to the plan or identified mitigation measures that can help to offset these effects. In addition to mitigating adverse effects, the SA also seeks to promote changes and additions to the plan which will help to achieve enhancements in relation to the SA Objectives.

If the Neighbourhood Plan policies did not exist, any new development in Hook Norton would be controlled through Cherwell District Council policies and also national planning policy. The sustainability appraisal has therefore assessed the Neighbourhood Plan policies by comparing them with the 'do nothing' option of having no Neighbourhood Plan and relying on policies at national and district level.

The assessment was initially undertaken on the policies in the Pre-Submission Neighbourhood Plan (November 2013) and the findings were reported in the SA Report that accompanied the NP consultation. As some of the policies in the Pre-Submission NP were updated for the Submission version – based on consultation feedback and changing circumstances – so it has been necessary to revisit the assessment to determine whether the original findings still stand or whether they need to be updated.

In order to show the changes made to the policies and associated assessments, the detailed assessment matrices included in Appendix D use bold and strikethrough text to denote the changes that have been made between Pre-Submission and Submission stages.

## 6.2 Assessment Findings

As described above some updates to the Plan policies were made between the Pre-Submission and Submission stages.

Whilst the policy amendments were seen to enhance the effects predicted against certain SA objectives, in the majority of cases this did not result in a change being required to the original assessment 'scoring'. Only two changes were made to the scoring, these being in relation to the introduction of policy wording in the 'Housing' theme on avoiding floodrisk and locating development away from watercourses. Therefore, other than these minor changes, the findings of the original assessment remain valid.

The policies in the Neighbourhood Plan, grouped under the themes of Hook Norton Character and Countryside; Community; Housing; and Transport, have been assessed against each of the SA Objectives. The detail of the assessments is provided in Appendix D, with the figure below summarising the findings of the assessment.

		POLICY THEMES			
SA Objective		HOOK NORTON CHARACTER AND COUNTRYSIDE	COMMUNITY - LIVING AND WORKING IN HOOK NORTON	HOUSING	TRANSPORT
1	Housing	0	0	++	0
2	Flood risk	0	0	+	0
3	Well-being	0	+	0	+
4	Social exclusion	0	+	+	0
5	Crime	0	0	0	0
6	Communities	0	++	+	0
7	Accessibility	0	+	0	+
8	Land use	+	0	0	0
9	Air quality	+	+	0	+
10	Biodiversity	+	0	0	0
11	Landscape/Heritage	++	+	+	+
12	Travel	+	+	0	+
13	Resources	+	0	0	0
14	Waste	0	0	0	0
15	Water	0	0	+	0
16	Energy	+	0	0	0
17	Employment	0	+	0	0
18	Economy	0	+	0	0

--	Significant negative effects
-	Minor negative effects
0	No predicted effects
+	Minor positive effects
++	Significant positive effects

Significant positive effects have been identified against the 'housing'; 'communities'; and 'landscape/heritage' SA Objectives, along with a range of other minor positive effects. No negative effects have been identified, which is not surprising given that the Neighbourhood Plan is not allocating sites for development, but instead is providing policies to control any future development.

There are two SA Objectives against which the Sustainability Appraisal has not identified any effects. These are the objectives relating to 'Crime'; and 'Waste'. The reason for this is that these topics are all covered by Cherwell District Council policies and the Neighbourhood Plan policies do not add anything that is locally specific in a Hook Norton context.



When considering the Neighbourhood Plan as a whole, rather than as separate groups of policies, the cumulative effects for several of the SA Objectives will become more significant. At this stage in the process it is difficult however to predict exactly how well all the objectives will be met.

### 6.3 Monitoring

Where significant effects have been identified by the Sustainability Appraisal there is a requirement<sup>3</sup> on the local authority (i.e. Cherwell District Council) to monitor the significant effects of implementing the Neighbourhood Plan in order to identify unforeseen adverse effects at an early stage and to enable appropriate remedial actions. The monitoring results should be reported in the local planning authority's Monitoring Report.

<http://planningguidance.planningportal.gov.uk/blog/guidance/strategic-environmental-assessment-and-sustainability-appraisal/>

The Sustainability Appraisal has not identified any significant adverse effects relating to the implementation of the Hook Norton Neighbourhood Plan. It has however identified some significant positive effects relating to the following SA objectives:

- SA1: To ensure that everyone has the opportunity to live in a decent, sustainability constructed and affordable home;
- SA6: To create and sustain vibrant communities and engage cultural activity across all section of the Hook Norton community; and
- SA11: To protect, enhance and make accessible for enjoyment, the parish's countryside and historic environment.

Measures for monitoring the significant effects of implementing the Neighbourhood Plan need to be developed with Cherwell District Council as they develop further the monitoring measures associated with the implementation of the Cherwell Local Plan.

Annex F of the Cherwell Local Plan Submission SA Report (October 2013) provides 'significant effects indicators' that will be used to monitor the predicted 'significant effects' of the plan's policies. It is anticipated that where appropriate the same indicators will be used to monitor the significant effects of the Neighbourhood Plan. The monitoring measures will be finalised prior to the adoption of the Neighbourhood Plan.

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<sup>3</sup> Regulation 17 of the Environmental Assessment of Plans and Programmes Regulations 2004

## 7. Habitats Regulations Assessment

In addition to undertaking an SA/SEA on the Neighbourhood Plan there is also a requirement to determine whether implementation of the NP 'in combination' with other projects and plans would have likely significant effects on the ecological integrity of the most valued nature conservation sites. These sites are called Special Protection Areas (SPAs), Special Areas for Conservation (SACs) and Ramsar Sites (collectively called Natura 2000 sites).

An HRA was carried out at various stages of the Cherwell Local Plan preparation. The conclusion of this work was that none of the policies or the proposals contained in the submitted Cherwell Local Plan (January 2014) will lead to likely significant effects on the most valued nature conservation sites.

As the closest Natura 2000 site to Hook Norton is Oxford Meadows SAC, over 20 miles away, so the same conclusion can be drawn for the Hook Norton Neighbourhood Plan and no further detailed assessment will need to be undertaken.

## 8. Next Steps

The SA Report prepared at the Submission Stage will be submitted alongside the Neighbourhood Plan and other supporting documentation when it is submitted for an independent examination to be undertaken by a planning inspector.

Any substantive changes that are made to the Plan as a result of the Examination will need to be subjected to Sustainability Appraisal to identify whether any new significant effects would result from the changes, or whether previously identified significant effects are no longer predicted as a result of the changes.

The next stage will then be for the Plan (with any modifications required by the Examiner) to progress to a referendum. A vote in favour at referendum stage means that the Neighbourhood Plan will then become part of the Development Plan for the area, against which any proposals for development will be assessed.

### 8.1 SA/SEA Adoption Statement

When the Neighbourhood Plan is adopted it will be accompanied by a SA/SEA Statement. In line with the SEA Regulations, the SA/SEA Statement will provide the following information:

- How environmental considerations have been integrated into the plan;
- How the SA Report has been taken into account;
- How opinions expressed in relation to the consultations on the plan/ programme and SA Report have been taken into account;
- The reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with; and
- The measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme.

### 8.2 Post Adoption

Following the adoption of the Neighbourhood Plan there will be a need to undertake SA/SEA monitoring of the significant effects identified. It is envisaged that this monitoring will take place alongside the monitoring of the Cherwell Local Plan which will be the responsibility of Cherwell District Council.

## Appendix A: Listed Buildings in Hook Norton

Some building names may be abbreviated or partial; this is how they are recorded in the original register.

### Sources

<http://www.britishlistedbuildings.co.uk>

<http://gohistoric.com/places/hook-norton-england>

### Grade I (x1)

#### **Church of St Peter**

1 High Street, Hook Norton, Oxfordshire

### Grade II\* (x1)

#### **Swerford Park**

Hook Norton

### Grade II (x69)

#### **2, the Green**

Tite Lane, Hook Norton

#### **Baptist Chapel**

Netting Street, Hook Norton

#### **Barclays Bank**

1 High Street, Hook Norton

#### **Belleisle Farmhouse, Barn Approximately 25 Metres South**

Hook Norton

#### **Beanacre Cottage**

Ashburton Lane, Hook Norton

#### **Blackbirds**

Chapel Street, Hook Norton

#### **Blarney Cottage**

Bell's Lane, Hook Norton

#### **Brewery Cottage**

Brewery Lane, Hook Norton

#### **Brewhouse at Hook Norton Brewery**

Brewery Lane, Hook Norton

#### **Bridge House**

Brick Hill, Hook Norton

#### **Central Stores**

High Street, Hook Norton

#### **Gazebo Homeleigh**

High Street, Hook Norton

#### **Gingerbread Cottage**

Well Bank, Hook Norton

#### **Gosling Cottage Hataway Cottage**

High Street, Hook Norton

#### **Harwood House**

Chipping Norton Road, Hook  
Norton

#### **Heydon House**

E End, Hook Norton

#### **Horn's Butchers Shop**

Queen Street, Hook Norton

#### **House to Left of Mace's Store**

Down End, Hook Norton

#### **House to Right of the Old Sweet Shop<sup>4</sup>**

Netting Street, Hook Norton

#### **Ivydene**

E End, Hook Norton

#### **Jasmine Cottage**

The Green, Hook Norton

#### **Laburnum**

Queen Street, Hook Norton

#### **Priestfield**

1 High Street, Hook Norton

#### **Priestfield Cottage**

1 High Street, Hook Norton

#### **Scotland House**

Hook Norton

#### **Scotland Mount Cottage**

#### **Scotland Mount House**

Brewery Lane, Hook Norton

#### **South Hill House**

2 Bury Croft Road, Hook  
Norton

#### **Southrop Farmhouse**

Brick Hill, Hook Norton

#### **Southrop House**

Southrop Road, Hook Norton

#### **St Valentines**

Hook Norton

#### **Stable Block at Hook Norton Brewery**

Hook Norton

#### **Staddle Cottage**

Bell's Lane, Hook Norton

#### **Stapenhill**

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<sup>4</sup> "House to Right of the Old Sweet Shop, Netting Street" is actually two separate dwellings: "Moonbeam Thatch"; and "Hare Cottage".

**Central Stores (Middle Block)**  
High Street, Hook Norton

**Chest Tomb Approximately 4 Metres North West of Baptist Chapel**

Netting Street, Hook Norton

**Clay Bank**  
Clay Bank, Hook Norton

**Cornerways**  
Bell's Lane, Hook Norton

**Court Farmhouse**  
Hook Norton

**Crooked Cottage**  
E End, Hook Norton

**Crooked Thatch**  
Station Road, Hook Norton

**Dial House The Middle House**  
High Street, Hook Norton

**Downend Cottage**  
Down End, Hook Norton

**East End House The Pottery**  
E End, Hook Norton

**Easter Cottage**  
Southrop Road, Hook Norton

**Former National School and Old School House**  
1 High Street, Hook Norton

**Leas Farmhouse**  
Hook Norton

**Lincoln's Inn Salfords**  
Hook Norton

**Long Thatch**  
Chapel Street, Hook Norton

**Magdalen Lodge**  
1 High Street, Hook Norton

**Malthouse at Hook Norton Brewery**  
Brewery Lane, Hook Norton

**Manor Farmhouse**  
Hook Norton

**Marrie Mount**  
Round Close Road, Hook Norton

**Netting Cottage**  
Hook Norton

**Oatley Hill Farmhouse**  
Hook Norton

**Office Block at Hook Norton Brewery**  
Brewery Lane, Hook Norton

**Pear tree Cottage**  
Chipping Norton Road, Hook Norton

**Petra**  
Netting Street, Hook Norton

Scotland End, Hook Norton

**Stuart House**  
Down End, Hook Norton

**Swerford Park Bridge**  
Swerford, Oxfordshire

**The Bell Inn**  
High Street, Hook Norton

**The Manor House**  
Netting Street, Hook Norton

**The Old Malt House Cottage**  
Down End, Hook Norton

**The Old Post Office**  
Chapel Street, Hook Norton

**The Old Surgery**  
Chapel Street, Hook Norton

**The Old Sweet Shop**  
Netting Street, Hook Norton

**The Paddocks**  
Hook Norton

**The Thatch**  
1 High Street, Hook Norton

**Walnut Tree Cottage**  
Park Road, Hook Norton

**Wisteria House**  
High Street, Hook Norton

## Appendix B: Hook Norton Wildlife Habitats (OWLS)

The following wildlife habitats fall within Hook Norton. They are listed according to their associated landscape type or local character area.

If you want more information about any of the sites of special scientific interest (SSSIs) listed below, take a look at English Nature's [Nature on the Map](#) website. It may also be possible to find out a bit more about the unnamed wildlife habitats in the parish by contacting the Thames Valley Environmental Records Centre ([gavin.bird@oxfordshire.gov.uk](mailto:gavin.bird@oxfordshire.gov.uk)) and quoting the site code next to the habitat description.

The majority of these wildlife habitats are on private land and access to them is not possible without permission of the landowner, unless there is a statutory [right of way](#). However, many wildlife habitats in the county are open to the public. More information on these can be obtained from the [Oxfordshire Nature Conservation Forum](#).

### Farmland Plateau

Site Code: 33K01/1 (Bank) and Lin6/1 (Cuttings)

Area: 6.8 ha

Hook Norton Cutting and Banks SSSI

South of Hook Norton, the disused railway and the River Swere cut through limestone rocks. The valley side and cuttings support limestone grassland, which is a national nature conservation priority. Limestone grassland is particularly rich in colourful wildflowers and great variety can be seen here. These include autumn gentian, harebell, cowslip, and common spotted orchid. At the base of Hook Norton Bank next to the river marshy wetland vegetation can be found and water mint and marsh marigold can be seen here.

Oak and ash woodland has established on the northern cutting. The cuttings are a nature reserve managed by Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust. The reserve extends to the cutting north of the SSSI. The site is also important for insects especially bees. One species has only been recorded in three other sites in Britain.

The cutting is also important for its geology due the layers of rock exposed when then they were dug which are important in our understanding of geological history.

### Rolling Village Pastures

Site Code: 33R01

Area: 15.7 ha

This site consists of a section of valleys along a small tributary of the River Swere which cuts through the limestone and ironstone rocks in the area. The valley has banks of grassland rich in wildflowers while in the valley bottom there are marshy areas and a pond.

The grassland on the banks, while being neutral in character, is quite varied due to the influence of the underlying rocks. Some areas have wildflowers, such as salad burnet, indicate the presence of limestone. On the more acidic sandy soils betony, tormentil and marsh lousewort are found. Other grassland wildflowers present include lady's mantle and harebell. This type of grassland is a national nature conservation priority.

In the valley bottom there is a mixture of tall wetland habitat and marshy areas with sedge and rushes. Many wetland wildflowers are found here including ragged robin, marsh marigold, the uncommon wood-club rush, yellow flag iris and meadowsweet. A pond has

been dug at the east end. These wetland habitats are also a priority for nature conservation and provide good habitat for birds. Snipe and woodcock have been recorded here.

### **Wooded Pasture Valleys and Slopes**

Site Code: 33H01

Area: 2.4ha

Sharp's Hill Quarry SSSI

Sharp's Hill Quarry is one of a number of sites in Oxfordshire where quarrying has left important geological exposures which are of great value in the understanding of geological history. This quarry has a fine example of what is known as the Sharp's Hill formation which is rich in fossils.

Site Code: 33N02

Area: 17.7 ha

This is an area of disused quarries and pasture on limestone rocks and sandy soils. Limestone grassland is a national nature conservation priority and is now mainly found on small banks along the valleys and in the old quarries.

The grassland has green winged orchids and cowslips as well as a population of Cotswold pennycress. This very rare species is a national nature conservation priority. The areas with sandy soil are more acidic and gorse is found here. There are also areas of ash woodland and wet areas along a stream. A good variety of birds can be seen at the site including buzzard and green woodpecker while brown argus is one of the butterflies that can be seen here.

Site Code: 33H04

Area: 1.3ha

This site is a small bank of west facing limestone grassland on the valley side of one of the headwater tributary streams of the River Stour. Limestone grassland is a national nature conservation priority.

The main feature of the limestone grassland is the presence of green-winged, pyramidal and common spotted orchids. Other wildflowers present include cowslip, lady's bedstraw, small scabious and salad burnet. There are also areas of hawthorn scrub on the bank providing good habitat for birds. At the bottom of the bank the soil is much deeper and richer and therefore lacks the richness in wildflowers of the bank. There is a marshy area here with rushes and reed grass where marsh marigold and meadowsweet are found.

## Appendix C: Consultation Comments

### C1: Scoping Report (September 2013)

Natural England	Sustainability Appraisal response to consultation comments
<p>Q. Are there any other plans and programmes relevant to the Hook Norton Neighbourhood Plan that need to be considered in the Sustainability Appraisal?</p> <p>A. No</p>	<p>No update required</p>
<p>Q. Is the baseline data appropriate to the Hook Norton Neighbourhood Plan? Please provide any other relevant baseline data of relevance.</p> <p>A. The baseline data appears to be appropriate.</p> <p>Please note that there are 2 Sites of Special Scientific Interest (SSSIs) in the parish, not one as stated on page 9 (Hook Norton Cutting and Banks). However you do refer to the other SSSI in appendix B (Sharp's Hill Quarry).</p> <p>In terms of Soil and Geology, we advocate further work on the Agricultural Land Classification as mentioned on page 11. To assist in understanding agricultural land quality within the plan area and to safeguard 'best and most versatile' agricultural land in line with paragraph 112 of the National Planning Policy Framework, strategic scale Agricultural Land Classification (ALC) Maps are available. Natural England also has an archive of more detailed ALC surveys for selected locations. Both these types of data can be supplied digitally free of charge by contacting Natural England. We suggest emailing enquiries@naturalengland.org.uk with a request and we can look into it for you. Some of this data is also available on the www.magic.gov.uk website. General mapped information on soil types is available as 'Soilscapes' on the www.magic.gov.uk and also from the LandIS website <a href="http://www.landis.org.uk/index.cfm">http://www.landis.org.uk/index.cfm</a> which contains more information about obtaining soil data.</p>	<p>Sharp's Hill Quarry SSSI is now included in Section 4.</p> <p>The Neighbourhood Plan provides policy to respect and enhance the natural assets of the surrounding area. However it relies on the strong policy at district level to provide the necessary protection and enhancement of the parish's soil resource.</p>
<p>Q. Do you agree with the key issues and opportunities identified for the Hook Norton Neighbourhood Plan in Table 1 of the Scoping Report?</p> <p>A. Yes</p>	<p>No update required</p>
<p>Would you like to see any amendments to the Hook Norton Neighbourhood Plan Proposed Sustainability Appraisal Framework in Table 2 of the Scoping Report?</p> <p>No</p>	<p>No update required</p>
<p>Q. 5. Do you have any other comments you would like to make?</p> <p>A. On page 7 you mention that part of the parish boundary coincides with the boundary of the Cotswolds AONB. You may like to consider developing this in your objectives, with reference</p>	<p>SA Objective 3 includes the sub-objective: "Will it protect, enhance and restore the parish's natural environment"</p>



<p>to the management plan aims, ensuring development does not detrimentally impact on them or on the setting of the adjacent AONB.</p>	<p>assets (e.g. the locally distinctive countryside, integrity of local landscape, unspoilt rural views, common land, open spaces, woodland, AONBs etc.)?"</p> <p>Under the NP Goal "To maintain the rural character and tranquillity of the parish whilst seeking opportunities for landscape, recreational and ecological gain" there is an objective to "To maintain and enhance key views within and of the village and the wider District, including the Cotswolds Area of Outstanding Natural Beauty"</p>
English Heritage	
<p>English Heritage welcomes the comprehensive description of the current historic environment of Hook Norton, particularly the references to the Conservation Area Appraisal, the Historic Environment Record and undesignated but locally important heritage assets. However, it would be helpful to set the context for these assets by describing the historical development of Hook Norton. Information on the historical significance of the countryside in the parish may be available from the Oxfordshire Historic Landscape Assessment.</p>	<p>Some additional description has been added to Section 4 of the SA Report. The Hook Norton Conservation Area Appraisal provides information on Hook Norton's historical development and cross-reference is made to that document..</p>
<p>We note that there is an existing Conservation Area Appraisal, but is there any characterisation study of the village as a whole? Such a study can help inform locations and details of proposed new development and identify possible townscape improvements. There are links in the appendix to this letter to "Placecheck", "Building in Context", the "Oxford Character Assessment Toolkit" and "Understanding Place", all of which contain further information on local characterisation.</p>	<p>We are not aware of any 'whole village' characterisation to use in informing the sustainability appraisal.</p>
<p>According to the recently-published 2013 Heritage at Risk Register, there are no assets at risk in Hook Norton, which is pleasing. However, the Scoping Report could include a consideration of the current and potential future condition of the heritage assets in the parish - are there are particular threats to their significance e.g. from development, lack of maintenance etc.? Has there been any change in their condition in recent years, particularly for the worse?</p>	<p>Section 4 of the SA Report has been updated to reflect this new information.</p>
<p>Although we welcome the identification of the need to control development to retain historic assets, we believe that the Sustainability Issues and Opportunities in Table 1 should specifically</p>	<p>Table 1 updated to include this topic</p>

include the conservation and enhancement of the historic environment in the Parish.	
In addition, given the historical significance of the village and the range of heritage assets therein, it is disappointing that this not a specific goal or objective of the Neighbourhood Development Plan, nor are opportunities to be sought for historic environment "gain". However, we do welcome the goals to maintain and enhance the character of the village and to ensure that any development is sympathetic to its setting within the village. Would it be beneficial for the Plan to include a specific policy on the historic environment of the village/parish?	The goal "To maintain the rural character and tranquillity of the parish whilst seeking opportunities for landscape, recreational and ecological gain" has been updated to include 'heritage' as follows: "To maintain the rural character and tranquillity of the parish whilst seeking opportunities for landscape, heritage, recreational and ecological gain" There are objectives relating to protection and enhancement of the village's heritage. The N.Plan also includes policies (CC1 and CC2) that include relating to heritage.
We also welcome Sustainability Objective 11 and its sub-objectives. The Scoping Report normally also sets out the "indicators", with which the policies and/or site allocations can be assessed against the objectives and sub-objectives. The English Heritage guidance on Strategic Environmental Assessments and the historic environment contains further details on and suggestions for indicators.	Indicators will be included in the SA Report.
Finally, the nature of the locally-led neighbourhood plan process is that the community itself should determine its own agenda based on the issues about which it is concerned. At the same time, as a national organisation able increasingly to draw upon our experiences of neighbourhood planning exercises across the country, our input, agreed on a case by case basis, can help those communities reflect upon the special (heritage) qualities which define their area to best ensure that optimum and sustainable outcomes are achieved. To this end, information on our website might be of assistance <a href="http://www.english-heritage.org.uk/caring/get-involved/improving-your-neighbourhood/">http://www.english-heritage.org.uk/caring/get-involved/improving-your-neighbourhood/</a> .	Engagement with the residents and other key stakeholder of the parish has been an ongoing part of the Neighbourhood planning process.
Environment Agency	
Flood Risk There are two main river watercourses within the extent of the parish, the Hook Norton Brook and the River Swere.  There are also a number of Ordinary Watercourses which come under the jurisdiction of the Lead Local Flood Authority (LLFA), which in this case is Oxfordshire County Council (OCC). There are locations which are in Flood Zones 2 and 3 associated with the	The Neighbourhood Plan relies on policies at district and national level to provide the appropriate control of development in terms of flood risk. Reference to the

<p>two main river watercourses and with an unnamed ordinary watercourse. These affect parts of Hook Norton and outlying areas.</p> <p>There are locations which are in the Flood Map for Surface Water (FMfSW) for the 1 in 30 and 1 in 200 chance rainfall events. These affect parts of Hook Norton and outlying areas. We have no records of historic flood extents within the extent of the parish. Flood risk data is available from the Environment Agency from the Customers &amp; Engagement team via the email address below. <a href="mailto:wtenquiries@environment-agency.gov.uk">mailto:wtenquiries@environment-agency.gov.uk</a></p> <p>The LLFA may be able to provide further information relating to flooding and flood risk associated with ordinary watercourses, surface water and ground water.</p> <p>We can see references to flooding and flood risk in the Scoping Report. We would expect the Neighbourhood Plan to address the risk of flooding to people and property from all sources, including main river, ordinary watercourses, surface water and ground water, as well as sewer flooding.</p> <p>Development should be directed away from areas of flood risk, including Flood Zones 2 and 3, as the areas at risk of flooding are limited and we would expect these areas to be avoided. We would want to see adequate undeveloped buffers left adjacent to watercourses, to avoid flood risk and to provide opportunities for environmental enhancements.</p> <p>In addition to the Cherwell District Council Strategic Flood Risk Assessment, reference should also be made to the Oxfordshire County Council Preliminary Flood Risk Assessment. Both of these documents may contain references to other sources of information relating to flooding and flood risk.</p>	<p>Oxfordshire County Council Preliminary Flood Risk Assessment is provided in Section 4.</p>
<p>Nature Conservation</p> <p>We are pleased to see that biodiversity has been considered and are satisfied with the baseline information compiled. We would expect the plan to consider protecting the water environment by taking a number of measures.</p> <ol style="list-style-type: none"> <li>1. Retain eight metre buffer zones along the Hook Norton Stream and its tributaries and managed in a way that has a positive impact on biodiversity.</li> <li>2. Take the opportunity to create and enhance habitat along the river corridor-gravel, pond's scrapes and backwaters.</li> </ol>	<p>The Neighbourhood Plan provides policy to respect and enhance the natural assets of the surrounding area. However it relies on the strong policy at district level to provide the necessary protection and enhancement of the parish's watercourses.</p>
<p>Groundwater and Contaminated Land</p> <p>We would welcome reference to groundwater in the item 15 of the Sustainability appraisal framework. We would advise that "parish's groundwater and watercourses" are referred to instead of just "parish's Watercourses"</p> <p>Hook Norton is underlain by Secondary Aquifer (Marlstone Rock Beds). Areas to the south of the neighbourhood plan area are underlain by Oolitic principal aquifer. We would also highlight that</p>	<p>SA Objective 15 has been updated.</p>

Hook Norton brewery relies on a groundwater abstractions. There are a number of other private groundwater abstractions within the Hook Norton neighbourhood plan area.

Once impacted, groundwater can take many years to recover. Groundwater also supplies base flows for many surface watercourses within the neighbourhood plan area. Ensuring groundwater is not impacted by inappropriate development is crucial in protecting groundwater and surface water resource for the future.

C2: Sustainability Appraisal Report (November 2013)

<b>Natural England</b>	Sustainability Appraisal response to consultation comments
No comments received relating to the SA Report.	No action taken.
<b>English Heritage</b>	
As regards the Sustainability Appraisal, we are grateful for the changes that have been made in response to our comments on the Scoping Report.	Noted. No action taken.
<b>Environment Agency</b>	
No comments received relating to the SA Report.	No action taken.
<b>Cherwell District Council</b>	
Page 6 – second and third paragraphs refer to the July 2012 update of the Cherwell Local Plan SA. The SA report has been updated again in October 2013 and approved for submission by Council alongside the Local Plan. The requirements of the NPPF have been fully incorporated into the Local Plan. The text should be amended to take these two points into account.	<p>SA Report updated to reflect this more advanced stage for the Cherwell Local Plan SA Report.</p> <p>NB: further work on the Cherwell Local Plan SA has been undertaken since CDC's 2013 response. A Scoping Report for the Sustainability Appraisal Addendum for Main Modifications to the Cherwell Submission Local Plan was published in June 2014.</p> <p>Further updates have been made to the HNNP SA Report to reflect this new CDC SA.</p>
Page 23 – Habitat Regulations Assessment, paragraph needs updating to refer to the October 2013 Local Plan and the accompanying update.	SA Report updated to reflect this more advanced stage for the Cherwell Local Plan HRA Report.

## Appendix D: Assessment of Submission Policies

This appendix provides the assessment of the HNNP Submission Policies, grouped by Theme, against each of the objectives that make up the Sustainability Appraisal Framework. The tables are based on the assessments undertaken on the Pre-Submission HNNP, as reported in the SA Report that accompanied the HNNP consultation in November 2013.

Changes to the policies and assessments to reflect the updates made between the Pre-Submission and Submission stages are shown using **bold** (denoting new text) and ~~strike through~~ (denoting deleted/superseded text).

### POLICIES FOR THE THEME: 'HOOK NORTON CHARACTER AND COUNTRYSIDE'

#### **Policy HN - CC 1: Protection and enhancement of local landscape and character of Hook Norton**

Any development must be located and designed so that it is readily visually accommodated into its surroundings and setting, and provides a positive contribution to the locally distinctive character and context of Hook Norton.

Proposals which would introduce development to isolated sites in the open countryside which would adversely affect the tranquillity, unspoilt character and amenity value of the landscape will not be permitted.

Development which makes use of previously developed land and buildings will generally be preferred to greenfield locations. Residential gardens are not considered previously developed land and redevelopment of residential gardens to provide inappropriate housing is specifically not supported.

#### **Policy HN - CC 2: Design**

Any planning application for development must contain sufficient detail to demonstrate the proposal is of high quality design. In particular for Hook Norton, high quality design means that any proposal must build upon the principles set out in the Hook Norton Conservation Area Appraisal and must:

Reflect local distinctiveness and be readily assimilated particularly in terms of: the extent and amount of development; scale; layout; open spaces; appearance; and materials

~~Respect and enhance the heritage and natural assets of the surrounding area~~

**Respect and enhance the historic environment of the parish and its heritage and natural assets.**

Ensure that locally important views and vistas are maintained or enhanced

Retain and enhance open spaces, walls, hedgerows and trees which are important to the local character

Take account of information and design guidance included in the Cherwell Countryside Design SPD, Oxfordshire Wildlife and Landscape Study, Hook Norton Conservation Area Appraisal and any specific design guidance provided by Hook Norton Parish Council

Incorporate features to improve environmental performance and reduce carbon emissions, unless it is demonstrated to be not practicable and viable

#### **Policy HN - CC 3: Local distinctiveness, variety, and cohesiveness**

The traditional pattern of growth which characterises Hook Norton is small scale and gradual change. This must be reflected in the extent and amount of any development in Hook Norton. Designs which could be 'anywhere place' will not be acceptable. Variety in density, layout, building orientation and sizes will be sought to reflect the local context. Building styles and materials must also reflect and positively contribute to local distinctiveness. Hook Norton is one of Oxfordshire's Ironstone villages and it is therefore expected that local ironstone will continue to be the predominant building material. All elements of schemes must be considered at an early stage to produce a cohesive and high quality design in which detailing such as car

parking, boundary treatments, bin stores, meter boxes, and lighting are all provided for in a harmonious and inclusive design.

**Policy HN - CC 4: Resource efficient design**

High levels of resource efficiency will be expected and must be demonstrated in any application for development. Applicants will be expected to put forward site-specific proposals which take account of location, layout and building orientation to minimise energy consumption.

**Policy HN - CC 5: Lighting**

Any lighting proposed must be of a design which does not cause visual intrusion nor cause adverse effects due to light pollution. All lighting must meet high levels of energy efficiency.



SA Objective	Duration			Assessment
	S	M	L	
1. To ensure that everyone has the opportunity to live in a decent, sustainability constructed and affordable home.	0	0	0	No predicted effects
2. To reduce the risk of flooding and the resulting detriment to public wellbeing, the economy and the environment	0	0	0	No predicted effects
3. To improve the health and wellbeing of the population and reduce inequalities in health	0	0	0	No predicted effects
4. To reduce poverty and social exclusion	0	0	0	No predicted effects
5. To reduce crime and disorder and the fear of crime.	0	0	0	No predicted effects
6. To create and sustain vibrant communities and engage cultural activity across all section of the Hook Norton community	0	0	0	No predicted effects
7. To improve accessibility to all services and facilities	0	0	0	No predicted effects
8. To improve efficiency in land through the re-use of previously developed land and existing buildings, including the re-use of materials from buildings	+	+	+	Policy CC1 encourages the prioritisation of development on previously developed sites.
9. To reduce air pollution including reducing greenhouse gas emissions and ensure the parish is ready for its impacts	+	+	+	The policies encourage resource efficiency and incorporation of features to reduce carbon emissions.
10. To conserve and enhance and create resources for the parish's biodiversity	+	+	+	Protecting and enhancing natural assets could have positive benefits for biodiversity. However, CDC policies provide the major thrust in terms of biodiversity protection and enhancement
11. To protect, enhance and make accessible for enjoyment, the parish's countryside and historic environment.	+	+	+	The policies under this theme will directly help towards achieving this objective through the requirement for design that is in keeping with the local context and through minimising light pollution from new development. The emphasis on 'enhancement' provided by the policies will be key to realising the objective's aims. <b>The change made to Policy CC2 between the Pre-Submission and Submission stages further supports this objective.</b>
12. To reduce road congestion and pollution levels by improving travel choice, and reducing the need for travel by car/lorry	+	+	+	Preventing development in the open countryside will help to reduce the need to travel.
13. To reduce the global, social and	+	+	+	Policy CC4 supports resource efficient

environmental impact of consumption of resource by using sustainably produced and local products.				design, whilst CC3 encourages the use of local ironstone.
14. To reduce waste generation and disposal, and achieve the sustainable management of waste	0	0	0	No predicted effects
15. To maintain and improve the water quality of the parish's groundwater and watercourses and to achieve sustainable water resources management	0	0	0	No predicted effects
16. To increase energy efficiency and the proportion of energy generated from renewable sources in the parish	+	+	+	Policies CC2 and CC4 encourage resource efficient design and improved energy efficiency.
17. To ensure high and stable levels of employment so everyone can benefit from the economic growth of the parish	0	0	0	No predicted effects
18. To sustain and develop economic growth and innovation, an educated/ skilled workforce and support the long term competitiveness of the parish	0	0	0	No predicted effects

## POLICIES FOR THE THEME: 'COMMUNITY - LIVING AND WORKING IN HOOK NORTON'

NB: Changes to the policies and assessments to reflect the updates made between the Pre-Submission and Submission stages are shown using **bold** (denoting new text) and ~~strike through~~ (denoting deleted/superseded text).

### **Policy HN - COM 1: Protection of Locally Valued Resources**

Any proposal which would adversely affect or result in the loss of any Locally Valued Resource will not be permitted unless in exceptional circumstances and where it has been clearly shown as the only, or most locally acceptable option, taking into account all relevant factors including: full exploration of options to secure the continuation of the facility; designation as an Asset of Community Value and community purchase; and alternative provision, to the extent that each **factor** is applicable. The list of Locally Valued Resources is shown in Table 1 and will be reviewed on an annual basis.

### **Policy HN - COM 2: Public Rights of Way**

Existing Public Rights of Way in the parish will be protected from loss, re-routing or development which would adversely affect the amenity value to users.

Opportunities will be sought to enhance the network of Public Rights of Way through the creation of new links, improved maintenance and waymarking, and making use of developer contributions, agricultural schemes and local partnership initiatives.

### **Policy HN - COM 3: Developer Contributions to Community Infrastructure**

~~Any contributions by developers made under Section 106 agreements or similar shall be used for community facilities, and the detail shall be determined in conjunction with Hook Norton Parish Council as representative of the community.~~ **For any planning application which triggers a Section 106 Agreement or similar, the determining authority shall consult with Hook Norton Parish Council, as the representative of the community, regarding the provisions of the Agreement.**

### **Policy HN - COM 4: Broadband**

It is understood that Oxfordshire County Council will be rolling out high speed broadband to Hook Norton by 2015. In the event that this does not happen, proposals which would facilitate better quality broadband to Hook Norton will be supported provided this can be delivered in compliance with other relevant policies in this Plan, and in particular policies regarding Protection of Local Landscape and Character of Hook Norton. Any development occurring after high speed broadband infrastructure has been provided to Hook Norton will be expected to provide connectivity to that infrastructure.

### **Policy HN - COM 5: Retention of Local Employment**

Sites providing local employment within the parish should be retained for employment use except in circumstances where it is demonstrated not to be viable.

SA Objective	Duration			Assessment
	S	M	L	
1. To ensure that everyone has the opportunity to live in a decent, sustainability constructed and affordable home.	0	0	0	No predicted effects
2. To reduce the risk of flooding and the resulting detriment to public wellbeing, the economy and the environment	0	0	0	No predicted effects
3. To improve the health and wellbeing of the population and reduce inequalities in health	+	+	+	Improved community facilities ( <b>that could be provided through a Section 106 Agreement or similar</b> ) and potential enhancements to the rights of way network that may result through these policies will help to improve general health and well-being.
4. To reduce poverty and social exclusion	+	+	+	Policy COM5 seeks to protect sites providing local employment which will help to reduce the risk of local poverty from job losses.
5. To reduce crime and disorder and the fear of crime.	0	0	0	No predicted effects
6. To create and sustain vibrant communities and engage cultural activity across all section of the Hook Norton community	+	+	+	Policy COM3 will enable developer contributions to be channelled towards community facilities that are prioritised by the community, rather than by the local authority. <b>Change made to Policy COM3 between the Pre-Submission and Submission stages does not alter this assessment.</b>
7. To improve accessibility to all services and facilities	+	+	+	The policies promote the provision and accessibility to community facilities and improved broadband services which may help reduce the need to travel.
8. To improve efficiency in land through the re-use of previously developed land and existing buildings, including the re-use of materials from buildings	0	0	0	No predicted effects
9. To reduce air pollution including reducing greenhouse gas emissions and ensure the parish is ready for its impacts	+	+	+	Any reduced travel need that results from these policies will help to contribute towards reducing greenhouse gas emissions.
10. To conserve and enhance and create resources for the parish's biodiversity	0	0	0	No predicted effects
11. To protect, enhance and make accessible for enjoyment, the parish's countryside and historic environment.	+	+	+	Policy COM1 seeks to protect locally valued resources which will help to maintain the parish's cultural and heritage assets.
12. To reduce road congestion and pollution levels by improving travel choice, and reducing the need for travel by car/lorry	+	+	+	The provision of improved broadband may help to reduce the need to travel.
13. To reduce the global, social and environmental impact of consumption of resource by using sustainably produced	0	0	0	No predicted effects

and local products.				
14. To reduce waste generation and disposal, and achieve the sustainable management of waste	0	0	0	No predicted effects
15. To maintain and improve the water quality of the parish's groundwater and watercourses and to achieve sustainable water resources management	0	0	0	No predicted effects
16. To increase energy efficiency and the proportion of energy generated from renewable sources in the parish	0	0	0	No predicted effects
17. To ensure high and stable levels of employment so everyone can benefit from the economic growth of the parish	+	+	+	Policy COM5 seeks to protect sites providing local employment which will help to maintain existing local employment opportunities.
18. To sustain and develop economic growth and innovation, an educated/skilled workforce and support the long term competitiveness of the parish	+	+	+	Policy COM5 seeks to protect sites providing local employment which will help to sustain the local economy.

## POLICIES FOR THE THEME: 'HOUSING'

NB: Changes to the policies and assessments to reflect the updates made between the Pre-Submission and Submission stages are shown using **bold** (denoting new text) and ~~strike through~~ (denoting deleted/superseded text).

### **Policy HN - H1: Sustainable housing growth**

~~Sustainable housing growth for Hook Norton in this Plan period (2014 to 2031) means infilling, minor development and conversions. Infilling means the development of a small gap in an otherwise continuous built up frontage suitable for one or two dwellings. Minor development means small scale development proposals, typically but not exclusively for less than 10 dwellings. 'Conversions' means the conversion of non-residential buildings.~~

~~In all cases, housing growth must comply with all relevant policies in this Plan.~~

~~To maintain a sustainable community and avoid over development, the number of additional dwellings to be permitted during the plan period shall not exceed 20 unless justified by exceptional circumstances. To maintain a sustainable rate of change, no further sites of more than 10 dwellings will be permitted during the first half of the plan period.~~

**Sustainable housing growth for Hook Norton in this Plan period (2014 to 2031) means conversions, infilling and minor development. 'Conversions' means the conversion of either residential or non-residential buildings. 'Infilling' means the development of a small gap in an otherwise continuous built-up frontage, typically but not exclusively suitable for one or two dwellings. 'Minor development' means small scale development proposals, typically but not exclusively for less than 10 dwellings. To maintain a sustainable community, proposals for up to 20 dwellings will be allowed where justified by objectively assessed local need and where this does not result in more than 20 dwellings being built in any location at any time, taking into account any extant permissions. In all cases, housing growth must comply with all relevant policies in this Plan.**

### **Policy HN - H2: Location of housing**

Any applications for housing development will be assessed for suitability of location using the following criteria. Suitable locations will:

- **Not be in Flood Zone 2 or 3 or within 8 metres of a watercourse**
- Comply with policies and advice in this Neighbourhood Plan
- ~~Give very significant weight to the evidence gained during Neighbourhood Plan consultation regarding general locations and extents of sites, as set out above~~ **Comply with the evidence gained during Neighbourhood Plan consultation regarding general locations and extents of sites, as set out above in Section 4.2**
- Take account of existing or potential alternative site uses which shall be identified with reference to consultation with the Parish Council.

### **Policy HN - H3 : Housing density**

For housing development within Hook Norton the maintenance of local character has a higher significance than achieving a minimum housing density figure. The appropriate density for a housing site should in every case within Hook Norton result in a development that is in character with the local surrounding area.

### **Policy HN - H4: Types of housing**

A mix of dwelling types and sizes to meet the needs of current and future households in Hook Norton will be sought in any development resulting in 3 or more homes. Scheme proposers are required to submit with any application for planning an objective assessment of the need for the proposed housing types, sizes and tenures in Hook Norton and to demonstrate how the proposed development addresses these needs.

### **Policy HN - H5: Provision and retention of affordable housing**

~~Any affordable housing in Hook Norton will be subject to a legally binding obligation to ensure~~

~~that initial occupation, and any subsequent lettings or sales, is limited to people meeting Hook Norton Needs or connections criteria as set out in Appendix E. This obligation will have permanent effect unless it can be demonstrated that there is no longer any requirement for the affordable housing.~~

**Any affordable housing provided as a Rural Exception Site development in Hook Norton will be subject to a legally binding obligation to ensure that initial occupation, and any subsequent lettings or sales, is limited to people meeting Hook Norton Needs or connections criteria as set out in Appendix D. This obligation will have permanent effect unless it can be demonstrated that there is no longer any requirement for the affordable housing.**

**Where affordable housing is provided under a Section 106 agreement or similar planning obligation Agreement as a requirement of a housing development under Local Plan policy, the maximum proportion possible of the total units provided shall at every opportunity be allocated to people meeting Hook Norton Needs or connections criteria as set out in Appendix D. This obligation will have permanent effect unless it can be demonstrated that there is no longer any requirement for the affordable housing.**



SA Objective	Duration			Assessment
	S	M	L	
1. To ensure that everyone has the opportunity to live in a decent, sustainability constructed and affordable home.	+	+	+	The policies directly support this objective by <b>having detailed criteria</b> seeking to <del>provide</del> <b>ensure that</b> affordable housing <b>is provided</b> for people meeting Hook Norton Needs or connections criteria. <del>However restricting the number of new dwellings over the plan period to 20 could mean that local needs are not met – although the policy does allow more than 20 dwellings if justified by exceptional circumstances, which could include a strong local demand.</del>
2. To reduce the risk of flooding and the resulting detriment to public wellbeing, the economy and the environment	0	0	0	No predicted effects <b>The requirement in Policy H2 to avoid the location of housing in areas at risk from flooding supports this objective.</b>
3. To improve the health and wellbeing of the population and reduce inequalities in health	0	0	0	No predicted effects
4. To reduce poverty and social exclusion	+	+	+	The policies to provide affordable housing, and ensure its retention, will help towards achieving this objective.
5. To reduce crime and disorder and the fear of crime.	0	0	0	No predicted effects
6. To create and sustain vibrant communities and engage cultural activity across all section of the Hook Norton community	+	+	+	Allowing local people to remain living in the village will help to maintain community vitality.
7. To improve accessibility to all services and facilities	0	0	0	No predicted effects
8. To improve efficiency in land through the re-use of previously developed land and existing buildings, including the re-use of materials from buildings	0	0	0	No predicted effects
9. To reduce air pollution including reducing greenhouse gas emissions and ensure the parish is ready for its impacts	0	0	0	No predicted effects
10. To conserve and enhance and create resources for the parish's biodiversity	0	0	0	No predicted effects
11. To protect, enhance and make accessible for enjoyment, the parish's countryside and historic environment.	+	+	+	Policies H2 and H3 will help to ensure that any new housing is located and built to a density that has respect to the surrounding area. <b>Policy H1 will ensure that developments are of a scale that can be assimilated into the surrounding area.</b>
12. To reduce road congestion and pollution levels by improving travel choice, and reducing the need for travel by car/lorry	0	0	0	No predicted effects

13. To reduce the global, social and environmental impact of consumption of resource by using sustainably produced and local products.	0	0	0	No predicted effects
14. To reduce waste generation and disposal, and achieve the sustainable management of waste	0	0	0	No predicted effects
15. To maintain and improve the water quality of the parish's groundwater and watercourses and to achieve sustainable water resources management	0 +	0 +	0 +	<del>No predicted effects</del> <b>The requirement in Policy H2 to avoid the location of housing within 8 metres of a watercourse supports this objective.</b>
16. To increase energy efficiency and the proportion of energy generated from renewable sources in the parish	0	0	0	No predicted effects
17. To ensure high and stable levels of employment so everyone can benefit from the economic growth of the parish	0	0	0	No predicted effects
18. To sustain and develop economic growth and innovation, an educated/ skilled workforce and support the long term competitiveness of the parish	0	0	0	No predicted effects

## POLICIES FOR THE THEME: 'TRANSPORT'

NB: Changes to the policies and assessments to reflect the updates made between the Pre-Submission and Submission stages are shown using **bold** (denoting new text) and ~~strike through~~ (denoting deleted/superseded text).

### **Policy HN - T1: Access and parking**

Any new development must provide access to the local road network which is suitable and sympathetic to the surroundings, and must provide sufficient off road parking **in line with Oxfordshire County Council's parking standards**. Applicants for planning permission must clearly set out the proposed level of parking provision in relation to objectively assessed needs at the time, and show how future needs have been taken into account.

### **Policy HN - T2: Non-car transport**

Opportunities will be sought to improve the local foot/cycleway network to facilitate safe, active and energy efficient means of transport and provide enhanced linkages, **including to bus stops**. All development proposals must demonstrate how their proposal has taken this requirement into account. **Developer contributions will be expected towards the provision of an enhanced bus service for Hook Norton.**

SA Objective	Duration			Assessment
	S	M	L	
1. To ensure that everyone has the opportunity to live in a decent, sustainability constructed and affordable home.	0	0	0	No predicted effects
2. To reduce the risk of flooding and the resulting detriment to public wellbeing, the economy and the environment	0	0	0	No predicted effects
3. To improve the health and well being of the population and reduce inequalities in health	+	+	+	Policy T2 seeks to improve the opportunities that exist for walking and cycling. If this results in more people using these modes of travel there will be positive effects on general health and wellbeing.
4. To reduce poverty and social exclusion	0	0	0	No predicted effects
5. To reduce crime and disorder and the fear of crime.	0	0	0	No predicted effects
6. To create and sustain vibrant communities and engage cultural activity across all section of the Hook Norton community	0	0	0	No predicted effects
7. To improve accessibility to all services and facilities	+	+	+	Policy T2 will help towards achieving this objective. <b>The requirement for developer contributions to help fund enhanced bus services will further support this objective.</b>
8. To improve efficiency in land through the re-use of previously developed land and existing buildings, including the re-use of materials from buildings, and encouraging urban renaissance	0	0	0	No predicted effects
9. To reduce air pollution including reducing greenhouse gas emissions and ensure the parish is ready for its impacts	+	+	+	Any shift to non-motorised modes of travel that result from Policy T2 will help to reduce greenhouse gas emissions. <b>If enhanced bus services are provided via developer contributions, this would help to reduce the reliance on private cars, with subsequent benefits for air quality and ghg emissions.</b>
10. To conserve and enhance and create resources for the parish's biodiversity	0	0	0	No predicted effects
11. To protect, enhance and make accessible for enjoyment, the parish's countryside and historic environment.	+	+	+	Seeking to reduce the growth in levels of on street parking (through Policy T1) should help to prevent further erosion of the village's character, that has been identified as a threat in the Conservation Area appraisal.
12. To reduce road congestion and pollution levels by improving travel choice, and reducing the need for travel by car/lorry	+	+	+	Policy T2 seeks to reduce the amount of car use for trips within the village. Policy T1 aims to reduce future growth in the levels of on street parking – that cause traffic issues.

13. To reduce the global, social and environmental impact of consumption of resource by using sustainably produced and local products.	0	0	0	No predicted effects
14. To reduce waste generation and disposal, and achieve the sustainable management of waste	0	0	0	No predicted effects
15. To maintain and improve the water quality of the parish's groundwater and watercourses and to achieve sustainable water resources management	0	0	0	No predicted effects
16. To increase energy efficiency and the proportion of energy generated from renewable sources in the parish	0	0	0	No predicted effects
17. To ensure high and stable levels of employment so everyone can benefit from the economic growth of the parish	0	0	0	No predicted effects
18. To sustain and develop economic growth and innovation, an educated/ skilled workforce and support the long term competitiveness of the parish	0	0	0	No predicted effects

**Hook Norton**  
**Neighbourhood Plan 2014-2031**  
**Publication Plan**

**Consultation Response**

**Gladman Developments Limited.**



**October 2014**

## **1 EXECUTIVE SUMMARY**

### **1.1 Context**

1.1.1 These representations are made in response to the Publication version of the Hook Norton Neighbourhood Plan (HNNP) 2014-2031.

1.1.2 Gladman Developments specialise in the promotion of strategic land for residential development with associated community infrastructure. Gladman are currently promoting a number of sites within Cherwell District for residential development, most relevantly to this consultation; land East of Sibford Road, Hook Norton. Gladman have recently submitted a second outline planning application on the site for 54 dwellings.

### **1.2 Neighbourhood Plan Process & Basic Conditions**

1.2.1 In its current form the HNNP would not meet the Basic Conditions as set out in Paragraph 8(2), of Schedule 4B of the Town and Country Planning Act 1990.

1.2.2 In particular, Gladman consider that the GHNP does not meet basic conditions 8(2) (a), (d), (e) and (f) of Schedule 4B of the Town and Country Planning Act 1990.

### **1.3 Comments on policies**

1.3.1 This section of the representations provides comments on the policies contained within the Neighbourhood Plan, highlighting specific areas of the Plan which are not compliant with the basic conditions and require removal and/or significant amendment.

1.3.2 Gladman raise particular concerns with HN-H1; which is restrictive in nature and would have negative implications for growth in Hook Norton, which is one of the largest and most sustainable settlements in the District and has a capacity and need for growth. The Plan cannot include policies which seek to restrict growth especially where the emerging local plan seeks more growth in the area (paragraph 8(2)(e). Equally, the Plan fails to have regard to national policy on the provision of housing and neighbourhood plan-making (paragraph 8(2)(a)) and does not contribute to sustainable development (paragraph 8(2)(d).

1.3.3 Policy HN-H2 does not allocate or provide an assessment of what capacity the implementation of the policy could deliver in Hook Norton. The approach taken by the policy (and in combination with Policy HN-H1) provides no certainty that future growth needs outlined by the emerging plan will be met in Hook Norton and is in conflict with the approach outlined by MM9 of the Main Modification to the emerging Local Plan.



## **1.4 Critique of Evidence Base**

- 1.4.1 The HNNP fails to respond to recent suspension of the examination of the Cherwell District Local Plan, and the revised strategy (and evidence) advanced by the recently published Main Modifications. The most recent evidence base is critical in defining the future strategy of Cherwell District and it is fundamental that the HNNP is in conformity with this. The omission of any consideration towards the emerging strategy by the Parish Council in preparing the plan means that the HNNP cannot be found to be consistent with the Local Plan. The HNNP does not meet Basic Condition (e).

## **1.5 Sustainability Appraisal**

- 1.5.1 The failure by the HNNP to respond to the Main Modifications of the submitted Cherwell District Local Plan means that it that the submitted Sustainability Appraisal does not provide a full assessment of the reasonable alternatives, and assesses the implications of the implementation of proposed policies against the incorrect context provided by the Local Plan. The assessment does not therefore comply with the SEA directive and is therefore contrary to Basic Condition (f).

## **1.6 Conclusions**

- 1.6.1 The HNNP is not sufficiently growth orientated or aspirational. The proposals through the neighbourhood plan would effectively restrict growth in Hook Norton. This directly contradicts the policy “imperative” within paragraph 47 of the Framework to boost significantly the supply of housing (*Gallagher Homes Ltd v Solihull MBC* [2014] EWHC 1283 (Admin), 31(ii) and *Bloor Homes East Midlands Ltd v Secretary of State for Communities and Local Government* [2014] EWHC 754 (Admin), [108])
- 1.6.2 The HNNP provides insufficient clarity on where the emerging growth needs of the Local Plan will be met placing stringent restrictions on the scope of new developments. The HNNP does not support the emerging local plan, contravenes national policy and prevents sustainable development. The HNNP is therefore in conflict with Basic Conditions (a), (d) and (e), and should not be advanced to examination at this time.

## **2 INTRODUCTION**

### **2.1 Context**

- 2.1.1 These representations are made in response to the current consultation of the Public Hook Norton Neighbourhood Plan (HNNP) 2014-2031.
- 2.1.2 Gladman Developments specialise in the promotion of strategic land for residential development with associated community infrastructure. Gladman are currently promoting a number of residential sites within Cherwell District, and have recently submitted an outline planning application on Land at Sibford Road, Hook Norton for 54 dwellings.
- 2.1.3 Gladman developments have activity taken part in the ongoing examination of the Cherwell Local Plan that has been suspended, with hearings scheduled to resume in December 2014.
- 2.1.4 This submission identifies fundamental concerns with the submitted HNNP, which directly contradicts with the whole ethos of the Framework and would fail to meet the required basic conditions.

### **2.2 Structure**

- 2.2.1 The remainder of this representation is structured as follows:
- Chapter 3 – The Neighbourhood Plan Process & Basic Conditions
  - Chapter 4 – Comments on Policies
  - Chapter 5 – Critique of Evidence Base
  - Chapter 6 - Conclusions

### 3 NEIGHBOURHOOD PLAN PROCESS & BASIC CONDITIONS

3.1 National planning policy establishes the Government’s expectations as to the contents and role of Neighbourhood Plans and their relationship with wider development plan documents. §16 and §184 of the National Planning Policy Framework (the Framework) clearly underline that Neighbourhood Plans cannot be in conflict with a Local Plan’s strategic policies or those contained within National Policy. Gladman’s position is that a neighbourhood plan that contains housing policies that seek to constrain housing delivery cannot lawfully be recommended for referendum and be “made” in advance of adoption of up-to-date strategic policies at the local plan level.

3.2 Paragraph 8(2), of Schedule 4B of the Town and Country Planning Act 1990 sets out that *“only a draft Neighbourhood Plan that meets each of a set of basic conditions can be put to a referendum.”* This is also supported by Paragraph 065 of the Neighbourhood Planning chapter of National Planning Practice Guidance (NPPG). The basic conditions are outlined as:

- (a) Having regard to **national policies and advice** contained in guidance issued by the Secretary of State, is it appropriate to make the order;
- (b) Having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order;
- (c) Having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order;
- (d) The making of the order contributes to the **achievement of sustainable development;**
- (e) The making of the order is in **general conformity with the strategic policies** contained in the development plan for the area of the authority (or any part of that area);
- (f) The making of the order does not breach, and is otherwise compatible with, **EU obligations;** and
- (g) Prescribed conditions are met in relation to the order and prescribed matters have been complied with in connection with the proposal for the order.

- 3.3 In section 4 of this representation Gladman test the Vision, Objectives and Policies proposed by the HNNP against the basic conditions listed above in order to determine whether the plan in its current form can be considered compliant with the basic conditions.
- 3.4 To proceed with the plan in its current form would represent a waste of resources for all parties and it is Gladman's view that the publication plan requires substantial amendment and reconsideration prior to examination.
- 3.5 The un-adopted Non-Statutory Cherwell Local Plan 2011 (December 2014) was intended to review and update the Local Plan adopted in 1996, however due to changes in the planning system, work on this plan was discontinued prior to adoption. The un-adopted plan is not part of the statutory development plan.
- 3.6 The emerging Local Plan is currently at examination. Following the conclusion of the initial hearings in June 2014, the inspector suspended the examination due to his findings that the submitted plan requirement did not reflect the most up-to-date objective assessment of needs, that was instead provided by the 2014 Oxfordshire SHMA. The Council are now in the process of revising the submitted strategy in order to deliver the full requirements set out in the 2014 SHMA.
- 3.7 The submitted HNNP is in conflict with the revised development plan that has been radically altered since its submission for examination and the Neighbourhood Plan's submission to the Council.
- 3.8 The document seeks to make policy judgements that are not supported by the Main Modifications to the Local Plan. The HNNP as proposed is inflexible and provides a restrictive approach to growth within the area. This is contrary to the whole ethos of the Framework and the presumption in favour of sustainable development.
- 3.9 The submitted Sustainability Appraisals fail to assess and account for the implications of the Main Modifications to the Cherwell Local Plan. The assessment undertaken is therefore both unsound and contrary to the SEA directive.
- 3.10 Having regard to the points set out above, if progressed and submitted in its current form the HNNP would be in conflict with basic conditions 8(2) (a), (d), (e) and (f).

## 4 COMMENTS ON POLICIES

### 4.1 Goals & Objectives

- 4.1.1 The HNNP outlines the plan's goals for the period 2014-2031 forming the basis on which the objectives and policies have been formulated. The goals of the plan are both aspirational and realistic and are supported by Gladman
- 4.1.2 Gladman consider several of the objectives of the plan to be unsound and fail to support the delivery of the Parish Council's goals. The Goal for housing, for example, seeks to provide existing and future residents with the opportunity to live in a decent home, yet objectives 1.4 and 1.6 both explicitly set out to limit development.

### 4.2 Land Use Policies

#### **Policy HN – CC1: Protection and enhancement of local landscape and character of Hook Norton**

- 4.2.1 The expression of preference towards brownfield development in this policy has not been made in compliance with the Framework. §17 and §111 of the Framework only seeks to encourage brownfield development. The effect of the policy is to restrain Greenfield development, directing future growth towards brownfield sites regardless of sustainability, viability or deliverability. The policy goes beyond that of the Framework and Objective 2.2 of Goal 2 of the Environmental goals. The policy must be revised to state "encourage" to be found in compliance with national policy.

#### **Policy HN – CC2: Design**

- 4.2.2 When proposing policy provisions that place the onus on developers to meet certain criteria and standards outside of that normally arising, the Neighbourhood Planning body must ensure that requirements are fully evidenced and justified. The application of design rules typically applied within the conservation area to the whole parish is not justified. Whilst Gladman appreciate the aims of the Parish Council in preparing this policy the lack of definition provided as to what the Parish Council requires to see and onerous requirements leads to greater uncertainty. Gladman find that the current policy is potentially in conflict with both §173 and §182 of the Framework. The policy should therefore be deleted.

#### **Policy HN – CC3: Local distinctiveness, variety and cohesiveness**

- 4.2.3 Gladman object to this policy as it lacks sufficient justification and is in conflict with national policy. The policy outlines that *"the traditional pattern of growth which characterises Hook Norton is small scale and gradual change. This must be reflected in the extent and amount of any development in Hook Norton."* This statement does not reflect the truth and is therefore misleading. The growth of the village was in fact more or less static until the 1970's, with more rapid expansion experienced since. In any event, the Framework which now provides the national policy context,

seeks to significantly boost to housing land supply. Therefore any policies that seek to constrain growth on the basis of past trends is in conflict with national policy. Furthermore there is both recognition and support by Government of the need to maintain and enhance rural services and vitality in supporting thriving communities. The provision of rural housing is seen as central in delivering these objectives. A policy actively restraining rural housing growth is therefore contradictory in achieving these aims.

- 4.2.4 Gladman believe that the provision of the policy to require developments to be built predominantly out of local ironstone, and provide quality in design for car parking, boundary treatment bin storage, meter boxes and lighting lacks sufficient justification. Gladman submit that Policy HN-CC3 simply reads the following;

*“Proposals promoting variety in density, layout, building orientation and sizes in reflection the local context will be considered favourably. Building styles and materials should be considerate of existing local character. “*

**Policy HN – CC4: Resource efficient**

- 4.2.5 No definition is provided by this policy as to what “high levels of resources efficiency” means. Gladman consider that the application of national standards and requirements is applicable to meet the Parish Council’s goals and objectives connect to the implementation of this policy. There is no need therefore for this policy to be included within the HNNP.

**Policy HN – COM1: protection of Locally Valued Resources**

- 4.2.6 Gladman support the provision of this policy as it prevents existing identified facilities and services in the village from being developed in a way that would result in their loss. Gladman believe that the Parish Council should consider what role new development has in securing the future viability of these identified “crown jewels”. Both the Framework and Planning Practice Guidance (PPG) published by the Government in April 2014 set clear guidance towards the support services in the rural area<sup>1</sup>, with PPG establishing the role of new housing in securing rural sustainability. To meet Basic Condition (a), the HNNP must therefore be produced along these lines.

**Policy HN – COM2: Public Rights of Way (PROW)**

- 4.2.7 The Parish Council should not use this policy as a method to block the delivery of sustainable developments proposed for sites with existing PROW crossing the site. The Framework does not consider the loss or diversion of PROW or change to amenity along PROW’s as a reason to refuse planning applications. A planning application must be weighed on its merits and should the merits of an application outweigh the loss to public amenity along an existing PROW then the application should be approved with appropriate mitigation sought.

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<sup>1</sup> See §28 of the Framework and PPG ID Ref ID: 50-001-20140306

**Policy HN – COM3: Developer Contributions to Community Infrastructure**

- 4.2.8 Gladman consider this policy to be a missed opportunity for the Parish Council. Instead of setting out that the local planning authority must consult the Parish, the HNNP should instead identify what funds secured will be used for. The Parish Council should identify a list of priorities to secure the goals and objectives of the plan and ensure the future vitality and vibrancy of the village of Hook Norton.

**Leisure facilities (Not outlined as a policy)**

- 4.2.9 Whilst there are objectives in the plan to maintain and enhance facilities for children and young peoples' activities, and a range of sporting and non-sporting leisure activities beyond the retention of facilities outlined in Policy HN - COM1 the plan does not set out how such enhancements will be secured. The Council should consider the role of new development in providing community benefits and plan for growth in the village.

**Policy HN – COM4: Broadband**

- 4.2.10 This policy is provided in an attempt to secure the delivery of high speed broadband in the village should the promises of the County Council not be fulfilled. The provision of the policy on this basis is acceptable, however Gladman do not consider it to be deliverable. The scale of growth proposed by the HNNP (Policy HN - H1) will not in Gladman's view secure broadband provision for the village. Should the Parish Council wish to secure the full delivery of faster broadband services to the village it should consider revising its development strategy to propose greater levels of growth.

**Policy HN – COM5: Retention of Local Employment**

- 4.2.11 The policy outlined is the aim of securing existing employment sources in the village. It is a policy that mirrors the existing approach towards proposals on employment land taken by decision makers and by national policy, the policy in this sense is not required.

**Support for employment by the HNNP**

- 4.2.12 Gladman do not consider the policies outlined by the plan adequately support the future economic growth prospects of the village to sufficiently delivery the goals and objectives of the plan.
- 4.2.13 Objectives 1.1 and 1.3 outline respectively that the plan will "*encourage and support local agriculture and businesses in suitable locations*" and "*encourage new business start-ups and opportunities for local people.*" Yet despite this no policy or allocations are provided to encourage new employment/business development in the village. The Parish Council should think about how the plan can be used to support local business beyond broadband provision. Whilst the installation of fast broadband to the village will provide better access to the wider world, it far from guarantees the delivery of economic growth. The plan should support the provision of new

business facilities, start-up units and live work units to create greater certainty that the economic objectives of the plan.

**Policy HN – H1: Sustainable housing growth**

- 4.2.14 Policy HN-H1 sets out the plans approach to new residential development proposals. The policy defines sustainable housing growth as “conversions, infilling and minor development”, with minor development outlined as being typically less than 10 dwellings. The policy outlines that if justified by objectively assessed “local” housing need and where proposals do not result in more than 20 dwellings being built in any location at any time, proposals for up to 20 dwellings will be allowed.
- 4.2.15 The approach taken in the Parish Council’s view does not place a cap upon development but rather reflects significant recent permissions and community opinion. The Council justify the policy with reference to the submitted plan strategy that sought to allocate 252 dwellings towards Policy 2 Villages. As of 30<sup>th</sup> June 2014, 528 dwellings have permission in these villages as a result of Cherwell District Council’s failure to demonstrate a five year land supply. The proportion of growth supported by the plan is also a reflection of the CRAITLUS report that gives Hook Norton as poor sustainability rating.
- 4.2.16 Gladman do not consider the approach taken by the policy to be sound. Constraining the provision of housing land is contrary to the very ethos of the Framework. Greg Clark, in the Ministerial foreword to the Framework stated *“sustainable development is about positive growth – making economic, environmental and social progress for this and future generations... Development that is sustainable should go ahead, without delay – a presumption in favour of sustainable development that is the basis for every plan, and every decision.”* The Framework lists a number of Core Planning Principles, one of which states *“Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.”*<sup>2</sup>
- 4.2.17 Furthermore Gladman find that the basis against which this policy is justified is now out-of-date and inconsistent with the strategy of the emerging local plan. Following the initial findings of the inspector examining the Cherwell Local Plan, the Council have recently consulted on Main Modifications to the submitted plan to accommodate the inspectors findings that the plan must meet the full objectively assessed housing need (1140 dwellings per year) as identified in the 2014 Oxfordshire SHMA produced by GL Hearn; a figure that is approximately 41% higher than that originally submitted by the District Council (670 dpa).
- 4.2.18 Gladman in particular draw the Parish Council’s attention to page 155 of the Main Modifications which sets out the revised Housing Trajectory for the emerging local plan. The table confirms MM9 which allocates 750 dwellings of new growth towards the tier within which Hook Norton is

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<sup>2</sup> Paragraph 17, bullet point 3, NPPF



identified. The 750 dwellings proposed by MM9 are confirmed as being required **in addition** to the 247 completions seen in this tier between 2011 and 2014 and 888 dwellings permitted as of 31<sup>st</sup> March 2014. Cross referencing Appendix C of the submitted HNNP with the 2014 SHLAA it is evident that on sites over 10 dwellings only 135 dwellings have been permitted since the 31<sup>st</sup> March 2014 in Hook Norton's settlement tier, with none of these being delivered in Hook Norton Parish itself. Therefore in terms of the growth with locations yet to be identified by the emerging plan, Hook Norton has yet to deliver any.

- 4.2.19 Whilst Hook Norton is less sustainable than the main towns of Banbury and Bicester, the village is one of the most sustainable and suitable villages in the District to accommodate future housing needs. The recognition of the village's sustainable merits is recognised by Cherwell District Council by its identification as a Policy 2 Village with some growth directed towards it during the plan period. The Parish Council need to recognise the value of development in securing the future vitality and vibrancy of the settlement, supporting existing "crown jewel" services recognised as of critical importance by Policy HN-COM1 in common with §28 of the Framework and the Rural Housing Chapter of PPG. New development can also secure the delivery of key benefits such as contributions towards improved sustainable transport links, open space improvements and support for local business start-ups.
- 4.2.20 Policy HN-H1 should be revised in order to ensure that the emerging local plan requirement can be delivered in full. The policy does not meet Basic Condition (e).

**Policy HN-H2: Location of Housing**

- 4.2.21 The plan does not allocate sites for housing, instead referring to criteria established by the policy against which the suitability of sites will be assessed.
- 4.2.22 Gladman do not consider the approach applied by this policy to be compliant with that set out by the emerging local plan. Main Modification 9 (MM9) states that the additional 750 dwellings will be identified through the preparation of neighbourhood plans and through the determination of applications for planning permission. Despite this clear guidance, the neighbourhood plan fails to allocate sites, instead making passing references to ones preferred or not favoured.
- 4.2.23 Gladman question the capacity of the approach taken by the Parish Council to meet identified needs in the emerging plan. On page 18 of the HNNP outlines that 11 SHLAA sites were assessed by the community and then ranked according to their suitability in their view for housing. How the criteria outlined in Policy HN-H2 affects the future capacity of the village in combination with Policy HN-H1 is unknown as the evidence supporting land supply on the Council's website is notably absent. In addition it is now the case that the 2013 SHLAA is now out-of-date and has since been superseded by the 2014 edition. The basis of this policy is therefore out-of-date. To ensure the delivery of full housing needs in the village, the HNNP should look to allocate sites using the 2014 SHLAA as a starting point.

**Policy HN – H3: Housing Density**

4.2.24 No comments.

**Policy HN – H4: Types of Housing**

4.2.25 The policy establishes the need for developments of 3 or more homes to provide a mix of housing types and tenures reflecting identified needs. The policy places the onus on the applicant to establish what need there is. This is not a sound approach and creates uncertainty. It is the policy maker that should establish and justify requirements not the applicant. The policy must be revised to outline that needs should align with the need outlined in the Local Housing Needs Survey and wider evidence base.

**Policy HN – T1: Access and Parking**

4.2.26 Gladman object to the requirement set out in this policy. The requirement to take into account future needs goes beyond the tests of planning obligations as set out by §204. This section of the Framework sets out that planning obligations should only be sought where;

- They are necessary to make the development acceptable in planning terms.
- Directly related to development.
- Fairly and reasonably related to the scale and kind to the development.

4.2.27 Gladman believe that the Policy should simply read;

*“Any new development must provide access to the local road network which is suitable and sympathetic to the surroundings and must provide sufficient off road parking (where possible) in line with Oxfordshire County Council’s Parking Standards.”*

**Policy HN – T2: Non-car transport**

4.2.28 Gladman support the rationale of the Council for the inclusion of this policy; the provision and maintenance of public transport and footpath/cycleway network is critical in promoting sustainable travel. Gladman doubt how realistic the policy is as currently written. Not all developments are of sufficient scale to justify and support improvements local sustainable transport methods. Gladman again here refer back to §206 from the Framework as quoted above and §173 of the Framework on viability. Provision towards these facilities cannot and should not come from all development.

4.2.29 The Council should also consider just what improvements it wants beyond improvements to the bus service in Hook Norton and determine what costs are required to deliver these. Depending on how critical the delivery of the schemes is to the local population, the plan should then allocate sites accordingly. Only through this way will the plan be successful in delivering its transport objectives.

## CRITIQUE OF EVIDENCE BASE

4.2.30 The evidence base of the HNNP is set out as follows:

- 2013 Annual Monitoring Report (2013)
- Approved Allocation Scheme (2012)
- Cherwell Local Plan (1996)
- Cherwell Local Plan Saved Policies (1996)
- Countryside Design Summary SPD (1998)
- Hook Norton Conservation Area Appraisal (2007)
- Cherwell Local Plan 2006-2031 Proposed Submission (2012)
- Cherwell Local Plan 2006-2031 Proposed Submission Focused Consultation (2013)
- Strategic Housing Market Assessment Review and Update (2012)
- Strategic Housing Land Availability Assessment (2013)
- Cherwell Local Plan 2006-2031 Submission (Jan 2014)
- CRAITLUS Report (2009)
- Cherwell DC Landscape Assessment (2005)
- Hook Norton Neighbourhood Plan Survey Report (2013)
- Rural Community Profile for Hook Norton (2013)
- Oxfordshire Wildlife and Landscape Study (2004)
- Rights of Way Improvement Plan
- Better Broadband for Oxfordshire
- Advisory Lorry Route Map
- 2011 Census

4.2.31 Gladman note that the list cited above most notably excludes the District Council's proposed Main Modifications to the submitted Cherwell Local Plan (October 2014), the 2014 Oxfordshire SHMA and the 2014 Cherwell District SHLAA. These documents are the most up-to-date, and provides for the revised strategy that is to be examined in December. These documents are the most critical in defining the spatial approach to be applied by the District Council. The omission of any consideration towards the most up-to-date evidence by the Parish Council during the preparation stages means that the HNNP cannot be found to be consistent with the emerging local plan. The HNNP does not therefore meet Basic Condition (e).

## **5 STRATEGIC ENVIRONMENTAL ASSESSEMENT**

- 5.1.1 GDL consider the submitted Sustainability Appraisal (SA) to be unsound in terms of the scope and assessment made.
- 5.1.2 The submission of the HNNP ahead of the conclusion of the examination of the Cherwell District Local Plan means that that the neighbourhood plan has not been made in compliance with the strategy outlined by the recent Main Modifications. These Modification's, significantly alter the strategic context against which the HNNP is made. There is now a need to accommodate at least 750 dwellings within the settlement tier within which Hook Norton is identified. The submitted Sustainability Appraisal fails to take this into account both as providing a reasonable alternative to the assessed option identified in the submitted HNNP and against which to assess the goals, objectives and policies of the plan. As a result the assessment made by the SA is both inaccurate, and out-of-date in context of identified needs. The SA has therefore not been made in full compliance with the requirements of the SEA directive and UK regulations.
- 5.1.3 Policy HN-H1 is now in conflict with the development and this should be reflected in the scoring of the SA. Policy HN-H2 fails to support the delivery of 750 dwellings, and this needs to be reflected in the SA.
- 5.1.4 In context of the findings above it is clear that the submitted Sustainability Appraisal does not meet basic condition (f) and must be revised to constitute a sound assessment.

## 6 CONCLUSIONS

6.1.1 In conclusion Gladman are concerned that the HNNP is not sufficiently growth oriented and would effectively act to restrict growth. The HNNP is contrary to the whole ethos of the Framework and fails to meet a number of the basic conditions required for neighbourhood plans. Specifically, Policy HN-H1 is fundamentally flawed and would result in significant constraints to development, failing to deliver the proportion of growth required to be delivered by the Local Plan.

6.1.2 In conclusion the HNNP is fundamentally unsound and does not meet the basic conditions. The HNNP is a plan which has been developed against and reflects an out-of-date evidence base and is inconsistent with the emerging development plan. As outlined through this representation, the HNNP contains a number of flaws which contravene the following basis conditions:

**(a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order,**

- Policy HN- H1 seeks to constrain development, applying a cap to development in the village based on an irrational assessment of sustainable and against an out-of-date growth target. The HNNP includes policies that provide no certainty to developers, transferring the onus of justifying policy decision on to applicants and sets obligations that are unrealistic This is in conflict with national policy as established by the National Planning Policy Framework and Planning Practice Guidance.

**(d) The making of the order contributes to the achievement of sustainable development,**

- The approach taken by Policy HN – H1, imposing a cap new development is overly restrictive and is not supported by a sufficient evidence base/justification. Policy HN- H1 as proposed could restrict otherwise sustainable development from being delivered.

**(e) The making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),**

- There is currently no sound or up-to-date local development plan against which the HNNP could be prepared. Production of the emerging Cherwell Local Plan is at a very advanced stage in the plan making process, and therefore its strategy and evidence should be considered a significant material consideration.

**(f) The making of the order does not breach, and is otherwise compatible with, EU obligations,**

- The Sustainability Appraisal submitted alongside the publication HNNP does not comply with the Strategic Environmental Assessment Directive and the

implementing UK Regulations. The SA does not identify, describe or evaluate the likely significant effects on the environment of implementing the plan and assess reasonable alternatives – such as the revised Local Plan requirement..

- 6.1.3 If the HNNP was to proceed to examination, Gladman believe the plan should be found to have failed to comply with the basic conditions and would not be recommended to proceed. In relation to the significant objections raised Gladman would wish to participate in the relevant hearing sessions.

Date: 20 October 2014  
Our ref: 131891



FAO: Kate Gordon,  
Cherwell District Council,  
Bodicote House,  
Bodicote,  
Banbury  
OX15 4AA

Customer Services  
Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

**BY EMAIL ONLY**

T 0300 060 3900

Dear Ms Gordon,

**Planning consultation:** Publication of Plan Proposal, Hook Norton Neighbourhood Plan  
**Location:** Cherwell District Council

Thank you for your consultation on the above dated 12 September 2014.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

**Wildlife and Countryside Act 1981 (as amended)**  
**Neighbourhood Planning (General) Regulations 2012 Regulation 16 and Localism Act 2011**

**Hook Norton Neighbourhood Plan:**

Having taken a look at the current publication version of the Hook Norton Neighbourhood Plan and given Natural England's previous comments on this it is clear that there aren't any further issues to be highlighted. Provided that the two Sites of Special Scientific Interest (SSSI's) are considered appropriately as mentioned in the plan then there should not be an issue going forward with the policies as they are set out for the neighbourhood.

Given the proximity to the Cotswolds Area of Outstanding Natural Beauty (AONB), lying directly to the west of the plan area, the consideration given to this is welcomed and landscape should be a factor in any decisions going forward.

The plans Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) as well as Habitats Regulations Assessment (HRA) conclusions do not highlight any issues that will need addressing and overall a positive outcome is likely should the plan go ahead as documented. Natural England would have no further comments to make in relation to these documents at this stage.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Piotr Behnke on 0300 060 1963. For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

We really value your feedback to help us improve the service we offer. We have attached a



feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely,

Piotr Behnke  
Sustainable Development and Regulation  
Thames Valley Team



## **Neighbourhood Plan Proposal – Hook Norton Parish** **Consultation Response Form**

Hook Norton Parish Council has submitted its proposed Neighbourhood Plan to Cherwell District Council under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012. The proposed Neighbourhood Plan and related documents can be viewed online at [www.cherwell.gov.uk/neighbourhoodplanning](http://www.cherwell.gov.uk/neighbourhoodplanning) or as a hard copy at our Bodicote House offices, Banbury OX15 4AA and at Hook Norton Library, High Street, Hook Norton OX15 5NH.

Under Regulation 16, we are now required to undertake a six-week consultation on the proposed Neighbourhood Plan before it is submitted for Examination. This period will run between **Thursday, 11 September** and **Thursday, 23 October 2014**. **Representations received outside this period may not be accepted.**

Representations can be made using this form and should be emailed to [planning.policy@cherwell-dc.gov.uk](mailto:planning.policy@cherwell-dc.gov.uk) or posted to Planning Policy, Cherwell District Council, Bodicote House, Bodicote, Banbury OX15 4AA.

Neighbourhood Plans are not examined in the same manner as plans produced by Local Authorities. **Importantly, the Examiner is not to consider any matter other than those in the box below. As such, representations should relate only to such matters.**

When examining the Neighbourhood Plan, the Examiner is required to consider the following:

- A** whether the draft neighbourhood development plan meets the basic conditions (see paragraphs E-H)
- B** whether the draft neighbourhood development plan complies with the provision made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004
- C** whether the area for any referendum should extend beyond the neighbourhood area to which the draft neighbourhood development plan relates
- D** whether the draft neighbourhood development plan is compatible with the European Convention on Human Rights

The draft neighbourhood development plan meets the basic conditions if:

- E** having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan
- F** the making of the neighbourhood development plan contributes to the achievement of sustainable development
- G** the making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area,
- H** the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations.

Please include your contact details below

**Name Theresa Goss, Bloxham Parish Council**

**Email/Postal Address**

<p><a href="mailto:bloxhampc@aol.com">bloxhampc@aol.com</a> 3 Tanners Close, Middleton Cheney, Northants, OX17 2GD</p>
--

Please indicate if you wish to be notified about subsequent progress of the neighbourhood plan, including when the District Council makes a decision about 'making' the plan (under Regulation 19), by marking 'X' in the box below:

X
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Using information contained in the box on Page 1, please indicate which paragraph your representation relates to by marking an 'X' in the appropriate box(es) below:

<b>A</b> <input type="checkbox"/>	<b>B</b> <input type="checkbox"/>	<b>C</b> <input type="checkbox"/>	<b>D</b> <input type="checkbox"/>
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If your representation relates to paragraph A, please identify which of the following your representation relates to by marking 'X' in the appropriate box(es)

<b>E</b> <input type="checkbox"/>	<b>F</b> <input type="checkbox"/>	<b>G</b> <input type="checkbox"/>	<b>H</b> <input type="checkbox"/>
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Please use the following space to write your representation, clearly stating the policy, paragraph or page number you are commenting on. Continue on further sheets, as necessary.

<p><b>The following is a comment on the whole plan</b></p> <p><b>The Hook Norton Neighbourhood Plan has been prepared with extensive research, local consultation and examination. It is a robust, succinct, well reasoned document and should be brought into force as soon as possible, especially considering the delay to the local Plan. In the meantime, it should be considered as a material consideration in planning applications.</b></p>
--

A large, empty rectangular box with a thin black border, occupying the upper half of the page. It is intended for providing a detailed response to the question above.

(continue on a separate sheet if necessary)

**Do you have any comments to make on the supporting documents?**

A smaller, empty rectangular box with a thin black border, located below the question. It is intended for providing a concise answer to the question.

(continue on a separate sheet if necessary)

## **Neighbourhood Plan Proposal – Hook Norton Parish** **Consultation Response Form**

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- H** the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations.

Please include your contact details below

**Name Cotswolds Conservation Board**

**Email/Postal Address**

<p><a href="mailto:malcolm.watt@cotswoldsaonb.org.uk">malcolm.watt@cotswoldsaonb.org.uk</a></p> <p>Fosse Way Northleach Glos GL54 3JH</p>
---

Please indicate if you wish to be notified about subsequent progress of the neighbourhood plan, including when the District Council makes a decision about 'making' the plan (under Regulation 19), by marking 'X' in the box below:

X
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Using information contained in the box on Page 1, please indicate which paragraph your representation relates to by marking an 'X' in the appropriate box(es) below:

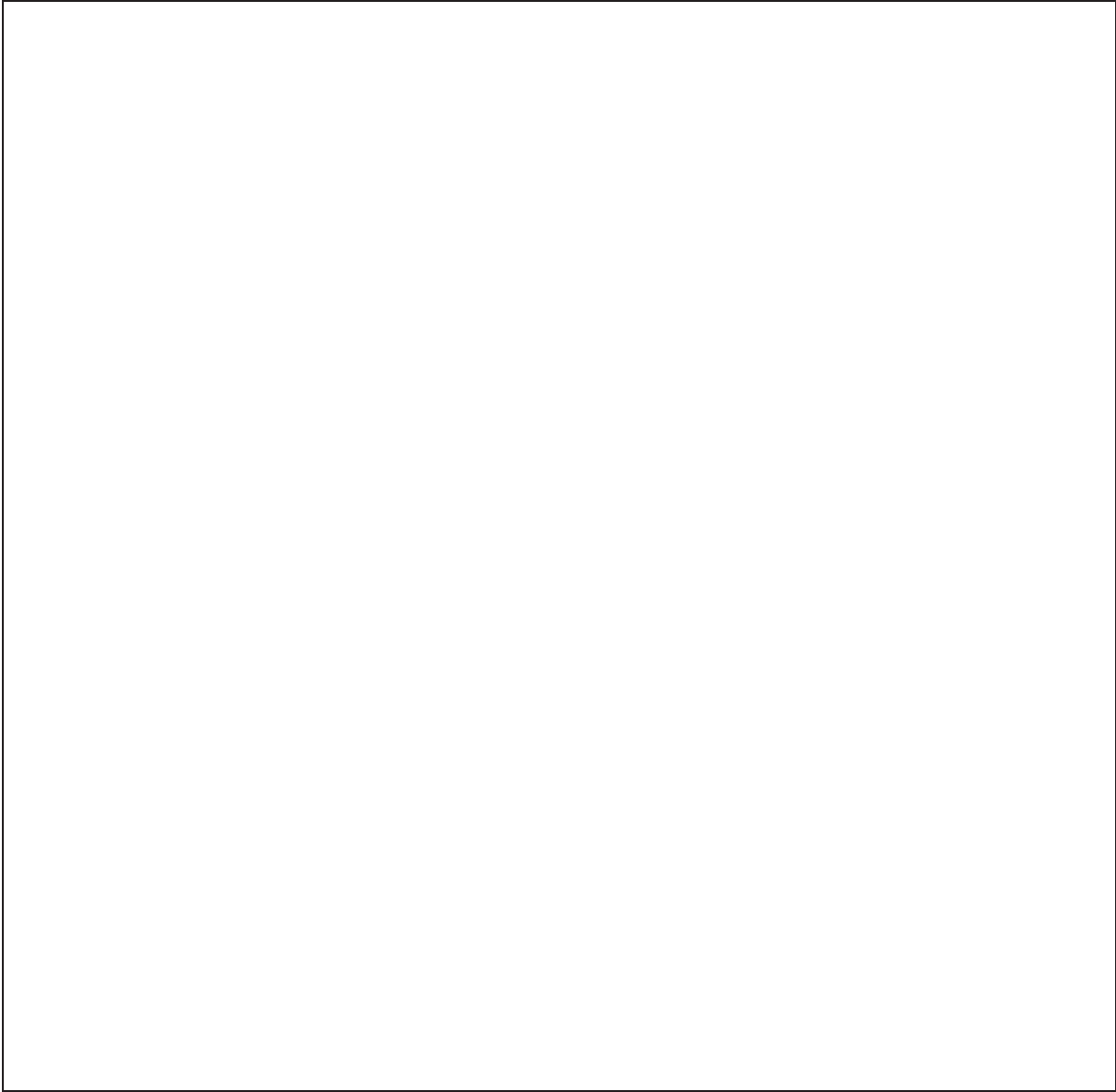
<b>A</b> <input type="checkbox"/>	<b>B</b> <input type="checkbox"/>	<b>C</b> <input type="checkbox"/>	<b>D</b> <input type="checkbox"/>
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If your representation relates to paragraph A, please identify which of the following your representation relates to by marking 'X' in the appropriate box(es)

<b>E</b> <input type="checkbox"/>	<b>F</b> <input type="checkbox"/>	<b>G</b> <input type="checkbox"/>	<b>H</b> <input type="checkbox"/>
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Please use the following space to write your representation, clearly stating the policy, paragraph or page number you are commenting on. Continue on further sheets, as necessary.

<p>The Cotswolds Conservation Board has no adverse comments to make on the documentation.</p>
---



(continue on a separate sheet if necessary)

**Do you have any comments to make on the supporting documents?**



(continue on a separate sheet if necessary)

Thank you for consulting Sport England on the above Neighbourhood Plan.

Planning Policy in the **National Planning Policy Framework** identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process and providing enough sports facilities of the right quality and type and in the right places is vital to achieving this aim. This means positive planning for sport, protection from unnecessary loss of sports facilities and an integrated approach to providing new housing and employment land and community facilities provision is important.

It is important therefore that the Neighbourhood Plan reflects national policy for sport as set out in the above document with particular reference to Pars 73 and 74 to ensure proposals comply with National Planning Policy. It is also important to be aware of Sport England's role in protecting playing fields and the presumption against the loss of playing fields (see link below), as set out in our national guide, '**A Sporting Future for the Playing Fields of England – Planning Policy Statement**'.

<http://www.sportengland.org/facilities-planning/planning-for-sport/development-management/planning-applications/playing-field-land/>

Sport England provides guidance on developing policy for sport and further information can be found following the link below:

<http://www.sportengland.org/facilities-planning/planning-for-sport/forward-planning/>

Sport England works with Local Authorities to ensure Local Plan policy is underpinned by robust and up to date assessments and strategies for indoor and outdoor sports delivery. If local authorities have prepared a Playing Pitch Strategy or other indoor/outdoor sports strategy it will be important that the Neighbourhood Plan reflects the recommendations set out in that document and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support the delivery of those recommendations.

<http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/>

If new sports facilities are being proposed Sport England recommend you ensure such facilities are fit for purpose and designed in accordance with our design guidance notes.

<http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>

If you need any further advice please do not hesitate to contact Sport England using the contact details below.

**Tom Bowkett**  
Planning Administrator

**T** 020 7273 1768

**F** 01509 233 192

**E** [Tom.Bowkett@sportengland.org](mailto:Tom.Bowkett@sportengland.org)



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Sport Park, 3 Oakwood Drive, Loughborough, Leicester, LE11 3QF



## **Neighbourhood Plan Proposal – Hook Norton Parish Consultation Response Form**

Hook Norton Parish Council has submitted its proposed Neighbourhood Plan to Cherwell District Council under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012. The proposed Neighbourhood Plan and related documents can be viewed online at [www.cherwell.gov.uk/neighbourhoodplanning](http://www.cherwell.gov.uk/neighbourhoodplanning) or as a hard copy at our Bodicote House offices, Banbury OX15 4AA and at Hook Norton Library, High Street, Hook Norton OX15 5NH.

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- G** the making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area,
- H** the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations.

Please include your contact details below

**Name**

**Email/Postal Address**

Neil Warner JPPC Bagley Croft Hinksey Hill Oxford OX1 5BD [REDACTED]
--

Please indicate if you wish to be notified about subsequent progress of the neighbourhood plan, including when the District Council makes a decision about 'making' the plan (under Regulation 19), by marking 'X' in the box below:

x
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Using information contained in the box on Page 1, please indicate which paragraph your representation relates to by marking an 'X' in the appropriate box(es) below:

<b>A</b> <input checked="" type="checkbox"/>	<b>B</b> <input type="checkbox"/>	<b>C</b> <input type="checkbox"/>	<b>D</b> <input checked="" type="checkbox"/>
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If your representation relates to paragraph A, please identify which of the following your representation relates to by marking 'X' in the appropriate box(es)

<b>E</b> <input checked="" type="checkbox"/>	<b>F</b> <input type="checkbox"/>	<b>G</b> <input checked="" type="checkbox"/>	<b>H</b> <input type="checkbox"/>
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Please use the following space to write your representation, clearly stating the policy, paragraph or page number you are commenting on. Continue on further sheets, as necessary.

<p>My comments relate to section 3.1 and Table 1 of the HNNP Submission version.</p> <p>There is no such premises as The Bell Public House. There is a building known as The Bell Inn, this is a photocopy shop.</p> <p>Policy HN-COM1 is not consistent with the Development Plan or Government Guidance in the NPPF.</p> <p>Policy S29 states that "proposals which involve the loss of an existing village service which serves the basic needs of the local community will not normally be permitted". Paragraph 70 of the NPPF seeks to guard against the loss of valued services and facilities, particularly where this would reduce the community's ability to meet its day-to-day needs".</p>
--

I would question whether all of the resources listed in Table 1 are required for the community's day to day needs. A brewery is not essential to the day to day needs of a village and neither is a photocopying shop (the former Bell Inn). As a comparison, the petrol station and car sales garage has not been included, despite the ability to move around being a more significant daily need than having access to alcohol or photocopying services.

The requirement for the loss of those resources listed as being "exceptional" is not consistent with the Development Plan or NPPF. The policy should only seek to protect resources that are required to meet the day to day needs of the local community.

To include resources that are not essential to the day to day needs of the community and seek to control how they are used would be contrary to Article 1 of the First Protocol of the European Convention on Human Rights which gives "every natural or legal person is entitled to the peaceful enjoyment of his possessions". This is also a right of protection of property. The protection of property gives every person the right to peaceful enjoyment of their possessions. This imposes an obligation on the State not to interfere with peaceful enjoyment of property; deprive a person of their possessions; or subject a person's possession to control.

(continue on a separate sheet if necessary)

**Do you have any comments to make on the supporting documents?**

(continue on a separate sheet if necessary)

**Neighbourhood Plan Proposal – Hook Norton Parish**  
**Consultation Response Form**

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Please include your contact details below

**Name**

**Email/Postal Address**

Mike Gilbert  mg.planning@btinternet.com
--

Please indicate if you wish to be notified about subsequent progress of the neighbourhood plan, including when the District Council makes a decision about 'making' the plan (under Regulation 19), by marking 'X' in the box below:

X
---

Using information contained in the box on Page 1, please indicate which paragraph your representation relates to by marking an 'X' in the appropriate box(es) below:

<b>A</b> <input checked="" type="checkbox"/>	<b>B</b> <input type="checkbox"/>	<b>C</b> <input type="checkbox"/>	<b>D</b> <input type="checkbox"/>
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If your representation relates to paragraph A, please identify which of the following your representation relates to by marking 'X' in the appropriate box(es)

<b>E</b> <input type="checkbox"/>	<b>F</b> <input type="checkbox"/>	<b>G</b> <input checked="" type="checkbox"/>	<b>H</b> <input type="checkbox"/>
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Please use the following space to write your representation, clearly stating the policy, paragraph or page number you are commenting on. Continue on further sheets, as necessary.

<ol style="list-style-type: none"><li>1. The Submission Neighbourhood Plan does not play a positive enough role in helping to meet the objectively assessed housing needs of the District as set out in the Oxfordshire Strategic Housing Market Assessment (SHMA). This is particularly important given the status of Hook Norton as one of the largest villages in the District, which makes it a reasonably sustainable location capable of accommodating a reasonable amount of growth. The Neighbourhood Plan needs to promote proportionate and appropriate development opportunities to meet the housing needs of the local area.</li><li>2. The Submission Neighbourhood Plan has been prepared using the same out-of-date evidence used in the original Submission Cherwell Local Plan. The Submission Local Plan has recently had to be substantially modified in</li></ol>
---

the light of the up-to-date evidence in the SHMA. Restrictive Policy HN - H1 (*Sustainable housing growth*) of the Submission Neighbourhood Plan, therefore, also needs to be revised to take into account the more up-to-date evidence in the SHMA and to ensure compliance with the modified Submission Local Plan.

3. Given the good sustainability credentials of Hook Norton and the extent of the District-wide housing needs identified in the SHMA, the Hook Norton Neighbourhood Plan should proactively allocate a suitable site on the edge of the village which is the locally preferred location for a new housing development.
4. This submission is made on behalf of the owners of 2.3 hectares of the field on the north side of Station Road, between Ironstone Hollow and the old railway. The land is promoted to be allocated in the Neighbourhood Plan for a development of 48 houses. The land is referred to not unfavourably in section 4.2 of the Submission Neighbourhood Plan:

*"The area between Ironstone Hollow and the old railway evoked a close split between respondents who thought it appropriate for housing and those who did not.*

*"Sites suggested as potentially suitable in part only were: land between Ironstone Hollow and the old railway; off Bourne Lane (subsequent to the consultation, the whole site was consented), and the land near the Doctor's surgery. In each of these cases, the smaller potentially suitable areas identified were those closest to existing housing."*

5. An outline planning application for a development of 48 houses on the site has recently been submitted to Cherwell District Council by the landowners, a local house building company. The application number is 14/01738/OUT. The documents accompanying the planning application clearly set out the case in favour of the development, in particular the site's suitability and immediate availability for development. A site location plan and the illustrative site layout plan submitted with the planning application are attached to this submission.

6. To ensure general conformity to the strategic policies in the Submission Cherwell Local Plan, it is important that appropriate small-scale sites such as the land off Station Road are allocated for housing development. 70% of the new homes required by 2031 (i.e. 15,219 homes) are proposed in the Submission Local Plan (as proposed to be modified) on 16 large-scale strategic allocations. Land ownership and / or infrastructure complications often delay the delivery of such larger-scale developments, so these schemes will not contribute fully to meeting Cherwell's acute short-term housing needs. Cherwell District Council currently has only 2.55 years supply of housing land. A significant amount of new housing, therefore, needs to be delivered in the short-term (i.e. within the next five years). The required rate of delivery is a substantial 2,210 homes per annum between 2014 and 2019. It is the development of a good number of appropriate available and deliverable smaller sites such as the land off Station Road which will ensure that the high number of new homes which are needed in the short-term will be built.
7. The development of the land off Station Road offers the following benefits:
- providing a good mix of 48 high quality homes to help meet the objectively assessed needs for market and affordable housing identified in the Oxfordshire SHMA;
  - delivering the houses immediately to help Cherwell make up its substantial short-term housing deficit;
  - providing 17 affordable houses;
  - generating additional spending power in the local economy;
  - creating jobs for a local house building company;
  - securing a substantial New Homes Bonus;
  - securing appropriate Section 106 contributions to improve local services and facilities;
  - creating ecological and landscape enhancements.
8. The localised landscape impact of the development can be appropriately mitigated by a substantial landscaping belt along the whole of the eastern

boundary of the site. The site's suitability for development is explained more fully in the planning application documents.

9. It is incumbent on emerging Neighbourhood Plans to acknowledge and help to meet the identified high level of housing need in the short-term by allocating locally preferred sites for small-scale developments of up to 50 houses. The Hook Norton Neighbourhood Plan, therefore, should allocate the land off Station Road, as shown on the accompanying site location plan, for a development of 48 houses. The site is suitable for development and it can be developed without delay.

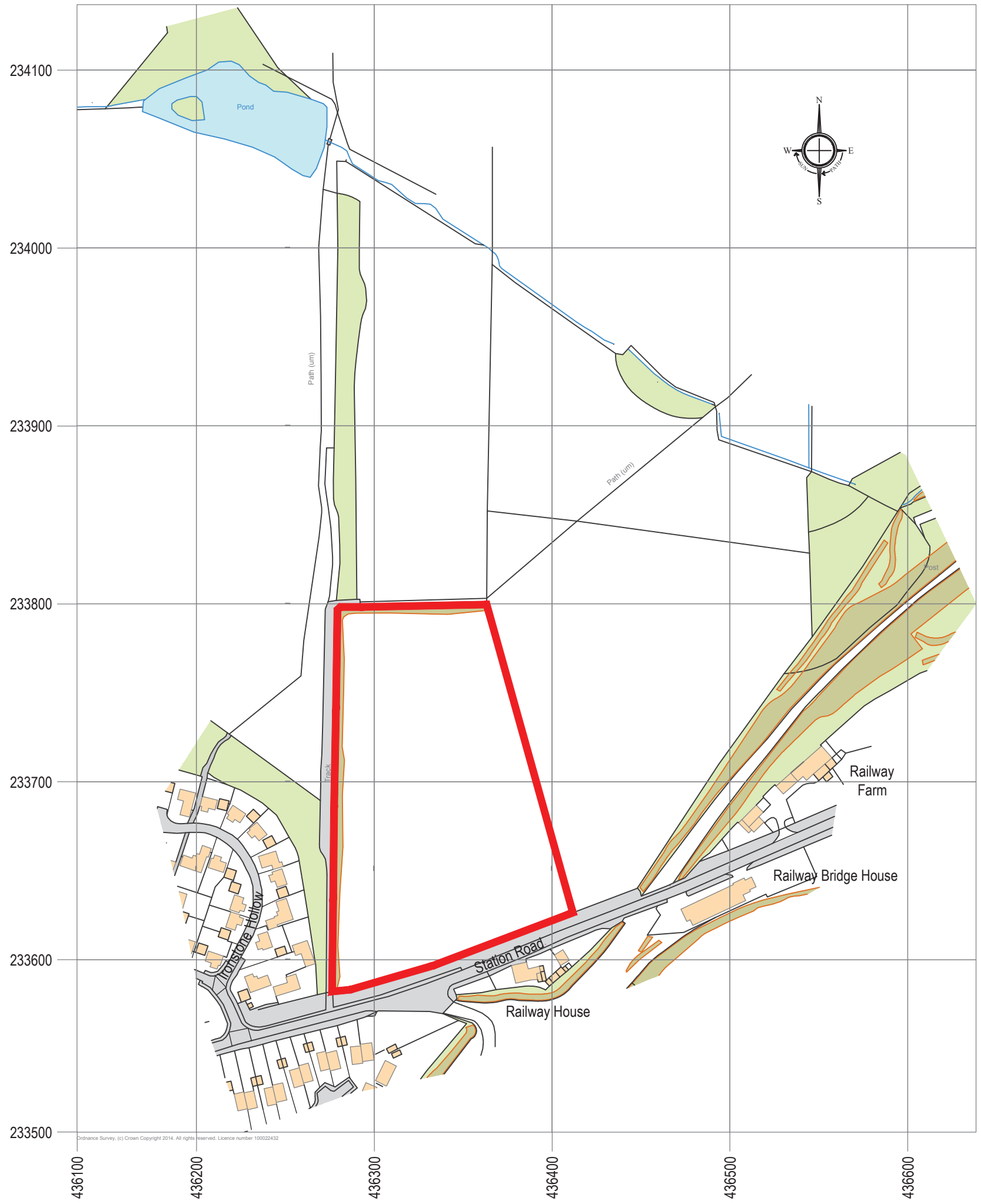
10. Policy HN - H1 of the Submission Neighbourhood Plan will also need to be amended to make appropriate reference to the proposed housing allocation of the land off Station Road.

**Do you have any comments to make on the supporting documents?**

No

**22 October 2014**





**Legend:**  
— Denotes Site Boundary

**Land at Station Road, Hook Norton, Banbury, Oxfordshire:**  
 2.264 Hectares / 5.59 Acres

NOTES:

- This drawing must not be scaled. work to figured dimensions only.

Rev.	Description	Date	Chkd
P1	FIRST ISSUE	M.H. 19.06.2014	N.P.

**Glanville**  
 3 Grovelands Business Centre  
 Boundary Way  
 Hemel Hempstead, Herts. HP2 7TE  
 Tel: (01442) 835999 Fax: (01442) 258924  
 postbox@glanvillegroup.com www.glanvillegroup.com

Client :

Project :  
**LAND AT STATION ROAD  
 HOOK NORTON  
 BANBURY, OXFORDSHIRE**

Title :  
**PROPOSED SITE AREA**

Project Engineer : NP Scale : 1:2500@A3  
 Project Director : NP Date : 19.06.2014

Status : **APPROVAL**

Drawing No. 4140177 - SK01 Rev P1

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0 30

NOTE:  
ALL DIMENSIONS MUST BE CHECKED ON SITE AND NOT SCALED FROM THIS  
DRAWING.  
FOR USE IN PRECISE NAMED LOCATION ONLY. COPYRIGHT RESERVED.

ESTIMATED ACCOMMODATION SCHEDULE		
AMOUNT	HOUSE TYPE	GIA (sqm/sqft)
8	4 bed house	157sqm/ 1690sqft
18	3 bed house	90.7sqm/ 976sqft
17	2 bed house	81.2sqm/ 880sqft
2	1 bed house	61.4sqm/ 660sqft
1	3 bed house	95.8sqm/ 1031sqft
1	3 bed house	114.9sqm/ 1236sqft
1	3 bed house	97.6sqm/ 1050sqft



revision	date	description
status		

## PLANNING

project title  
LAND NORTH OF STATION ROAD,  
HOOK NORTON

drawing title  
PROPOSED SITE PLAN

client name

first issued

07/10/14 DC 1:500 @ A2

lab/drawing no/revision

14045 - P01 -

The Studio, 70 Church Road, Wheatley, Oxford, OX33 1LZ  
01865 873936 | info@andersonorr.com | www.andersonorr.com

Anderson Orr  
Architects



## Neighbourhood Plan Proposal – Hook Norton Parish Consultation Response Form

Hook Norton Parish Council has submitted its proposed Neighbourhood Plan to Cherwell District Council under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012. The proposed Neighbourhood Plan and related documents can be viewed online at [www.cherwell.gov.uk/neighbourhoodplanning/](http://www.cherwell.gov.uk/neighbourhoodplanning/) or as a hard copy at our Bodicote House offices, Banbury OX15 4AA and at Hook Norton Library, High Street, Hook Norton OX15 5NH.

Under Regulation 16, we are now required to undertake a six-week consultation on the proposed Neighbourhood Plan before it is submitted for Examination. This period will run between **Thursday, 11 September** and **Thursday, 23 October 2014**. **Representations received outside this period may not be accepted.**

Representations can be made using this form and should be emailed to [planning.policy@cherwell-dc.gov.uk](mailto:planning.policy@cherwell-dc.gov.uk) or posted to Planning Policy, Cherwell District Council, Bodicote House, Bodicote, Banbury OX15 4AA.

Neighbourhood Plans are not examined in the same manner as plans produced by Local Authorities. **Importantly, the Examiner is not to consider any matter other than those in the box below. As such, representations should relate only to such matters.**

When examining the Neighbourhood Plan, the Examiner is required to consider the following:

- A** whether the draft neighbourhood development plan meets the basic conditions (see paragraphs E-H)
- B** whether the draft neighbourhood development plan complies with the provision made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004
- C** whether the area for any referendum should extend beyond the neighbourhood area to which the draft neighbourhood development plan relates
- D** whether the draft neighbourhood development plan is compatible with the European Convention on Human Rights

The draft neighbourhood development plan meets the basic conditions if:

- E** having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan
- F** the making of the neighbourhood development plan contributes to the achievement of sustainable development
- G** the making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area,
- H** the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations.

Please include your contact details below

**Name** Kate Gordon / David Peckford, Planning Policy, Cherwell District Council

**Email/Postal Address**

[david.peckford@cherwell-dc.gov.uk](mailto:david.peckford@cherwell-dc.gov.uk)

Strategic Planning and the Economy  
Cherwell District Council  
Bodicote House  
Bodicote, Banbury  
OX15 4AA

Please indicate if you wish to be notified about subsequent progress of the neighbourhood plan, including when the District Council makes a decision about 'making' the plan (under Regulation 19), by marking 'X' in the box below:

Using information contained in the box on Page 1, please indicate which paragraph your representation relates to by marking an 'X' in the appropriate box(es) below:

A                       B                       C                       D

If your representation relates to paragraph A, please identify which of the following your representation relates to by marking 'X' in the appropriate box(es)

E                       F                       G                       H

Please use the following space to write your representation, clearly stating the policy, paragraph or page number you are commenting on. Continue on further sheets, as necessary.

We congratulate the steering group on the progress they have made in preparing this plan. The Neighbourhood Plan is for the most part written in a lucid style and is broadly consistent with local plan policy. We note and welcome the amendments made in response to our previous comments and issues raised. The comments now made are raised in the interest of assisting the Parish Council secure an approved Plan.

The Neighbourhood Plan has been prepared to be in general conformity with the saved policies of the adopted Cherwell Local Plan 1996 and with the Submission Cherwell Local Plan (as at January 2014). The NPPF is also considered. It is important that the policies of the adopted Local Plan are considered in the context of the more up-to-date NPPF. For example, the district is presently unable to demonstrate a five year land supply as required by the NPPF and the adopted Local Plan's housing policies were not drafted to meet the most-up-to-date objective assessment of housing need – that identified in the 2014 Oxfordshire Strategic Housing Market Assessment (1,140 homes per annum). It is important

that the Neighbourhood Plan contributes in meeting district wide and local housing needs.

The new Local Plan has not been adopted but Proposed Modifications to the Submission Local Plan (October 2014) were submitted to the Secretary of State on 21 October 2014. The Neighbourhood Plan would now benefit from minor updating in places to reflect the latest position on the new Local Plan.

It is not considered that the Local Plan modifications give rise to any need for extensive policy changes to the Hook Norton Neighbourhood Plan. However, in advance of completion of the Local Plan, and in light of the housing need identified in the Oxfordshire SHMA 2014, it is important that the Neighbourhood Plan seeks to accord with the general approach of Policy Villages 2 of the Local Plan which provides for housing to be built (on sites of at least 10 dwellings) at the District's most sustainable villages in addition to 'windfall' development (Policy Villages 1) of less than 10 dwellings and in addition to sites already with planning permission as at 31 March 2014. Whilst the detail of Policy Villages 2 needs to be tested through the Local Plan Examination, Hook Norton does need to contribute in meeting rural housing requirements as one of those most sustainable villages.

The detailed comments of officers are provided below:

## **1. Introduction**

- i. Section 1.3 needs updating as follows:
  - 2<sup>nd</sup> paragraph, 2<sup>nd</sup> sentence needs amending to refer to Cherwell Local Plan "2011-2031", rather than "2006-2031". The remainder of the paragraph should reflect the fact that at the time of writing, the new Local Plan has not completed its public Examination process and therefore has not been adopted.
  - 3<sup>rd</sup> paragraph 1<sup>st</sup> sentence should refer to Cherwell Local Plan "2011-2031", rather than "2006-2031".
- ii. The objectives stated are for the most part well-constructed and are supported.
  - Objective 1.6 – it is suggested that the objective is to "ensure that growth in the village is sustainable and does not negatively impact on the infrastructure and amenities for existing residents". Limiting the size of developments is the Parish Council's suggested policy for achieving that objective.
- iii. Section 1.6, fifth paragraph. After the sentence "The Cherwell Local Plan seeks to focus growth in the urban areas of the District", it is suggested that reference should be made to the new local plan making provision for limited development in rural areas including at Hook Norton.

- iv. With reference to the last sentence regarding the concern expressed in relation to applications for planning permission, it is suggested that this concern be related back to consultation undertaken in preparing the Plan and that clarification be provided on the scale of such concern expressed during the consultation.
- v. It is suggested that section 1.6 should clarify the intention of the Neighbourhood Plan with regard to meeting the general direction of emerging policy as described above.

## **2. Character and Countryside**

- i. Section 2.1, 2<sup>nd</sup> para' – add reference to the District Council after 'Cherwell'.

### *Policy HN – CC1: Protection and enhancement of local landscape and character of Hook Norton*

- ii. It is suggested that the term 'readily visually accommodated' is clarified. For example, an alternative might be 'in keeping with'.
- iii. The reference, 'use of previously developed land and buildings will generally be preferred to greenfield locations' should be rephrased to reflect the NPPF (para's 17 & 111). For example, development of previously developed land in Hook Norton will generally be encouraged'. The Plan might include commentary on opportunities that may exist.
- iii. It would be helpful if the term 'inappropriate housing' were to be defined in Hook Norton's context. The NPPF (para' 53) provides the potential for a case to be set out to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. If evidence demonstrates that overall harm has been caused by the building of new homes on gardens, this could be explained if the intention is to prevent all new housing on gardens.

### *Policy HN – CC2 Design CC2*

The requirement to demonstrate high quality design is supported. However, it is suggested that a distinction be made between requirements at outline and full application stage.

### *Policy HN – CC3: Local Distinctiveness, Variety and Cohesiveness*

Two additions to the policy are suggested:

- reference to alternative materials potentially being acceptable in parts of the village where ironstone does not dominate or is not required to protect the character and appearance of the village

- reference to independent viability testing being required where developers consider that ironstone would not be financially deliverable

The statement 'all elements of schemes must be considered at an early stage' is laudable but the difference between outline and detailed applications should be acknowledged.

#### *Policy HN – CC4: Resource Efficient Design*

Further clarification of 'resource efficiency' would be helpful to assist implementation of the policy. Policies in the emerging Local Plan may assist.

### **3. Community – Living and working in Hook Norton**

#### *Policy HN – COM 1: Protection of Locally Valued Resources*

This policy approach is locally distinctive and is generally supported. The protection of important local services and amenities is clearly important to local communities and to the quality of life within the district as a whole.

#### *Policy HN – Com 5 Retention of Local Employment*

We suggest the addition of a second sentence "Employment opportunities commensurate with the village/rural location will be encouraged" and amending the title to "Retention and provision of Local Employment". This amendment we consider would improve the effectiveness of this policy and better reflect district and national planning policy.

### **4. Housing**

#### Section 4.1 Sustainable Housing Growth

- i. Page 16: Text under 'Local plan allocation and recent growth' needs updating in light of proposed modifications to Cherwell's Submission Local Plan and housing completion and permission figures for 31 March 2014. From 2011 to 2014 there were 5 homes built in Hook Norton Parish. At 31 March 2014 111 homes had planning permission but had not been built.
- ii. Proposed Modifications to the Submission Local Plan (October 2014), Policy Villages 2, proposes an allocation for Category A villages (including Hook Norton) of 750 homes (2014-2031). This is in addition to the rural allowance for small site windfalls and planning permissions (including the permitted 70 homes at The Bourne and the 37 at Stanton Engineering) granted for 10 or more dwellings since 31 March 2014. It is also in addition to housing completions from 2011-2014 (see the Housing Trajectory in the emerging Local Plan). The policy replaces that which previously grouped villages (January 2014 Submission Local Plan, Policy Villages 2). The last

paragraph on page 16 refers to the allocation for the six villages and recent approvals amounting to 210% of this (section 4.1 bottom of page). This text needs amending in the context of proposed Local Plan changes which replace the allocation for the six villages with an allocation for Category A villages. The same consideration applies to the second paragraph on page 17.

- iii. It is suggested that the consideration of the 'inappropriate' scale of development be caveated by reference to the views of the local community. The Planning Inspector who considered the Bourne Lane appeal decided that planning permission should be granted.

#### *Policy HN H1 Sustainable Housing Growth*

i. Cherwell Submission Local Plan Policy Villages 2 Distributing Growth Across the Rural Areas (as proposed to be modified) includes an allocation for all Category A villages in addition to small site windfalls. 'Sustainable housing growth' will need to mean more than 'conversions, infilling, and minor development' which is the definition of windfall development (sites less than 10) within the meaning of Policy Villages 1 of the emerging Local Plan. Policy Villages 2 of the emerging Plan envisages that Category A villages such as Hook Norton will need to make provision for sites of over 10 dwellings, i.e. beyond what would be considered to be 'minor development'.

ii. The latest definitions of 'infilling' and 'minor development' in the emerging Local Plan will need to be considered.

iii. The policy should clarify whether it is intended that the proposals for 20 homes are in addition to windfall development. It is assumed that this is the case, and that the policy allows for up to 20 homes per site (on larger sites of 10 or more homes). However, some clarification would be helpful. On this basis, there is support for the general approach of seeking to control the scale of development on individual sites within the context of the character and appearance of the village.

The policy would enable Hook Norton to contribute towards the Policy Villages 2 allocation, however, the extent of this contribution will depend on how many sites come forward. The reference in the policy to 'at any time' is unclear. Does this mean 'at any one time;' at any time during the plan period' or something different?

Having regard to evidence including potential site suitability, site availability and community views, a total allowance for the village from sites of over 10 dwellings (2014-2031) in addition to current permissions, might be defined.

Page 18: A lot of sites are referred to. Would these be best identified on a plan to make it easier for the reader to understand why some sites may be preferred over others and for general ease as not all readers will be familiar with the village?



## *Policy HN - H2: Location of housing*

The proactive approach to seeking to identify possible sites in the policy background and reasoning is welcomed. However, with regard to the policy:

- i. It is suggested that more definitive criteria would be helpful in bullet point 3, rather than cross referring to 'evidence gained'. How is the 'extent' of sites to be identified and justified?
- ii. The purpose and reasonableness of the fourth bullet point also needs to be reviewed having regard to available evidence.

## **5. Transport**

Section 5.1 – 4<sup>th</sup> paragraph. The sentence, "Transportation factors make Hook Norton one of the least sustainable locations within the Cherwell District" is inaccurate and is not supported by the conclusions of the Cherwell Integrated Transport and Land Use Study (CRAITLUS). It is accepted, however, that Hook Norton 'scores' less well than comparable villages on some transportation aspects.

Policy HN-T1: Access and parking and Policy HN –T2: Non-car transport in page 22

The approach to these policies is supported by identified local issues and is considered to be in general conformity with the adopted Local Plan 1996 and emerging Local Plan Part 1. However, for Policy HN-T1 to be effective and long lasting, it is recommended that it is amended to reflect that the County Council's parking standards are advice set out to provide consistency across the County. Parking provision at planning application stage is decided by the local planning authority and the County parking standards are used in combination with Local Plan and, when sufficiently progressed, Neighbourhood Plan policies.

HN T2 – There is a risk that contributions to transportation may not arise if the plan is only to permit small scale developments – the threshold for transportation and other contributions may not be met in many instances.

## **7. References and Evidence Base**

This list needs updating to refer to the Proposed Modifications to the Cherwell Submission Local Plan, October 2014.

## **Appendix C Recent Growth**

This section needs amending in light of Proposed Modifications to the Submission Local Plan. Under the changes proposed, Policy Villages 2 allocates 750 dwellings to Category A villages and there is no separate allocation for the group of six villages.

It should be noted that housing requirements set out in the Submission Local Plan take into account permissions and completions in the District as at 31 March 2014.

The completions for Hook Norton from 2011 to 2014 were 5.

The permissions (not built) as at 31/3/14 totalled 111 homes.

#### **Appendix D Affordable housing**

Point b under *Eligibility and Occupancy Cascade Arrangements* needs to be revised as once designated as affordable it will not become available on the 'open market' which suggests sale or private rent. Suggest amending the sentence to read as follows: "..... If following a further reasonable period still no occupier has been found the property ~~may be occupied on the open market~~ will be made available, depending on the tenure of the property, to anyone eligible on the Council's Housing Register or anyone eligible for Affordable Home Ownership."

(continue on a separate sheet if necessary)

#### **Do you have any comments to make on the supporting documents?**

Consideration should be given to referring to the emerging Cherwell Local Plan 2011-2031, where appropriate in supporting documents and/or clarification given to the dates of documents referred to, for example, on page 6 of the Basic Conditions Statement.

(continue on a separate sheet if necessary)

# **Hook Norton Neighbourhood Plan**

## **The Report by the Independent Examiner**

Richard High BA MA MRTPI

March 2015



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## Summary

The Hook Norton Neighbourhood Plan has clearly been driven by a strong desire to protect the very special character of the village and to provide for the needs of its residents. It has been prepared in a difficult strategic context in the absence of an up to date local plan. The intention to achieve conformity with the emerging local plan has been complicated by modifications to that plan since the completion of the submission version of the Neighbourhood Plan that have increased the amount of housing being planned for in the District.

There has been thorough engagement with the community throughout the process and The Plan reflects a strong consensus within the community about the main issues to be addressed.

The preparation of the Plan has been in accordance with the legislation. I have found it necessary to suggest some modifications to meet the basic conditions, and subject to these modifications I am satisfied that the Plan:

- has been prepared in accordance with Sections 38A and 38B of the Town and Country Planning Act 1990 and the Neighbourhood Planning Regulations 2012;
- has regard to national policies and advice contained in guidance issued by the Secretary of State;
- contributes to the achievement of sustainable development;
- is in general conformity with the strategic policies of the development plan for the area;
- does not breach and is compatible with European Union obligations and the European Convention on Human Rights.

**I am therefore pleased to recommend that the Hook Norton Neighbourhood Plan should proceed to a referendum subject to the modifications that I have recommended.**

I am also required to consider whether or not the referendum area should extend beyond the neighbourhood plan area. The Plan relates to the whole of the parish of



Hook Norton which includes a substantial area of countryside surrounding the village. I have seen no evidence to suggest that this area should be extended for the referendum.

## **Introduction**

1. The Localism Act 2011 has provided local communities with the opportunity to have a stronger say in their future by preparing neighbourhood plans which contain policies relating to the development and use of land.
2. Hook Norton is a large village with a population of just over 2,000 people. The Hook Norton Neighbourhood Plan (which I shall refer to as the HNNP or the Plan) has been prepared by Hook Norton Parish Council. The Plan covers the whole of the parish area. If, following a recommendation from this examination, the Plan proceeds to a local referendum and receives the support of over 50% of those voting, it can be made and form part of the statutory development plan. As such it will be an important consideration in the determination of planning applications, as these must be determined in accordance with development plan policies unless material considerations indicate otherwise.

## **Appointment of the Independent Examiner**

3. I have been appointed by Cherwell District Council, with the consent of Hook Norton Parish Council, to carry out the independent examination of the HNNP. I have been appointed through the Neighbourhood Planning Independent Examiner Referral Service (NPIERS).
4. I confirm that I am independent of the Parish Council and the Local Planning Authority and have no interest in any land within the parish of Hook Norton.
5. I am a Chartered Town Planner with over 30 years' experience in local government, working in a wide range of planning related roles, including 15 years as a chief officer. Since 2006 I have been an independent planning and regeneration consultant. I have completed the independent examination of four neighbourhood plans and carried out three health checks on emerging neighbourhood plans. I therefore have the appropriate qualifications and experience to carry out this examination.

## **The Scope of the Examination**

6. The nature of the independent examination is set out in Sections 8-10 of Schedule 4B to the Town and Country Planning Act 1990.
7. I must:
  - a) decide whether the Plan complies with the provisions of Sections 38A and 38B of the Planning and Compulsory Purchase Act 2004. These requirements relate primarily, but not exclusively, to the process of preparing the Plan and I shall deal with these first.
  - b) decide whether the Neighbourhood Development Plan meets the basic conditions contained in Schedule 4B paragraph 8(2) of the Town and Country Planning Act 1990. This element of the examination relates to the contents of the Plan.
  - c) make a recommendation as to whether the Plan should be submitted to a referendum, with or without modifications, and whether the area for the referendum should extend beyond the neighbourhood plan area.
8. The Plan meets the basic conditions if:
  - a) having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the Plan;
  - b) the making of the Plan contributes to sustainable development;
  - c) the making of the Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
  - d) the making of the Plan does not breach, and is otherwise compatible with, EU obligations.
9. Paragraph 9 of Schedule 4B indicates that as a general rule the examination should be carried out on the basis of written representations unless a hearing is necessary to allow adequate consideration of an issue or to allow a person

a fair chance to put a case. I am satisfied from the documentation that has been submitted to me that there are no issues arising from consultation on which I require clarification and that all parties have had the opportunity to express their view in consultations. I have therefore decided that the examination can be carried out satisfactorily on the basis of written representations and that a hearing is not necessary.

10. The main documents which I have referred to in the examination are:

- Hook Norton Neighbourhood Plan Submission Version 2014-2031 July 2014 as submitted to Cherwell District Council by Hook Norton Parish Council
- Report of Head of Strategic Planning and the Economy to the Council Executive on the application for designation of the Neighbourhood Area and minutes of the Executive meeting 3 June 2013
- Hook Norton Neighbourhood Plan 2014-2031 Consultation Statement July 2014<sup>1</sup>
- Hook Norton Neighbourhood Plan 2014-2031 Basic Conditions Statement July 2014
- Hook Norton Neighbourhood Plan Sustainability Appraisal Report, Submission Version July 2014
- Representations received in response to publicity on the submission of the HNNP in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012
- The National Planning Policy Framework 2012, Department of Communities and Local Government. (the Framework)
- Planning Practice Guidance, Department of Communities and Local Government. (PPG)
- Cherwell Local Plan 1996
- Cherwell Submission Local Plan 2006-2031 January 2014<sup>2</sup>
- Cherwell Local Plan 2011-2031 Main Modifications August 2014 (during the examination a new version of the plan appeared on the Council's website which incorporated these changes: Illustrative Cherwell Submission Local Plan Incorporating Proposed Modifications February 2015)

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<sup>1</sup> The cover of the document contains an error as it says Hook Norton Neighbourhood Plan 2014-2013

<sup>2</sup> The document was published with a timescale of 2006-2031 but was subsequently changed to 2011-2031.

- Hook Norton Conservation Area Appraisal May 2007.

These documents include all those that are required to be supplied to me under Regulation 17 of the Neighbourhood Planning (General) Regulations 2012. (The Regulations).

11. I made an unaccompanied visit to Hook Norton to familiarise myself with the plan area and its surroundings on 3 February 2015.

### **The Preparation of the Plan**

12. Hook Norton is a “relevant body” under Section 61G(2) of the Town and Country Planning Act 1990 (inserted by paragraph 2 of Schedule 9 to the Localism Act 2011). The neighbourhood area includes the whole of the parish of Hook Norton and is therefore in accordance with Section 61G(3) of the 1990 Act.
13. Hook Norton Parish Council made an application to Cherwell District Council on 26 November 2012 for the designation of the whole of the parish as a neighbourhood area for the purposes of the HNNP in accordance with regulation 5 of The Regulations. Consultation on the proposed designation was carried out from 6 December 2012 to 24 January 2013 in accordance with regulation 6. The proposed designation was approved by the Executive of Cherwell District Council on 3 June 2013 and Hook Norton Parish Council was notified of this decision on 7 June 2013. The designation has been publicised on the Cherwell District Council website in accordance with regulation 7.
14. Section 38B (1) (a) of the Planning and Compulsory Purchase Act 2004 requires that a neighbourhood plan must specify the period for which it is to have effect. The cover of the Plan clearly specifies that it relates to the period 2014-2031 and paragraph 1.3 of the Plan indicates that this is in line with the planning horizon for the emerging Cherwell Local Plan.
15. The Plan must not include any provision about development that is excluded development as defined in Section 61K, which is inserted into the 1990 Town

and Country Planning Act. Excluded development includes “county matters” such as mineral extraction and waste disposal and major infrastructure projects. I am satisfied that the submitted Plan contains no such provision and does not relate to more than one neighbourhood area.

## **Public Consultation**

16. The Consultation Statement sets out the approach to public consultation which was influenced by the guiding principles that the Plan would be: transparent, open, inclusive and independent. The preparation of the Plan was undertaken by a Steering Group comprised mainly of volunteers who were not members of the Parish Council, in order to ensure that it was genuinely led by the community. Prior to the formal regulation 14 consultation there were several stages of consultation and community involvement which were aimed at identifying issues to be considered in the Neighbourhood Plan, agreeing goals and objectives and consulting on early drafts of policies. These involved presentations, workshops, questionnaires and a residents’ survey. These stages took place between January and September 2013.
17. Pre-Submission consultation on the draft HNNP took place between 18 November 2013 and 6 January 2014. It involved:
  - a newsletter delivered to all households
  - written consultation of businesses, clubs and societies and statutory consultees
  - posters and banners in the village, use of social media and hard copies of the Plan being available in several places in the village
  - the delivery of a leaflet and summary of the Plan to all households
  - two open meetings.It is difficult to imagine that any residents or businesses in Hook Norton could have been unaware of the Plan.
18. The Consultation Statement sets out all the responses to the Pre-Submission Consultation and indicates the action taken in terms of amendments to the draft plan. The document also lists the statutory consultees, non-statutory consultees and parish consultees that were invited to comment on the Plan.

19. I am satisfied that: the extensive consultation on the Plan was in accordance with and exceeds the requirements of regulation 14, and the Consultation Statement is in accordance with the requirements of regulation 15 (2).
20. 7 representations have been received in response to the consultation conducted by the local planning authority, following the submission of the Plan, in accordance with regulation 16. While I have not referred specifically to all of these, I have taken them all into account.

### **The Development Plan**

21. The statutory development plan is made up of the saved policies of the Cherwell Local Plan 1996, and the saved policies of the Oxfordshire Minerals and Waste Plan 1996. The Local Plan will be replaced, probably before long by the emerging Cherwell Local Plan 2011-2031 which is currently undergoing examination. The Minerals and Waste Plan will be replaced by the emerging Minerals and Waste Plan which also has a timeframe up to 2031. The Basic Conditions Statement indicates that the HNNP aims to be in conformity with the policies of the January 2014 submission version of the emerging plan. Examination of this plan commenced in June 2014 shortly before the production of the submission version of the HNNP. However the examination was suspended while modifications were made to reflect up to date forecasts of housing need. These modifications were published for consultation in August 2014 and submitted to the Inspector in October 2014. The examination of the plan recommenced in December 2014. Thus the policies which are currently being examined differ to some extent from those to which the HNNP has had regard.
22. It is clearly prudent for the HNNP to aim for conformity with the emerging local plan, particularly when it is at an advanced stage of preparation, as the neighbourhood plan could quickly become out of date if it was in conflict with the new plan. However it is important to emphasise that the basic conditions to which I must have regard require conformity with the adopted development plan and a failure to comply with the strategic policies of the emerging plan

would not amount to a breach of the basic conditions. Where, as in this case, the development plan is out of date, particular focus must be placed on consistency with the Framework.

### **The Basic Conditions Test**

23. The Basic Conditions Statement which has been submitted with the HNNP is intended to demonstrate how the Plan meets the basic conditions to which I have referred in paragraph 8. The statement addresses each of the basic conditions.
24. In considering the relationship of the HNNP to national policy the statement relates the policies in the Plan to the 12 planning principles in the Framework. While this is helpful it is less than thorough as it does not address the relationship between the Plan and the more detailed provisions of the Framework. This does not comply with National Planning Practice Guidance which encourages a qualifying body to set out the particular national policies it has considered. However, there are no specific formal requirements for the content of a basic conditions statement and the Basic Conditions Statement itself is not being examined. The limited approach that has been adopted makes my task more onerous as I must relate the policies of the Plan to the detail in the Framework,
25. I shall consider the compatibility of the Neighbourhood Plan with basic conditions a), b) and c) in relation to each of its policies but will first consider whether it meets European Union obligations.

### **European Union Obligations**

26. A Sustainability Appraisal taking account of the legal requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 (EAPPR) has been submitted with the Plan. The EAPPR place the requirements of Directive 2001/42 into UK law.
27. A draft of the document accompanied the consultation on the Pre-Submission Neighbourhood Plan and the document has been updated to take account of changes made to the policies of the Plan, following consultation.



28. The Sustainability Appraisal effectively incorporates a strategic environmental assessment (SEA). The report includes a non-technical summary which sets out simply the approach taken, a summary of the conclusions, the approach to monitoring, conclusions on the need for a Habitats Regulations Assessment and next steps.
29. The consultation bodies identified in regulation 4 of the EAPPR were consulted at the scoping stage, which took place early in the plan preparation process. Their responses and the action taken to address them are set out clearly in an appendix.
30. The main environmental characteristics of the area are described in some detail and from this a set of sustainability objectives, incorporating relevant environmental objectives is developed and the objectives and policies of the Plan are evaluated against these. The evaluation groups policies according to the four main themes in the Plan and plots their effects against each of the sustainability objectives. The effects are assessed on the basis of a five point scale ranging from significant positive effects to significant negative effects and take into account whether the effects will be short, medium or long term. The methodology also indicates whether the effects would be permanent or temporary and takes into account secondary, cumulative and synergistic effects (where possible to identify). The effects are also described briefly. In all cases the evaluation showed neutral or positive effects.
31. Regulation 12(2) (b) of the EAPPR requires the environmental report to “evaluate the likely significant effects on the environment of ... reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme”. The sustainability appraisal does this in a somewhat limited way. Very often the evaluation of alternatives will involve a comparison of different site specific proposals, but the Plan does not contain any site specific allocations for new development. There is no requirement for a neighbourhood plan to make site specific allocations and in the absence of such allocations it is not easy to show what reasonable alternatives should be generated. The scoring in the Sustainability Appraisal compares the environmental effects of the HNNP policies with a “do nothing” approach

where there would be reliance on the Local Plan and national policies. This is a limited but reasonable alternative. In all cases the effect of the HNNP is positive or neutral. The absence of other alternatives would be a greater concern if the assessment identified significant harmful effects from the Plan's proposals, but it does not.

32. The Sustainability Appraisal has been a continuing process during the preparation of the HNNP and has helped in the development of the goals, objectives and policies that are included in the Plan. In this way it has helped to ensure that the policies in the Plan contribute to sustainable development. It has also been updated following the pre-submission consultation to take account of changes to the Plan in response to the consultation. The approach in the Sustainability Appraisal is similar to that followed in the Tattenhall Neighbourhood Plan which was the subject of legal challenge. In that case it was found that the principle of comparing the effects of the plan with a "do nothing" scenario was in accordance with the legal requirements of the European Directive.<sup>3</sup>
33. The consultation bodies were consulted on the Sustainability Appraisal alongside the consultation on the Pre-Submission Neighbourhood Plan. No comments were received at that stage other than comments from Cherwell District Council regarding the relationship of the Sustainability Appraisal with that for the Cherwell Local Plan, which were taken into account. Some modifications were also made to reflect changes to the Plan following pre-submission consultation.
34. Planning Practice Guidance makes it clear that "The strategic environmental assessment should only focus on what is needed to assess the likely significant effects of the neighbourhood plan .....It does not need to be done in any more detail, or using more resources, than is considered to be appropriate for the content and level of detail in the neighbourhood plan."<sup>4</sup> I am satisfied, taking the report as a whole, that it does address the

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<sup>3</sup> BDW Trading Ltd and Anor v Cheshire West and Chester Borough Council March 2014 paragraphs 69 and 75.

<sup>4</sup> Planning Practice Guidance Reference ID: 11-030-20150209

requirements of the regulations in a proportionate way having regard to the nature of the proposals in the HNNP.

35. I have taken account of the representation from Gladman to the effect that the Sustainability Appraisal is unsound because it does not take account of the main modifications to the Cherwell District Local Plan (CDLP) which is currently the subject of examination. The adoption of the CDLP may lead to a need to review the HNNP. However there is no requirement for a neighbourhood plan to be based on the policies of an emerging local plan. In any event, while the recent modifications do suggest a higher rate of development overall, it is by no means clear what the implications of this would be for a single village such as Hook Norton. This issue is addressed in more detail in relation to policies for housing development, but I do not accept that the recent modifications to the emerging plan invalidate the Sustainability Appraisal.
36. The Sustainability Appraisal also considers whether there is a need to prepare a Habitats Regulation Assessment. It concludes that as there are no Natura 2000 sites within or near to the HNNP Area there is no requirement for such an assessment.
37. I am also satisfied that nothing in the Plan is in conflict with the European Convention on Human Rights. It has been suggested that Policy HN – COM 1 is a contravention of Article 1 of the European Convention on Human Rights which refers to the right to the peaceful enjoyment of possessions because it includes buildings which are not resources essential to the public needs of the community. This matter is addressed in my consideration of that policy and subject to the modifications I have recommended I am satisfied that the Plan does not breach the Human Rights Convention.
38. I therefore conclude that the Plan is compatible with and does not breach European Union obligations.

## **Key issues, goals and objectives**

39. The Plan has been developed from a distillation of the main concerns of the community which emerged during the consultative process. These concerns have been grouped under five main themes: housing, community and amenities, employment, environment and transport. One or more goals are identified in relation to each of these themes and for each goal there are a number of specific objectives. The clear link between these objectives and the aspirations expressed by the community in the early stages of public consultation is well presented in the Consultation Statement<sup>5</sup> and is important in defining the focus of the HNNP. The Plan does not include policies in relation to all of the objectives and some of the comments in response to the regulation 14 consultation regretted the absence of policies on some issues. It is important to note that the absence of a policy on a particular issue is not a conflict with the basic conditions. Where the neighbourhood plan is silent the policies of the development plan and the Framework will apply.
40. It is very clear that a desire to maintain the local distinctiveness of Hook Norton, in terms of its built environment, its countryside setting and its community vitality is a defining factor in the Plan. At the same time the Plan aims to meet the housing needs of the community by ensuring that new housing is of a size that reflects the needs of different age groups. The predominance of relatively large houses in the village is a very noteworthy characteristic that has emerged from the preparatory work on the HNNP.
41. The goals and objectives are not policies that will form part of the development plan if the Plan is made. However some representations suggest that there is a conflict between some of the objectives and the Framework. As the goals and objectives are very influential in the shaping of the policies I have therefore addressed this issue.
42. Under the heading “Housing” the overall goal is to provide existing and future residents with the opportunity to live in a decent home. Objective 1.4 refers to

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<sup>5</sup> Consultation Statement Section 3.4

the provision of “a limited amount of housing .....” Gladman argue that this is in conflict with the ethos of the Framework and the presumption in favour of sustainable development. I do not accept that it is the intention of the Framework to prevent neighbourhood plans placing any limitation on the scale of development. It is quite explicit in saying in paragraph 184 that neighbourhood plans should not promote less development than set out in the Local Plan or undermine its strategic policies. Provided the Plan meets this requirement and is not unduly rigid in defining the total amount of development there is no conflict between this objective and the Framework.

43. Similarly, Objective 1.6 aims to “limit the size of individual developments....” Again I see no inherent conflict with the Framework as it does not preclude the delivery of the required amount of housing. I shall return to both these issues in the consideration of Policy HN-H1.
44. The other objectives set out a clear set of aspirations. While not all of them can be addressed through policies for the development and use of land they do not present any conflict with national or development plan policy.

#### **The Policies of the Hook Norton Neighbourhood Plan.**

45. In considering the policies of the HNNP it is important to clarify the restricted nature of my role. I may only suggest modifications to the policies where they are necessary: to comply with the basic conditions set out in paragraph 8, to be compatible with the European Convention on Human Rights or to correct errors.<sup>6</sup> The purpose of the policies, as set out in paragraph 183 of the Framework, is to guide decisions on planning applications, and PPG sets out the requirements for policies which include the need to be “clear and unambiguous” and “drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining applications”<sup>7</sup>. Some of the amendments I have suggested are to clarify the wording of the policy for this purpose. The policies of the Plan are grouped under the 4 main themes as the “Community and Amenities” and “Employment” themes in the

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<sup>6</sup> Schedule 4B to the Town and Country Planning Act 1990 Paragraphs 10 (3) (a) and (b)

<sup>7</sup> Planning Policy Guidance Reference ID:41-041-20140306

objectives are merged under the heading “Community – Living and working in Hook Norton.

**Character and Countryside:**

**Policy HN – CC 1: Protection and enhancement of local landscape and character of Hook Norton**

46. The first part of the policy aims to ensure that new development sits comfortably in its surroundings and requires development to make a positive contribution to the locally distinctive character and context of Hook Norton. This aim is compatible with the maintenance of local distinctiveness and with the guidance in paragraphs 58 and 64 of the Framework which refer respectively to the desirability of “improving the overall quality of the area” and “taking the opportunities available to improve the character and quality of an area”.
47. The second part of the policy aims to resist development in the open countryside which would adversely affect the character of the landscape. This is a strongly worded policy in that it does not provide for any exceptions. It is consistent with the Framework and several saved policies in the Local Plan 1996, notably policy C7, in providing strong protection for the countryside. The Framework also allows for some types of development in the countryside<sup>8</sup> and in some cases provides for a balancing of the need for the development against the harm to the landscape. I have considered the need for an amendment to reflect this, but with any development plan policy there may be material considerations in a particular case which would justify a departure from it and on this basis I have concluded that no modification is necessary for the policy to comply with the basic conditions.
48. The final section of this policy seeks to prioritise the development of previously developed land and to resist the development of residential gardens for inappropriate housing. I am satisfied that the policy relating to brownfield land is consistent with the principle in the Framework (para 17)

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<sup>8</sup> The Framework paragraphs 28 and 55.

which aims to encourage the reuse of previously developed land. The principle in the Framework, which is reflected in Environmental Objective 2.2 of the HNNP, does not prescribe how this reuse should be encouraged and the preference outlined in this policy is an appropriate way of doing it. The policy refers to a general preference for brownfield land, which implies that there may well be exceptions. It is therefore not unduly prescriptive as it does not preclude the development of green field sites.

49. While the wording of the policy in relation to the development of garden land is similar to that in paragraph 53 of the Framework, it does not make it clear what would constitute “inappropriate” residential development. Paragraph 53 is not a policy as such but encourages the framing of a policy and gives an example of what might be considered inappropriate. A complete ban on the residential development of garden land would in my judgement be contrary to the presumption in favour of sustainable development and the policy therefore needs to be amplified to describe inappropriate development.

#### **Recommendation**

**In the third paragraph of Policy HN-CC 1 add after “...not supported” “where it would result in a cramped form of development or otherwise detract from the character of the village”.**

#### **Policy HN – CC 2 Design**

50. The policy sets out an overall approach to the achievement of high quality design and six criteria which new development proposals should meet. The overall approach requires applications to demonstrate high quality design which means that proposals must build on the principles set out in the Hook Norton Conservation Area Appraisal.
51. The requirement for any application to contain sufficient detail to demonstrate a high quality design would be difficult to apply to outline applications, and there is no clear justification to require full applications in all cases.
52. A large proportion of the village lies within the Conservation Area. However, while it is appropriate to seek to reinforce local distinctiveness, applying the standards of the Conservation Area to the rest of the village is a requirement

that is too onerous to be consistent with the presumption in favour of sustainable development. It is also not clear what the requirement to “build on the principles” would mean in practice. Within the Conservation Area there are many matters that are subject to planning control but would be permitted development outside it. The principles in the Conservation Area appraisal are derived from a detailed appraisal of specific character areas within it and they are not intended to be applied to a wider area.

53. The specific criteria are consistent with the basic conditions, though the fourth one may not be fully enforceable as the removal of walls, hedgerows and unprotected trees outside the Conservation area may not always be subject to planning control. With regard to the retention of open spaces, the Plan does not propose any Local Green Spaces, which is perhaps a missed opportunity.

#### **Recommendations**

**In the first line of Policy HN – CC 2 insert “full” after “any”.**

**Delete the second sentence and insert “Proposals for development within or visible from the Conservation Area must have regard to the principles set out in the Hook Norton Conservation Area Appraisal. All new development should:”**

#### **Policy HN – CC 3 Local distinctiveness, variety and cohesiveness**

54. The policy aims to ensure that new development respects the character of the village. The first part of the policy aims to secure development in the form of small scale and gradual change. This is consistent with saved policy H13 of the Cherwell Local Plan 1996 which envisages development in category 1 settlements including Hook Norton in the form of infilling and minor development comprising small groups of dwellings within the built up area. The appropriate scale of development is considered further in relation to policies HN- H1 and HN – H2.
55. The Framework refers in paragraphs 60 and 66 to the need to encourage innovative designs while reinforcing local distinctiveness. The use of the word “reflect” in relation to building styles may be somewhat restrictive in this respect as it would tend to preclude innovative design. The emphasis on the



use of ironstone as the predominant building material is appropriate, but outside the Conservation Area a range of materials including brick are used in buildings of various ages and it would be unduly restrictive and sometimes inappropriate to require ironstone in these locations. Small amendments to reflect these points would enable the policy to satisfy the basic conditions.

56. The final sentence of the policy refers to the need to consider all elements of schemes including details such as bin storage at an early stage. These are all important elements of good design, but it is unduly onerous to require consideration at an early stage in relation to outline applications.

**Recommendations**

**In the 5<sup>th</sup> line of Policy HN – CC 3 replace “reflect” with “respect”.**

**In the 7<sup>th</sup> line of Policy HN – CC 3 after “...ironstone will continue to be the predominant building material” insert “..particularly in the Conservation Area”.**

**In the 8<sup>th</sup> line of Policy HN – CC3 delete “at an early stage”.**

**Policy HN – CC 4 Resource efficient design**

57. This policy is consistent with the basic conditions

**Policy HN – CC 5 Lighting**

58. The policy is consistent with the basic conditions.

**Living and working in Hook Norton**

**Policy HN – COM 1: Protection of Locally Valued Resources**

59. The public involvement in the preparation of the HNNP clearly highlighted the importance of the community facilities in the village, to the extent that they have been referred to as the “Crown Jewels”. The policy seeks to protect these while acknowledging that there may be circumstances where this is not possible. The policy is not entirely clear as to what is being protected, but I take it to be primarily the use of these buildings as changes to the form and appearance would be covered by policies HN – CC1 and HN – CC2 and relevant Local Plan policies. In many cases the buildings are listed and would

also be subject to listed building control. A minor amendment to clarify this is therefore necessary.

60. The Locally Valued Resources are set out in Table 1 which precedes the policy. Neil Warner argues that The Bell Public House and the Brewery do not fall within the scope of paragraph 70 of the Framework which aims to prevent “the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day to day needs”.
61. The Bell Public House was no longer in use as a public house and was being used as a photo copying shop at the time the HNNP was submitted. The photo copying use was low key and could not be regarded as an important facility. Planning permission has since been granted for the conversion of the building to a single dwelling.<sup>9</sup> Even though it had been designated as an Asset of Community Value in 2013, it cannot now be regarded as a locally valued resource, particularly as there are 3 other public houses in the village.
62. The Brewery is an important component of Hook Norton’s unique character. It makes an important contribution in terms of the appearance of its distinctive group of buildings, the provision of employment and attracting visitors. The buildings are protected by their listed status and the use of the site for employment is addressed by Policy COM5. However as a manufacturing industry within Use Class B2, changes of use to other uses within use classes B1 and B2 would not be subject to planning control and, while it contains a café and shop these are designed to serve visitors and it cannot be regarded as a community resource in the same way as the other facilities in Table 1.
63. Subject to modification to reflect the points above the policy is entirely consistent with section 8 of the Framework, in particular paragraphs 28, 70 and 74, and meets the basic conditions.

**Recommendations:**

**In Table 1 delete “The Bell Public House” and “Brewery”**

**In Policy HN – COM 1 in the first line insert “for a change of use” after**

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<sup>9</sup>Application Ref 14/01810/F

**“Any proposal”.**

**In the second line insert “as defined in Table 1” after “..Locally Valued Resource”.**

### **Policy HN – COM 2: Public Rights of Way**

64. Hook Norton benefits from an extensive network of public rights of way and this policy reflects paragraph 75 of the Framework in seeking to protect them. However the policy goes further than the Framework by focussing on the amenity value of footpaths rather than their access value and as worded suggests that any loss of amenity value would be a reason to resist new development. The representation from Gladman rightly points out that where proposed development would affect the amenity value of a public right of way the loss of amenity would be a consideration among others in the planning balance. There may well be circumstances where the benefits of new development would outweigh some loss of amenity through re-routing of a right of way. A modification to allow for this balance to be struck is necessary in the interests of sustainable development.

#### **Recommendation**

**Reword the first part of Policy HN– COM 2 to read “Existing Public Rights of Way in the parish will be protected. Where re-routing is essential to accommodate sustainable development any loss of amenity value will be minimised.”**

### **Policy HN – COM 3: Developer Contributions to Community Infrastructure**

65. This policy requires the local planning authority to consult the Parish Council regarding the provisions of any Section 106 Agreement. It is not appropriate for inclusion in a neighbourhood plan as it is not a policy for the development and use of land, but a policy relating to procedure. In any event the Parish Council is consulted on all planning applications and if it wished to suggest items for inclusion in a S106 Agreement it could do so at this stage. It is important to note that Section 106 Agreements can only be sought where they are: necessary to make the development acceptable in planning terms,

directly related to the development and fairly and reasonably related in scale and kind to the development<sup>10</sup>. Thus many items which might be considered desirable could not be included. The Community Infrastructure Levy (CIL) is intended to replace S106 agreements for many aspects of community infrastructure and the proportion of funds raised in this way is higher (25%) where a neighbourhood plan is in place than elsewhere (15%). The introduction of CIL will present an opportunity for the Parish Council to use its share of the proceeds as it chooses. However at present Cherwell District Council has not introduced a CIL scheme.

### **Recommendation**

#### **Delete Policy HN – COM 3**

It may be helpful to refer in supporting text to using the existing consultation on planning applications and to the potential to use CIL to support village needs when it is introduced.

#### **Policy HN – COM 4: Broadband.**

66. The policy aims to encourage the development of high speed broadband infrastructure and to ensure that any new development is connected to it. It is consistent with the basic conditions.

#### **Policy HN – COM 5: Retention of local employment**

67. This policy aims to retain sites currently providing local employment unless they can be demonstrated not to be viable and meets the basic conditions.

### **Housing**

#### **Policy HN – H1: Sustainable housing growth**

68. It is an important requirement of neighbourhood plans that they should not provide for less development than is set out in the Local Plan. In the case of Hook Norton the adopted Local Plan dates from 1996 and made provision for housing needs up to 2001. It is thus seriously out of date and does not

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<sup>10</sup> The Framework paragraph 204

provide any guidance to the HNNP in terms of the quantity of housing required. A non-statutory Local Plan was adopted in 2004 to act as interim policy up to 2011 until the new Local Plan was adopted. This Plan is now also out of date and provided no guidance on the scale of housing development required at Hook Norton. In the absence of any statutory strategic context, the HNNP has tried to base the amount of housing need on the emerging Local Plan.

69. The Cherwell Submission Local Plan was published in January 2014. The examination of this plan started in June 2014 but was suspended because it did not take account of up to date forecasts of housing need. Major modifications were published in October 2014 which significantly increased the amount of housing envisaged for a group of villages including Hook Norton. However, these modifications were published after the completion of the submission version of the HNNP and the outcome of the examination is not yet known.
70. The attempt to ensure that the HNNP was compliant with the emerging Local Plan was a sensible and prudent approach as there is of course a significant risk that if it does not comply with the emerging plan it could become out of date when the new Local Plan is adopted. It is not, however a statutory requirement. The requirement is for the making of the Plan to be in general conformity with the strategic policies of the development plan for the area. Case law has confirmed<sup>11</sup> that there is no requirement for a neighbourhood plan to be consistent with the strategic policies of an emerging Local Plan and that the absence of an up to date Local Plan does not preclude the making of a neighbourhood plan.
71. Whether or not policy HN-H1 is consistent with the requirements of Policy Villages 2 of the emerging plan would require detailed consideration beyond the scope of this examination. The policy provides for 750 dwellings in all category A villages, in addition to completions between 2011 and 2014, an allowance for small windfall sites and existing planning permissions. There

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<sup>11</sup> R (Gladman Developments Ltd) v Aylesbury Vale District Council (CO/3104/2014) 22 July 2014 and BDW Trading Ltd v Chester West And Chester Borough Council (2014)

are 24 category A villages and there is no clear guidance on the level of development to be accommodated in Hook Norton. It is, for example, not clear to what extent the development that has taken place since 2011 and the permitted development should be taken into account in determining what share of the 750 additional dwellings required should be built in Hook Norton. As my consideration relates to the basic conditions I have reached no conclusion on the compliance of Policy HN –H1 with the policies of the emerging plan. However the contention by Gladman that any failure of the policy to comply with the policies of the emerging plan would make it contrary to the basic conditions is not valid.

72. Policy HN – H1 provides for housing development in Hook Norton in the form of conversions, infilling and minor development. It regards minor development as typically for less than 10 dwellings but provides for developments up to 20 dwellings where justified by objectively assessed local housing need. The Policy does not set any limit on the number of separate developments and so it could theoretically be capable of accommodating any number of dwellings, although in practice the number would be constrained by the number of suitable sites.
73. I am not satisfied that the requirement for a justification on the basis of “objectively assessed local housing need” is consistent with Saved Policy H13 of the adopted Local Plan. This policy identifies Hook Norton as a category 1 village here the “physical characteristics and range of services available within them enable them to accommodate some limited extra housing growth”. While the Local Plan envisages this growth to be small scale it is clear that Hook Norton occupies a place in the settlement hierarchy as one of the larger villages in the district and that in this capacity it is expected to be able to accommodate part of the growth to be accommodated in the District. It would be inconsistent with this position in the settlement hierarchy to limit developments to those that can be justified on the basis of objectively assessed local need. It would also be unduly onerous for developers to be expected to conduct such an assessment in association with each application.

74. It is not entirely clear what is meant by “no more than 20 dwellings being built in any location at any time”. My understanding is that it could be taken to accept that there may be locations where more than 20 dwellings would be acceptable over a period of time, but that no more than 20 dwellings should be built in any one discrete phase of development.
75. Planning permission has recently been granted for two substantial developments in Hook Norton, one for 70 dwellings to the west of Bourne Lane and one for 37 dwellings to the south of Station Road. Both of these sites are under construction. Two further applications have been submitted, one for 54 dwellings to the north of Hook Norton Primary School (which is currently subject to appeal) and one for 48 dwellings to the north of Station Road, which has yet to be determined.
76. The rationale for Policy HN – N1 is that given the way in which Hook Norton has gradually developed over the years, and taking account of the existing permissions for relatively large scale development, future development should be relatively small scale in order to be sustainable and to maintain the character of the village. The policy is consistent with the approach in the adopted Local Plan with the exception of my concern regarding justification on the basis of local need.
77. The objection by Gladman contends that the Plan fails to take account of the latest modifications to the emerging Local Plan which show an objectively assessed need for 1140 dwellings per year in the District compared with 640 dwellings in the Submission Local Plan January 2014. I have already explained that the test before me is the conformity of the Plan with the strategic policies of the adopted development plan and with national policies and advice.
78. The objection from Gladman also suggests that the HNNP is in conflict with the requirement in paragraph 47 of the Framework for local planning authorities to boost the supply of housing by objectively assessing needs for affordable and market housing in their area and maintaining a supply of housing land. These obligations are placed clearly on local planning authorities rather than qualifying bodies preparing neighbourhood plans; they

are not activities that could realistically be taken at the neighbourhood plan level. Again a recent legal judgement has confirmed that view.<sup>12</sup>

79. The purpose of neighbourhood plans is that they should allow communities to “ensure they get the right types of development for their community”<sup>13</sup> providing they accord with the strategic needs and priorities for the wider area.” That is what this policy HN – H1 tries to do. The policy cannot be regarded as inappropriately restrictive as it does not place a limit on the overall number of dwellings that will be built in the village and it contains sufficient flexibility to allow for the development of larger sites over a period of time. There is no clear strategic context defining the scale of development to be accommodated by the village, and subject to the amendment below I am satisfied that the policy satisfies the basic conditions.

#### **Recommendation**

**In policy HN-H1 amend the 4<sup>th</sup> (penultimate) sentence to read.**

**“Proposals for up to 20 dwellings may be permitted where this does not result in more than 20 dwellings being built in any one location at any time, taking into account any extant permissions.”**

#### **Policy HN – H2: Location of Housing**

80. The policy does not make specific allocations for development but sets out criteria to be considered in the assessment of planning applications. The first and last of the criteria are consistent with the basic conditions.
81. The second criterion requires compliance with the policies and advice in the HNNP. The policies of the Plan can be clearly identified and it is entirely appropriate that proposals should take account of them. The advice in the Plan is however not clearly identified, unless it is intended to apply to all of the lower case text in the document. If this is the case the criterion effectively gives policy status to all of the supporting text. This is clearly not appropriate as much of it is discursive and descriptive and some of it is lacking in

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<sup>12</sup> R (Gladman Developments Ltd) v Aylesbury Vale District Council (CO/3104/2014) 22 July 2014 paragraph 73.

<sup>13</sup> National Planning Policy Framework Paragraph 184



sufficient clarity to be applied in policy terms. The reference to advice should therefore be excluded.

82. Similar reasoning is applicable in the case of the third criterion. None of the sites which are referred to in section 4.2 is defined on a map and they are only generally described. There is no indication of the area of the land being referred to and the text acknowledges that the preferences expressed need to be seen in the context that not all of the site may be considered suitable. There is no indication which part of the sites may be considered suitable and there is no objective evaluation of the possible sites against defined criteria. In this sense a requirement to comply with the evidence of public consultation would be very difficult to implement. Moreover, public consultation is one of many material planning considerations that should be taken into account and a policy that makes it the determining factor is therefore not consistent with the presumption in favour of sustainable development.
83. The requirement for applications to comply with the results of public consultation is almost making an allocation by the back door. There is no requirement for the Plan to make allocations of residential land, and a criteria based approach to the release of sites is appropriate. However, if no allocations are to be made the vague site specific preferences expressed in public consultation cannot be given policy status. If preferred sites are to have any status, the possible alternative sites should be evaluated against a range of material planning considerations and clearly identified in a policy.
84. For the reasons I have outlined the third criterion does not meet the requirement of being “drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining applications”<sup>14</sup> and is not consistent with the presumption in favour of sustainable development.

**Recommendations:**

**In the second bullet point of Policy HN – H2 delete “advice” and delete the third bullet point.**

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<sup>14</sup> Planning Policy Guidance Reference ID:41-041-20140306

85. With regard to both policies HN – H1 and HN – H2, I have considerable sympathy for the HNNP Steering Group in terms of the strategic context within which they have been working. Great efforts have been made to align the Plan with the emerging Cherwell Local Plan. While this is not a requirement it is clearly good practice as it would help to ensure that the Plan remains up to date following the adoption of the emerging plan. This endeavour was not helped by the change in the strategic context in the modifications published after the Plan had been submitted.
86. It is evident from the representations of Cherwell District Council that some clarification of the relationship of the HNNP and the proposed modifications to the Cherwell Local Plan will be necessary if the Local Plan is adopted in this form. As I have said I have not attempted to determine how compliant the Plan is with the emerging Local Plan as it is not the issue before me, but some clarification of the scale of development which will be required in Hook Norton under the Local Plan will be necessary. This will require joint working with the District Council and no doubt this discussion will take account of many factors including the scale and form of recent development and its effect on the character and local distinctiveness of Hook Norton. It will then be necessary to consider whether the approach to the development of new housing taken in the HNNP is capable of delivering the required level of housing. If it is not some elements of the Plan may need to be reviewed at that stage.

### **Policy HN – H3: Housing density**

87. This policy does not prescribe a minimum or maximum housing density figure but aims to determine the density of proposed development is appropriate by having regard to the character of surrounding area. This is a flexible and pragmatic approach that is entirely consistent with the basic conditions.

### **Policy HN – H4: Types of Housing**

88. As I have said in relation to policy HN – H1 the needs of households in Hook Norton are an important consideration but cannot be the only determinant of

the mix of dwellings provided as the village does have a role in the settlement hierarchy in accommodating the housing needs of the district and a minor amendment to reflect this is necessary for compliance with the Local Plan.

89. The requirement in this policy for applicants to submit an objective assessment of housing need for Hook Norton is onerous and would lead to a great deal of repetition. Paragraph 193 of the Framework requires local planning authorities to publish a list of information requirements for applications and indicates that these should be proportionate to the nature and scale of development proposals. It is a duty of the local planning authority to objectively assess housing need in its area and the Parish Council may from time to time conduct a local housing needs survey. It would be unduly onerous and inconsistent with the Framework to require a local needs study in every case but it would be entirely reasonable to require applicants to demonstrate how their proposals relate to the latest published information on housing need.

**Recommendations:**

**In the first line of policy HN – H4 delete “to meet” and insert “that has regard to”**

**Delete the second sentence of policy HN – H4 after “...required to submit” and insert “with any planning application a statement setting out how the proposed housing types, sizes and tenures comply with the most up to date Strategic Housing Market Assessment and Local Housing Needs Survey.”**

**Policy HN – H5: Provision and retention of affordable housing**

90. The policy aims to ensure that affordable housing provided on exception sites and under a planning obligation should, where possible be allocated to people meeting Hook Norton Needs or Connections Criteria. The first part of the policy relating to Rural Exception Sites is consistent with the basic conditions. In the second part of the policy relating to planning obligations it is not entirely clear what is meant by “the maximum proportion possible”. On first reading it appears to be an aspiration to aim for 100% of units to be allocated to people with local connections. However, the supporting text refers to Cherwell

District Council's allocation scheme which provides for up to 50% of affordable housing secured in this way to be allocated to people with village connections and I believe the intention of Policy HN – N5 is to seek the maximum percentage in accordance with the allocation scheme. On this basis the policy would comply with the basic conditions and I suggest a modification to clarify what is meant.

**Recommendation**

**In the third line of the second part of Policy HN – H5 after "...total units provided" insert "under Cherwell District Council's Allocation Scheme".**

91. Recent changes to PPG relating to planning obligations for affordable housing prevent agreements for the provision of affordable housing on developments of 10 dwellings or less.<sup>15</sup> As the HNNP proposes small scale typically for less than 20 dwellings, this will limit the provision of affordable housing in this way.

**Transport**

**Policy HN – T1: Access and parking**

92. This policy sets out the approach to the provision of access and parking for new development. Cherwell District Council has pointed out that the County Council's parking standards are used as guidance, but that decisions are taken by local planning authorities on the basis of these standards and other development plan policies. The implication is that on occasions the presumption in favour of sustainable development will result in some deviation from the strict application of the standards. Subject to a minor modification to clarify this the policy meets the basic conditions.

**Recommendation**

**In the second line of policy HN – T1 replace "in line with" with "taking account of".**

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<sup>15</sup> Planning Practice Guidance ref ID:23b-012-20141128

## **Policy HN – T2: Non-car transport**

93. This policy is a general one seeking to take opportunities to enhance facilities for pedestrians and cyclists and improve bus services. The last sentence refers to developer contributions towards the provision of an enhanced bus service for Hook Norton. Oxfordshire County Council has indicated that strategy is in place to improve the bus service between Banbury and Chipping Norton and that developer contributions are sought to assist this. However the restrictions on planning obligations for developments of 10 dwellings or less, referred to in paragraph 91, also apply to tariff style contributions. This, together with the requirements to be met by planning obligations referred to in paragraph 65 may well mean that of the relatively small scale development proposals envisaged by the Plan will rarely be able to justify a planning obligation of this sort. A minor amendment to reflect this is necessary.

### **Recommendation**

**Amend the last sentence of Policy HN – T2 to read “Where possible developer contributions will be sought towards the provision of an enhanced bus service for Hook Norton.”**

## **Summary and Referendum**

94. The Hook Norton Neighbourhood Plan has clearly been driven by a strong desire to protect the very special character of the village and to provide for the needs of its residents. It has been prepared in a difficult strategic context in the absence of an up to date local plan. The intention to achieve conformity with the emerging local plan has been complicated by modifications to that plan since the completion of the submission version of the Neighbourhood Plan that have increased the amount of housing being planned for.
95. There has been thorough engagement with the community throughout the process and The Plan reflects a strong consensus within the community about the main issues to be addressed.

96. The preparation of the Plan has been in accordance with the legislation. I have found it necessary to suggest some modifications to meet the basic conditions, and subject to these modifications I am satisfied that the Plan:

- has been prepared in accordance with Sections 38A and 38B of the Town and Country Planning Act 1990 and the Neighbourhood Planning Regulations 2012;
- has regard to national policies and advice contained in guidance issued by the Secretary of State;
- contributes to the achievement of sustainable development;
- is in general conformity with the strategic policies of the development plan for the area;
- does not breach and is compatible with European Union obligations and the European Convention on Human Rights.

**I am therefore pleased to recommend that the Hook Norton Neighbourhood Plan should proceed to a referendum subject to the modifications that I have recommended.**

97. I am also required to consider whether or not the Referendum Area should extend beyond the Neighbourhood Plan Area. The Plan relates to the whole of the parish of Hook Norton which includes a substantial area of countryside surrounding the village. I have seen no evidence to suggest that this area should be extended for the Referendum.

Richard High                      March 2014

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## **APPENDIX G**



The recommended modifications in relation to each of the policies are set out as below:

**Policy HN - CC 1: Protection and enhancement of local landscape and character of Hook Norton**

Any development must be located and designed so that it is readily visually accommodated into its surroundings and setting, and provides a positive contribution to the locally distinctive character and context of Hook Norton.

Proposals which would introduce development to isolated sites in the open countryside which would adversely affect the tranquillity, unspoilt character and amenity value of the landscape will not be permitted.

Development which makes use of previously developed land and buildings will generally be preferred to greenfield locations. Residential gardens are not considered previously developed land and redevelopment of residential gardens to provide inappropriate housing is specifically not supported.

**Recommendation:**

In the third paragraph of Policy HN-CC 1 add after "...not supported" "where it would result in a cramped form of development or otherwise detract from the character of the village".

**Policy HN - CC 2: Design**

Any planning application for development must contain sufficient detail to demonstrate the proposal is of high quality design. In particular for Hook Norton, high quality design means that any proposal must build upon the principles set out in the Hook Norton Conservation Area Appraisal and must:

- Reflect local distinctiveness and be readily assimilated particularly in terms of: the extent and amount of development; scale; layout; open spaces; appearance; and materials
- Respect and enhance the historic environment of the parish and its heritage and natural assets
- Ensure that locally important views and vistas are maintained or enhanced
- Retain and enhance open spaces, walls, hedgerows and trees which are important to the local character
- Take account of information and design guidance included in the Cherwell Countryside Design SPD, Oxfordshire Wildlife and Landscape Study, Hook Norton Conservation Area Appraisal and any specific design guidance provided by Hook Norton Parish Council
- Incorporate features to improve environmental performance and reduce carbon emissions, unless it is demonstrated to be not practicable and viable

**Recommendation:**

In the first line of Policy HN – CC 2 insert "full" after "any".  
Delete the second sentence and insert "Proposals for development within or visible from the Conservation Area must have regard to the principles set out in the Hook Norton

Conservation Area Appraisal. All new development should:"

**Policy HN - CC 3: Local distinctiveness, variety, and cohesiveness**

The traditional pattern of growth which characterises Hook Norton is small scale and gradual change. This must be reflected in the extent and amount of any development in Hook Norton. Designs which could be 'anywhere place' will not be acceptable. Variety in density, layout, building orientation and sizes will be sought to reflect the local context. Building styles and materials must also reflect and positively contribute to local distinctiveness. Hook Norton is one of Oxfordshire's Ironstone villages and it is therefore expected that local ironstone will continue to be the predominant building material. All elements of schemes must be considered at an early stage to produce a cohesive and high quality design in which detailing such as car parking, boundary treatments, bin stores, meter boxes, and lighting are all provided for in a harmonious and inclusive design.

**Recommendation:**

In the 5<sup>th</sup> line of Policy HN – CC 3 replace "reflect" with "respect".  
In the 7<sup>th</sup> line of Policy HN – CC 3 after "...ironstone will continue to be the predominant building material" insert "...particularly in the Conservation Area".  
In the 8<sup>th</sup> line of Policy HN – CC3 delete "at an early stage".

**Policy HN - CC 4: Resource efficient design:**

High levels of resource efficiency will be expected and must be demonstrated in any application for development. Applicants will be expected to put forward site-specific proposals which take account of location, layout and building orientation to minimise energy consumption.

**Recommendation:**

This policy is consistent with the basic conditions

**Policy HN - CC 5: Lighting**

Any lighting proposed must be of a design which does not cause visual intrusion nor cause adverse effects due to light pollution. All lighting must meet high levels of energy efficiency

**Recommendation:**

The policy is consistent with the basic conditions.

**Policy HN - COM 1: Protection of Locally Valued Resources:**

Any proposal which would adversely affect or result in the loss of any Locally Valued Resource will not be permitted unless in exceptional circumstances and where it has been clearly shown as the only, or most locally acceptable option, taking into account all relevant factors including:

- full exploration of options to secure the continuation of the facility;
- designation as an Asset of Community Value and community purchase
- alternative provision

to the extent that each factor is applicable. The list of Locally Valued Resources is shown in Table 1 and will be reviewed on an annual basis.

**Recommendation:**

In Table 1 delete “The Bell Public House” and “Brewery”  
 In Policy HN – COM 1 in the first line insert “for a change of use” after “Any proposal”.  
 In the second line insert “as defined in Table 1” after “...Locally Valued Resource”.

**Policy HN - COM 2: Public Rights of Way**

Existing Public Rights of Way in the parish will be protected from loss, re-routing or development which would adversely affect the amenity value to users.  
 Opportunities will be sought to enhance the network of Public Rights of Way through the creation of new links, improved maintenance and waymarking, and making use of developer contributions, agricultural schemes and local partnership initiatives.

**Recommendation:**

Reword the first part of Policy HN– COM 2 to read “Existing Public Rights of Way in the parish will be protected. Where re-routing is essential to accommodate sustainable development any loss of amenity value will be minimised

**Policy HN - COM 3: Developer Contributions to Community Infrastructure**

For any planning application which triggers a Section 106 Agreement or similar, the determining authority shall consult with Hook Norton Parish Council, as the representative of the community, regarding the provisions of the Agreement.

**Recommendation:**

Delete Policy HN – COM 3

**Policy HN - COM 4: Broadband**

It is understood that Oxfordshire County Council will be rolling out high speed broadband to Hook Norton by 201512. In the event that this does not happen, proposals which would facilitate better quality broadband to Hook Norton will be supported provided this can be delivered in compliance with other relevant policies in this Plan, and in particular policies regarding Protection of Local Landscape and Character of Hook Norton. Any development occurring after high speed broadband infrastructure has been provided to Hook Norton will be expected to provide connectivity to that infrastructure.

**Recommendation:**

The policy aims to encourage the development of high speed broadband infrastructure and to ensure that any new development is connected to it. It is consistent with the basic conditions.

**Policy HN - COM 5: Retention of Local Employment**

Sites providing local employment within the parish should be retained for employment use except in circumstances where it is demonstrated not to be viable

**Recommendation:**

This policy aims to retain sites currently providing local employment unless they can be demonstrated not to be viable and meets the basic conditions

**Policy HN - H1: Sustainable housing growth**

Sustainable housing growth for Hook Norton in this Plan period (2014 to 2031) means conversions, infilling, and minor development. ‘Conversions’ means the conversion of either residential or non-residential buildings. ‘Infilling’ means the development of a small gap in an otherwise continuous built-up frontage, typically but not exclusively suitable for one or two dwellings. ‘Minor development’ means small scale development proposals, typically but not exclusively for less than 10 dwellings. To maintain a sustainable community, proposals for up to 20 dwellings will be allowed where justified by objectively assessed local housing need and where this does not result in more than 20 dwellings being built in any location at any time, taking into account any extant permissions. In all cases, housing growth must comply with all relevant policies in this Plan.

**Recommendation:**

In policy HN-H1 amend the 4<sup>th</sup> (penultimate) sentence to read. “Proposals for up to 20 dwellings may be permitted where this does not result in more than 20 dwellings being built in any one location at any time, taking into account any extant permissions.”

**Policy HN - H2: Location of housing**

Any applications for housing development will be assessed for suitability of location using the following criteria. Suitable locations will:

- Not be in Flood Zone 2 or 3 or within 8 metres of a watercourse
- Comply with policies and advice in this Neighbourhood Plan
- Comply with the evidence gained during Neighbourhood Plan consultation regarding general locations and extents of sites, as set out above in Section 4.2
- Take account of existing or potential alternative site uses which shall be identified in consultation with the Parish Council.

**Recommendation:**

In the second bullet point of Policy HN – H2 delete “advice” and delete the third bullet point

**Policy HN - H3: Housing density**

For housing development within Hook Norton the maintenance of local character has a higher significance than achieving a minimum housing density figure. The appropriate density for a housing site should in every case within Hook Norton result in a development that is in character with the local surrounding area.

**Recommendation:**

This is a flexible and pragmatic approach that is entirely consistent with the basic conditions

**Policy HN - H4: Types of housing**

A mix of dwelling types and sizes to meet the needs of current and future households in Hook Norton will be sought in any development resulting in 3 or more homes. Scheme proposers are required to submit with any application for planning an objective assessment of the need for the proposed housing types, sizes and tenures in Hook Norton and to demonstrate how the proposed development addresses these needs

**Recommendation:**

In the first line of policy HN – H4 delete “to meet” and insert “that has regard to” Delete the second sentence of policy HN – H4 after “...required to submit” and insert “with any planning application as statement setting out how the proposed housing types, sizes and tenures comply with the most up to date Strategic Housing Market Assessment and Local Housing Needs Survey.”

**Policy HN - H5: Provision and retention of affordable housing**

Any affordable housing provided as a Rural Exception Site development in Hook Norton will be subject to a legally binding obligation to ensure that initial occupation, and any subsequent lettings or sales, is limited to people meeting Hook Norton Needs or Connections Criteria as set out in Appendix D. This obligation will have permanent effect unless it can be demonstrated that there is no longer any requirement for the affordable housing.

Where affordable housing is provided under a Section 106 agreement or similar planning obligation Agreement as a requirement of a housing development under Local Plan policy, the maximum proportion possible of the total units provided shall at every opportunity be allocated to people meeting Hook Norton Needs or Connections Criteria as set out in Appendix D. This obligation will have permanent effect unless it can be demonstrated that there is no longer any requirement for the affordable housing.

**Recommendation:**

In the third line of the second part of Policy HN – H5 after “...total units provided” insert “under Cherwell District Council’s Allocation Scheme

**Policy HN - T1: Access and parking**

Any new development must provide access to the local road network which is suitable and sympathetic to the surroundings, and must provide sufficient off road parking in line with Oxfordshire County Council's parking standards. Applicants for planning permission must clearly set out the proposed level of parking provision in relation to objectively assessed needs at the time, and show how future needs have been taken into account

**Recommendation:**

In the second line of policy HN – T1 replace “in line with” with “taking account of

**Policy HN - T2: Non-car transport**

Opportunities will be sought to improve the local footpath/cycleway network to facilitate safe, active and energy efficient means of transport and provide enhanced linkages, including to bus stops. All development proposals must demonstrate how their proposal has taken this requirement into account. Developer contributions will be expected towards the provision of an enhanced bus service for Hook Norton

**Recommendation:**

Amend the last sentence of Policy HN – T2 to read “Where possible developer contributions will be sought towards the provision of an enhanced bus service for Hook Norton

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## Cherwell District Council

### Executive

7 April 2015

<p style="text-align: center;"><b>Connecting Oxfordshire: Local Transport Plan (LTP4) 2015-2031 Draft for Consultation</b></p>
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### Report of Head of Strategic Planning and the Economy

This report is public

#### Purpose of report

To inform members of the consultation by Oxfordshire County Council on the Oxfordshire Local Transport Plan 4; to advise on the potential implications for Cherwell and ask for the endorsement of officers comments as the Cherwell District Council formal response to the consultation.

#### 1.0 Recommendations

The meeting is recommended:

- 1.1 To note the content of LTP4 relevant to Cherwell and to endorse officers' comments as the Council's response to the consultation. The officer response recommends general support but highlights a number of issues which need to be resolved.

#### 2.0 Introduction

- 2.1 Oxfordshire County Council as the Local Highways Authority, is required to prepare a Local Transport Plan (LTP) for Oxfordshire. The preparation of the LTP should take into account Oxfordshire County Council's Corporate Strategy, Strategic Economic Plans (Oxfordshire SEP and South East Midlands SEP), national guidance and Local Plans.
- 2.2 Local Transport Plans can be taken into account as 'material considerations' when determining planning applications. The current Local Transport Plan (LTP3) and transport modelling undertaken by Oxfordshire County Council informed the preparation of the modified Submission Cherwell Local Plan 2011-2031.
- 2.3 The current Local Transport Plan covers the period 2011-2030. It contains a number of generic transport policies and a suite of area strategies including those for Bicester, Banbury, Kidlington, Rural Areas and Interurban Corridors. Bicester and Banbury area strategies were updated in May 2014.



- 2.4 The emerging Local Transport Plan (Connecting Oxfordshire), known as 'LTP4' covers the period 2015 – 2031 and contains a Policy Document Volume 1 and a suite of strategies, including: Oxford Transport Strategy, Bicester, Banbury Science Vale, Bicester, Banbury, Witney, Carterton, and A420 Corridor Area Strategies, Science Transit Strategy, and Cycle, Freight and Bus Strategies.
- 2.5 There are a number of other documents forming part of the Local Transport Plan which are under preparation and will be published for consultation during 2015:
- Network Capacity Management Strategy,
  - A40 Strategy,
  - Green Infrastructure Strategy, and
  - Oxfordshire Rights of Way Management Plan.
- 2.6 An Assets Management Plan is listed as part of the Local Transport Plan but was not published alongside the consultation documents.
- 2.7 The steps proposed by Oxfordshire County Council for the preparation and final adoption of the emerging LTP are:
- Consultation on 'High level goals and objectives' (June- August 2014)
  - Consultation on Draft LTP4 and supporting documents including an environmental report (February-April 2015)
  - Revised LTP4 to Oxfordshire County Council Cabinet for final approval in June 2015
  - Final LTP4 to Oxfordshire County Council's Full Council for adoption in July 2015.
- (Source - OCC, Cabinet report 27, January 2015)
- 2.8 In summer 2014, Oxfordshire County Council consulted on higher level objectives for the LTP4. The draft LTP4 subject of this report was published in February 2015 for a 6 weeks public consultation ending on 2 April 2015. OCC officers have agreed to an extension of the timeframe to allow CDC's Executive to consider its response on 7 April.
- 2.9 This report focuses only on those thematic areas of relevance to Cherwell, the Oxford Transport Strategy and the Area Strategies for Bicester and Banbury.

### **3.0 Report Details**

#### *Plan-wide review (LTP4 Volume 1) – content and form*

- 3.1 The current LTP (LTP3) has a clear set up of documents which have been amended over the years as and when circumstances changed in an area. The proposed LTP set up is less clear. It would be helpful if there was a clear distinction of what the LTP4 is and its spatial strategies (i.e area strategies in the LTP3) and what are other strategies and background documents supporting the content of the LTP4. At present, a mix of different documents is presented as forming part of the LTP4. A scope of current and potential documents comprising the LTP4 will help understand what to use as a 'material consideration' when considering planning applications and, inform the preparation of development documents.

- 3.2 The plan covers 3 main themes: supporting growth and economic vitality, cutting carbon and improving quality of life with specific objectives under each theme:

Theme 1: Supporting growth and economic vitality

- Maintain and improve transport connections to support economic growth and vitality across the county.
- Make most effective use of all available transport capacity through innovative management of the network.
- Increase journey time reliability and minimise end-to-end public transport journey times on main routes.
- Develop a high quality, resilient integrated transport system that is attractive to customers and generates inward investment.

Theme 2: Cutting carbon

- Minimise the need to travel.
- Reduce the proportion of journeys made by private car by making the use of public transport, walking and cycling more attractive.

Theme 3: Improving quality of life

- Mitigate and wherever possible enhance the impacts of transport on the local built, historic and natural environment.
- Improve public health and wellbeing by increasing levels of walking and cycling, reducing transport emissions, reducing casualties, and enabling inclusive access to jobs, education, training and services.

- 3.3 A list of the LTP 4 countywide thematic policies is appended to this report (**Appendix 1**).
- 3.4 Policy Document (LTP4, Volume 1) builds to some extent on the May 2014 area strategy updates particularly for Bicester and has, at a high strategic level, a greater emphasis on sustainable transport with thematic policies (LTP4 Volume 1), Cycle, Freight and Bus Strategies (LTP4, Volume 4) and through the area specific strategies. However, without further information how to progress schemes identified in the Area Strategies, it is difficult to see how the high level strategic commitment will be delivered.
- 3.5 Policy Document (LTP4, Volume 1) makes useful links to Oxfordshire's Strategic Economic Plan and funding opportunities for Local Growth Fund through the Oxfordshire Local Enterprise Partnership. However, Cherwell also falls within the South East Midlands Local Enterprise Partnership area, its Strategic Economic Plan (SEP) and potential funding opportunities. The role of the South East Midlands SEP, current or future, does not seem to be recognised in the document potentially missing opportunities for the northern part of Cherwell working with South East Midlands LEP and their investment programmes.
- 3.6 The LTP4 seems southern centric, the emerging Cherwell Local Plan proposes 7,319 new homes at Banbury and 10,129 at Bicester for the period 2011-2031. Although more homes are proposed at Bicester, in recent years Banbury has delivered homes at a higher rate than Bicester, and 7,319 new homes is still a considerable amount of growth with transport implications to match when compared to growth currently proposed in development plans elsewhere in Oxfordshire.

- 3.7 Figures 9, 10, 15 and 16 of Policy Document (LTP4, Volume 1) show the volume of traffic in relation to road capacity of the highway network; none of them show the capacity of the network for the northern most part of the district. Page 4 of the LTP4, indicates that a Network Capacity Management Strategy is being developed, this will come too late to inform the LTP4 policies and it is unclear, as no information on content is available, whether it will contain information on corridors not yet addressed in detail within the Policy Document (LTP4, Volume 1).
- 3.8 We note and support the County Council's approach to prioritise and address areas of change in the County and LTP4's focus on managing sustainable modes of transport to manage transport demand. However, officers are concerned with the overall approach to area strategies for the following reasons:
- i. **A number of Area Strategies in the LTP3 including Kidlington, Rural Areas and Interurban Corridors are not being taken forward to LTP4.**  
Some transport initiatives in an around Kidlington are incorporated within the Oxford Transport Strategy and the Science Transit Strategy which are a different type of document in content and form to those prepared for other areas, and accordingly, not titled 'Area Strategies'.  
  
Although elements of the Interurban corridors Area Strategy in LTP3 may be covered to some extent in the Science Transit Strategy and A420 Corridor Area Strategy, the specific corridors strategies are not being taken forward with identification of their specific challenges and proposed strategic solutions.
  - ii. **The level of detail, format and content of the Oxford Transport Strategy and Science Transit Strategy is different to that of the Area Strategies** for Bicester, Banbury and others contained in the LTP. These strategies bring forward specific interventions for the southern part of Cherwell.
  - iii. **An overarching section is needed on how the different strategies are brought together and how the initiatives relate to relevant ones outside the County such as those led by the Highways Agency and adjoining Local Highways Authorities.** This is done in some instances for Bicester but Policy Document (Volume 1) should be informed by an overall view/analysis of the entire county corridors and their the wider strategic road network outside Oxfordshire.
- 3.9 It seems to officers that the purpose of the Oxford Transport Strategy and Science Transit Strategy is other than that of the LTP Area Strategies and should have been used as emerging background documents rather than being part of the Local Transport Plan. The proposed suit of documents included in the LTP4 again reinforces officers' views on the southern centric approach in the document while considerable growth is proposed in the northern part of Cherwell likely to affect existing LTP3 transport corridors.
- 3.10 Further consultation will be required with Cherwell District Council on transport initiatives affecting the district before proposing them as part of LTP4.
- 3.11 Policy Document (LTP4, Volume 1) refers to the role of Neighbourhood Plans (NPs). There are currently 6 designated Neighbourhood Planning Areas within Cherwell with Neighbourhood Plans at different stages of preparation. The

Examiner Report for the Hook Norton NP was issued in March 2015, consultation on the Bloxham NP ended in February 2015, and Adderbury NP is currently out for consultation. Without a LTP Rural Strategy and no specific direction from the LTP4 for these areas, the concerns are that there will be no guidance for the preparation of the Cherwell Local Plan Part 2 or the Neighbourhood Plans.

- 3.12 A potential solution would be to remove the Oxford Transport Strategy and Science Transit Strategy from the Local Transport Plan and for Oxfordshire County Council to develop Area Strategies for those areas/settlements likely to require intervention. When information is not available because of different timescales on land-use plans progression or other matters, the County Council could save the existing Area Strategies and clearly establish a programme of replacement in the LTP4.
- 3.13 It will be for the County Council as the Local Highways Authority to decide the form and content of the LTP, but its content will be what the Local Planning Authority (Cherwell) will take a view on when deciding whether the LTP is a 'material consideration' through the planning application process.
- 3.14 With regards to Local Plan preparation, it is for the Local Highways Authority to assess and consult on transport proposals that can be integrated within land use plans for the District. The LTP4 process should identify route options to inform the preparation of Local Plan Part 2 and other Land use plans in Cherwell's Local Development Scheme.

*Plan-wide review (LTP4 Volume 1) – Strategic Environmental Assessment (SEA)/Habitats Regulation Assessment (HA) and approach to transport options*

- 3.15 Oxfordshire County Council and Cherwell District Council officers worked closely through the preparation of the emerging Local Plan and set a number of principles for future work within the modified Submission Local Plan and within a Statement of Common Ground. During the Local Plan examination hearings in December 2014, the Inspector, prompted by participants, suggested that the Local Plan should provide more clarity on peripheral routes at Bicester and Banbury. Following consultation with the County Council, Local Plan policy SLE4 was amended as follows:

“Consultation on options for new link and relief roads at Bicester and Banbury will be undertaken through the Local Transport Plan (LTP) review process. Routes identified following strategic options appraisal work for LTP4 will be confirmed by the County Council and will be incorporated in Local Plan Part 2.” (SHMM7, Schedule of Hearing Minor Modifications, February 2015)

- 3.16 Overall, the LTP4 is written as a high level strategic document with the exception of the Oxford Transport Strategy and the Science Transit Strategy and therefore the supporting Strategic Environmental Assessment is set at that level. Options for peripheral routes are listed in Policies BAN1 and BIC1 and their supporting text (LTP4, Volume 2, Banbury and Bicester Area Strategies). However, information in the LTP4 seems to be insufficient to lead to final options once the Local Transport Plan is adopted in summer 2015. It is not clear from the LTP and the accompanying information how the County Council intends to assess the specific options proposed and their social, economic and environmental impacts. Neither is clear at what point route options will be made final and implemented.

- 3.17 The SEA accompanying the LTP4, indicates as part of its mitigations and enhancement measures that detailed assessment at project level should be undertaken to inform specific routes, siting of development and mitigation requirements.
- 3.18 The County Council should consult on options presented in time to inform a final LTP4 document or at the very least commit to a process of selection of transport initiatives with set timescales.

*Plan-wide review (LTP4 Volume 1) – Approach to funding and delivery*

- 3.19 With regard to funding transport improvements (paragraphs 200 to 205 and Policy 34 of Volume 1), the LTP4 refers to Government funding sources now being pooled into a single Local Growth Fund with Local Enterprise Partnerships responsible for deciding investment priorities. The County Council prepares bids for each scheme that then are in competition with other LEPs' schemes across the country. In these circumstances, it would be sensible for Oxfordshire to maximise funding opportunities (while avoiding double counting) by building on the relevant economic priorities from both LEPs.
- 3.20 Although the Policy Document (LTP4, Volume 1) has an approach which seems consistent with national policy in terms of funding infrastructure, the area strategies seem to rely on a tariff style contribution from development and other sources of funding are presented as a potential source. CIL is designed to provide for funding gap and planning obligations to mitigate the impact of development with a limit of five planning obligations being pooled to fund one scheme of infrastructure. Other sources of funding should also be looked at.
- 3.21 An implementation plan accompanying the LTP4 providing information on schemes, delivery and sources of funding with an element of certainty for the early stages of LTP delivery would help ensure proposals are delivered. It would also help ensure that there is certainty in the content of the LTP with perhaps a schedule of updates. This may be the aim of the Asset Management Plan but at this point officers have no information on its content.

*Bicester Area Strategy (LTP4, Volume 2 section ii)*

- 3.22 The area strategy for Bicester has 4 policies addressing (not full policy text):
- i. improvement of access and connections between key employment and residential sites and the strategic transport system (**BIC1**),
  - ii. reducing journeys by private car by implementing a Sustainable Transport Strategy (**BIC2**),
  - iii. increasing people's awareness of the travel choices available in Bicester (**BIC3**),
  - iv. mitigating the cumulative impact of development and implementing the measures identified in the Bicester area transport strategy (**BIC4**).
- 3.23 These policies contain a number of specific transport initiatives. An extract of the proposed initiatives is appended to this report (**Appendix 2**).
- 3.24 Policy BIC 1 proposes a number of road, bus and transport initiatives including reviewing key county road links out of Bicester.

- 3.25 In addition to the proposed initiatives, the policy proposes investigating '*options for a South East Perimeter Road from the A41 north of Junction 9, round to the south of Graven Hill and then crossing the A41 to form a new link up to Wretchwick Way*'. A section will be delivered through the Graven Hill development, and the LTP4 proposes two route options to connect westwards from Graven Hill to the A41 subject to further assessment and public consultation and decision process.
- 3.26 The policy acknowledges the Government's announcement for Bicester Garden Town and points out the need to assess the implications of a new motorway junction near Arcott in terms of its impact on the need for a south east perimeter road.
- 3.27 BIC 1 sets a long term aspiration (post 2031) for possible future improvements to the peripheral route may include a potential new link road to the north of the NW Bicester site subject to assessment and viability and opportunities to safeguard a route if they arise.
- 3.28 Officers welcome Policy BIC 1 emphasis on further assessment and consultation on the element of the South east perimeter road connecting Graven Hill with the A41, and the acknowledgement of Garden Town initiatives. Future transport initiatives should take into account the implications of a potential new motorway junction but this should not prevent the County Council to make clear what the most sustainable and feasible option for the most southern end of the South East peripheral route is, and what the most sustainable option would be with a new motorway junction in the future.
- 3.29 The time scale for the peripheral route options (after 2024), would allow for the consideration of a potential new motorway junction as the Garden Town project develops. However, an element of certainty is required to be able to plan for and safeguard land if required as part of CDC's Local Plan Part 2.
- 3.30 Consultation on options should inform the final LTP4. In addition, an implementation plan illustrating further work to implement its proposals with timescales will provide a greater element of certainty to help community engagement and integration of transport initiatives within land-use plans.
- 3.31 No modelling information is provided within the consultation documents but OCC and Cherwell worked very closely together on the transport modelling supporting the Local Plan examination in December 2014. Any future initiatives post 2031 should be assessed comprehensively with all options in mind. Indicating a potential option for further assessment post 2031 (a potential new link road to the north of the NW Bicester site raises expectations without all necessary information being available). Officers do not have a concern with mentioning this scheme as an example but it should be clear that prioritisation of transport initiatives will be set within a wider assessment of all reasonable options when the time comes.
- 3.32 The reviewing of key county road links out of Bicester, including those that cross the county boundary as part of Policy BIC1 is welcomed but this should be done for all Area Strategies and supported by an overarching section in the Policy Document (LTP4, Volume 1).

3.33 Policy BC4 relies on private sector funding to deliver transport initiatives. An implementation plan will be crucial to understand how this will work within a framework that limits the pooling of S106s to 5 to any given infrastructure scheme and a CIL system which is only intended to provide for gap funding. CDC and OCC officers will work together as part of the Cherwell Infrastructure Delivery Plan and Local Plan Annual Monitoring Framework but the approach to implementation of LTP4 initiatives needs to be set out in the LTP4. This will help ensure that Bicester schemes are incorporated within bids for the Local Growth Fund through the Local Enterprise Partnership and with other sources of funding.

*Banbury Area Strategy (LTP4, Volume 2 section ii)*

3.34 The area strategy for Banbury has six policies addressing the following not full policy text):

- i. seeking opportunities to deliver transport schemes to support the regeneration and growth and protect the historically sensitive areas of the town (**BAN1**),
- ii. delivering infrastructure and junction improvements to support increased bus use focusing particularly on direct links between residential areas, key employment sites and the town centre (**BAN2**),
- iii. revitalising the railway station and improving pedestrian, cycle and bus access to the station (**BAN3**),
- iv. working in partnership with others including Cherwell to provide facilities for pedestrians and cyclists and fill in the gaps in the walking and cycling network, including Public Rights of Way (**BAN4**),
- v. securing Travel Plans; Delivery & Servicing Plans and monitoring contributions (**BAN5**), and
- vi. seeking delivery of infrastructure directly by developers to mitigate impact of one development (S728 Agreements) and when the impact is generated by more than one development, a contribution proportional to the scale of their impact. County working towards a Transport Contribution rate for developer funding (**BAN6**).

3.35 An extract of transport initiatives is appended to this report (**Appendix 2**).

3.36 Officers welcome the reference in BAN 1 to a potential link road crossing from Tramway to Higham Way but this falls short of the wording agreed at the Local Plan examination in which options would be consulted upon through the LTP review process. This is required to understand whether the road is needed, and if so, which route should be taken forward. It is acknowledged that some Banbury potential schemes may be less advanced to take forward to consultation at this moment in time than those at Bicester. If this is the case, it should be acknowledged in LTP4 with a commitment to assessment and consultation in the Policy, and timescales set out in an implementation plan or other document. Certainty on transport initiatives with land-use implications will be required for the preparation of Local Plan Part 2 and other land-use plans set out in the Local Development Scheme.

3.37 Policy BAN 2 provides the focus for bus improvements at Banbury and sets out specific initiatives including reviewing the need for a bus station in Banbury, and rejuvenating and/or relocating the existing Bus Station. This is a similar scenario as the potential link road in which no programme for the assessment of the options or how the final approach will be reached. There is a need for a commitment to

assessment of the options, consultation in the Policy and timescales set out in an implementation plan or other document. Certainty on transport initiatives with land-use implications will be required for the preparation of Local Plan Part 2 and other land-use plans set out in the Local Development Scheme.

- 3.38 The Area Strategy recognises that the current cycle network at Banbury *'is fragmented and does not encourage people to consider cycling'*. Policy BAN 4 commits the County Council to work with others to fill in gaps in walking and cycling but does not detail areas for intervention or how the policy would be taken forward. At Bicester the Sustainable Transport Strategy provides a framework to deliver sustainable travel, without such framework at Banbury and no further direction in Policy BAN4, it is difficult to see how the aims of the policy can be delivered.
- 3.39 Banbury's Area Strategy would benefit from a review of key county road links out of Banbury, including those that cross the county boundary. It would also benefit from further support from an overarching section in the Policy Document, Volume 1 setting the links between county link road initiatives and those undertaken by other Local Highways Authorities and National programmes.
- 3.40 Policies BAN5 and BAN6 set out the County Council's approach to funding the transport initiatives for this strategy and officer comments provided above for Bicester also apply to Banbury.

*Oxford Transport Strategy (OTS) (LTP4, Volume 2)*

- 3.41 The current LTP (LTP3) has an area strategy for Oxford, last updated in 2012. The emerging LTP4 contains an Oxford Transport Strategy with no policies (refer to earlier comments in this report) but proposing interventions within the administrative boundaries of Cherwell District Council in the Oxford Green Belt. These interventions include:
- i. New Park & Ride (P&R) locations East of Kidlington and Langford Lane replacing Water Eaton and Peartree P&Rs
  - ii. Rail to Oxford Parkway (Water Eaton), Banbury and Bicester (North and Town)
  - iii. Premium bus route to Kidlington P&R linked to Bicester P&R and Bicester Town Rail Station
  - iv. Bus Rapid Transit 1 and 3: 2 lines connecting different parts of Oxford with Oxford Parkway, Kidlington and Langford Lane P&R and airport
  - v. Cycle Super Route- Priority for cycle route improvements regarding links to and between Northern Gateway and Oxford Parkway
  - vi. Cycle Premium Route – City Centre to and through Kidlington (based on an interpretation of the cycling map in page 20)
  - vii. Technology schemes (HA funded) on the A34 from Abingdon to new proposed Kidlington P&R (such as variable message signs and variable speed limits)
  - viii. Link Road within Northern Gateway
  - ix. Link Road as part of Northern Gateway to the north of the A34
  - x. Junction improvements at Sainsbury's roundabout, (the nature of improvements are unclear)
  - xi. Capacity improvements at the A34 Peartree interchange (HA project).



- 3.42 Page 1 of OTS illustrates the area covered by the strategy in a schematic form and it is difficult to know which administrative boundaries apply to but it seems to include some areas to the north of Oxford within Cherwell and the Oxford Green Belt.
- 3.43 Page 2 presents a bar chart comparing Local Plan 2011 growth with the Strategic Housing Needs Assessment 2014 figures for Oxford. The challenge presented in pages 4 and 5 (Challenge 6 of the OTS) illustrates that housing demands are not being met and provides some guidance to location of development to manage transport demand. However, growth is set within land use plans and at this moment in time the only Local Plan for Oxford is the 2011 one.
- 3.44 Figures in pages 10,12 and 25 mark the location of existing and new P&Rs, 2 of the new P&Rs are in Cherwell District within the Oxford Green Belt: the Langford Lane and Kidlington East areas. These are presented to illustrate improvements to mass transit (rail, buses and coaches), and managing travel demand. Figure in page 25 includes 2 link roads: one within the Northern Gateway development and another to the north of the A34.
- 3.45 Page 14 of the OTS indicates that the closure of the existing park and ride sites presents the opportunity for their redevelopment, with the potential to accommodate various land uses.
- 3.46 Map figure in page 20 illustrates a cycle super route and cycle premium route to the railway station currently under construction by the Water Eaton Park & Ride within Cherwell.
- 3.47 The District Council should be formally consulted on any initiatives relating to the areas shown in the OTS before any initiatives are included in the LTP4. Also, strategic consistency would be enhanced if the Oxfordshire Growth Board were to give consideration to any proposals as County-wide work on the delivery of Oxfordshire unmet housing need has now commenced.
- 3.48 The level of growth to be accommodated within Oxford, location and in which plan is yet to be assessed. Conclusions in the OTS regarding implications of the comparative growth presented in page 2 cannot be reached without knowing where that growth will take place unless that assumption has already been made.
- 3.49 Oxfordshire County Council should have regard to NPPF paragraph 90 regarding Green Belt development. Very Special Circumstances would not need to be demonstrated provided proposals would preserve the openness and not conflict with the purposes of the Green Belt, and could demonstrate a requirement for a Green Belt location. There is no text supporting the slide so officers cannot comment on whether such justification has been sought by the County Council.
- 3.50 At this moment, there are is no spatial dimension/location of growth which could be used to model any transport initiatives. Any transport initiatives in the Kidlington area or the rural areas should be shown within transport area strategies for those areas but the LTP4 does not propose them.
- 3.51 The OTS as presented should not be taken as consultation on initiatives to be taken forward in the LTP4 but as an initial consultation stage subject to further local consultation.

## **4.0 Conclusion and Reasons for Recommendations**

- 4.1 The draft LTP4 is expected to be adopted by summer 2015. While officers note and support the County Council's approach to prioritise and address areas of change in the County and the focus on managing sustainable modes of transport to manage transport demand, officers have a number of significant concerns that need to be addressed. In its current form draft LTP4 does not provide a comprehensive strategy which clearly sets out what the LTP4 is meant to comprise now and what it will cover in the future. It does not address transport implications required to inform Local Plan Part 2 (Development Management Policies, Non-Strategic allocations across the District including the rural areas) nor other land-use plans in the Local Development Scheme and emerging Neighbourhood Plans.
- 4.2 The LTP4 seems southern centric (apart from the Banbury Area Strategy), more could be done within LTP4 Volume 1 to reflect corridors and economic priorities in the northern part of Cherwell and connections outside the County boundaries.
- 4.3 The LTP4 approach to transport options does not clearly set out how the County Council intends to assess the specific options proposed and their social, economic and environmental impacts.
- 4.4 Without a clear program to finalise options and an implementation plan, it is unclear how the policy objectives for sustainable transport and specific transport initiatives will be delivered and how this is going to inform Cherwell's local plan process.

## **5.0 Consultation**

Internal briefing: Councillor Michael Gibbard, Lead Member for Planning

## **6.0 Alternative Options and Reasons for Rejection**

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Not to comment on the LTP4 consultation. The adoption of a LTP4 in its current form would reduce its effectiveness as a material consideration to be used when deciding planning applications and would not inform key land use decisions as part of forthcoming Local Development Documents in Cherwell.

Option 2: Object to LTP4. There may be scope to work with the County Council to address the shortcomings of the LTP4.

## **7.0 Implications**

### **Financial and Resource Implications**

- 7.1 There are no direct resource implications for CDC from the preparation of the LTP4. But, delayed infrastructure provision may slow the delivery of strategic housing and employment sites with a consequential loss of national funding incentives such as business rates retention.

Comments checked by: Paul Sutton, Head of Finance and Procurement, 0300-003-0106, [Paul.Sutton@cherwellandsouthnorthants.gov.uk](mailto:Paul.Sutton@cherwellandsouthnorthants.gov.uk)

### Legal Implications

- 7.2 As the LTP is a 'material consideration' in the determination of planning applications, a close alignment between the priorities of the LTP and the Cherwell Local Plan is essential.

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## 8.0 Decision Information

### Key Decision - No

**Financial Threshold Met:** No

**Community Impact Threshold Met:** No

### Wards Affected

All

### Links to Corporate Plan and Policy Framework

District of Opportunity  
Safe and Healthy  
Cleaner Greener

### Lead Councillor

Councillor Michael Gibbard, Lead Member for Planning

### Document Information

Appendix No	Title
Appendix 1	List of Oxfordshire-wide thematic polices
Appendix 2	List of Area Strategy Policies for Bicester and Banbury (extracts only)
Appendix 3	Indicative transport infrastructure and bus network at Bicester and Banbury
<b>Background Papers</b>	
None	
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## Appendix 1 – Oxfordshire-wide thematic polices

LTP4 Policy	Policy Description
1	Oxfordshire County Council will work to ensure that the transport network supports sustainable economic and housing growth in the county, whilst protecting its environmental and heritage assets, and supporting the health and wellbeing of its residents.
2	OCC will work in partnership with the Local Enterprise Partnership and developers to meet the objectives of the plan and seek external funding to support the delivery of transport infrastructure priorities as set out in the SEP, City Deal and Local Investment Plan.
3	Oxfordshire County Council will encourage the use of modes of travel associated with healthy and active lifestyles and will improve built and green infrastructure to support greater levels of walking and cycling.
4	Oxfordshire County Council will prioritise the needs of different types of users in developing transport schemes or considering development proposals, taking into account road classification and function/purpose, and the need to make efficient use of transport network capacity.
5	Oxfordshire County Council will consult from an early stage in the development of schemes and initiatives so that the needs of individuals, communities and all groups sharing a protected characteristic under the Equalities Act 2010 are considered and, where appropriate, acted upon.
6	Oxfordshire County Council will target new investment and maintain transport infrastructure to minimise long term costs.
7	Oxfordshire County Council will publish and keep updated its policy on prioritisation of maintenance activity: this will be set out in the Highways Asset Management Plan.
8	Oxfordshire County Council will manage and, where appropriate, improve and extend the county's road network to reduce congestion and minimise disruption and delays, prioritising strategic routes.
9	Oxfordshire county Council will support the use of a wide range of data and information technology to assist in managing the network and influencing travel behaviour, and work with partners to ensure that travel information is timely, accurate and easily accessible in appropriate formats for different user groups.
10	Oxfordshire County Council will manage the parking under its control and work with district councils to ensure that overall parking provision and controls support the objectives of local communities and this Plan.
11	Oxfordshire County Council will support initiatives to increase the proportion of freight carried by rail, and will identify suitable routes for freight movement by road and, where appropriate, implement measures to support the use of these routes, balancing the needs of businesses with protection of the local environment and maintenance of the highway network.
12	Oxfordshire County Council will identify those parts of the highway network where significant numbers of accidents occur over a monitoring period of five years, and propose engineering solutions where these would be effective in helping to prevent accidents.
13	Oxfordshire County Council will work with partners to support road safety campaigns and educational programmes aimed at encouraging responsible road use and reducing road accident casualties, and will keep speed limits under review, including giving consideration to the introduction of 20mph speed limits and zones.
14	Oxfordshire County Council will carry out targeted safety improvements on walking and cycling routes to school, to encourage active travel and reduce pressure on school bus transport.
15	Oxfordshire County Council will work with partners and particular sections of the community to identify how access to employment, education, training and services can be improved, particularly for those with disabilities or special needs, or who otherwise have difficulties in walking, cycling or using public transport, or for people

	without access to a car.
16	Oxfordshire County Council will support the development and use of community transport to meet local accessibility needs.
17	Oxfordshire County Council will promote the use of low carbon forms of transport, including electric vehicles and associated infrastructure where appropriate
18	Oxfordshire County Council will work to reduce the carbon footprint of transport assets and operation where economically viable, taking into account energy consumption and the use of recycled materials.
19	Oxfordshire County Council will seek to ensure that the location, layout and design of new developments minimise the need for travel, encourage walking and cycling for local journeys and leisure, allow the developments to be served by high quality public transport and will support the development of travel plans to achieve this.
20	Oxfordshire County Council will <ul style="list-style-type: none"> <li>• Secure transport improvements to mitigate the cumulative adverse transport impacts from new developments in the locality and/or wider area, through financial contributions from developers or direct works carried out by developers</li> <li>• Identify the requirement for passenger transport services to serve the development and seek developer funding for these to be provided until they become commercially viable,</li> <li>• secure works to achieve suitable access to and mitigate against the impact of new developments in the immediate area, generally through direct works carried out by the developer</li> <li>• require that all infrastructure associated with the developments is provided to appropriate design standards and to appropriate timescales</li> <li>• set local routeing agreements where appropriate to protect environmentally sensitive locations from traffic generated by new developments</li> <li>• seek support towards the long term operation and maintenance of facilities, services and selected highway infrastructure from appropriate developments, normally through the payment of commuted sums ensure that developers promote sustainable travel for journeys associated with the new development</li> </ul>
21	Oxfordshire County Council will support the development of air travel services and facilities that it considers necessary to support economic growth objectives for Oxfordshire.
22	Oxfordshire County Council will record, maintain, improve and waymark the public rights of way network so that all users, including cyclists and horse riders, are able to understand and enjoy their rights in a safe and responsible way.
23	Oxfordshire County Council will support appropriate opportunities for improving towpaths along the waterways network, for local journeys and leisure, where it would not harm the ecological value of the area or waterway network.
24	Oxfordshire County Council will work with operators and other partners to enhance the network of high quality, integrated public transport services, interchanges, and supporting infrastructure, and will support the development of quality Bus Partnerships and Rail Partnerships, where appropriate.
25	Oxfordshire County Council will work with the rail industry to enhance the rail network in Oxfordshire and connections to it, where this supports the county's objectives for economic growth.
26	Oxfordshire County Council will work with partners towards the introduction and use of smart, integrated ticketing solutions for a range of transport services.
27	Oxfordshire County Council will work to reduce negative environmental impacts of the operation of the transport network, and where possible provide environmental improvements, particularly in Areas of Outstanding Natural Beauty, Conservation Areas and other areas of high environmental importance.
28	Oxfordshire County Council will work with partners to improve public spaces and de-clutter the street environment.
29	Oxfordshire County Council will classify and number the roads in its control to direct traffic, particularly lorry traffic, onto the most suitable roads as far as is practicable.
30	Oxfordshire County Council will help reduce the need to travel by seeking further

	opportunities to improve internet and mobile connectivity across Oxfordshire and supporting other initiatives that enable people to work at or close to home, and will work in partnership with service delivery organisations to influence the location of key services where possible
31	Oxfordshire County Council will support measures that make more efficient use of transport network capacity by reducing the proportion of single occupancy car journeys and encouraging a greater proportion of journeys to be made on foot, by bicycle, or by public transport.
32	Oxfordshire County Council will continue to provide support for bus services it considers socially necessary, where these cannot be provided commercially, and will develop a strategy for determining where this is applicable.
33	Oxfordshire County Council will work with district councils to develop and implement transport interventions to support Air Quality Action Plans by reducing harmful emissions from vehicles where feasible, giving priority to measures which also contribute to other transport objectives.
34	Oxfordshire County Council will support the development of Neighbourhood Plans (as outlined in its published Toolkit) and seek to influence neighbourhood plans with a view to ensuring consistency with the Local Transport Plan. Where a Neighbourhood Plan has been adopted, the Council will seek funding to secure the Plan's transport improvements from local developments and the Community Infrastructure Levy as appropriate.
35	Oxfordshire County Council will support the research, development and use of new technologies and initiatives that improve access to jobs and services, taking into account their environmental impact and fit with the other objectives of LTP4.

**Source:** Table 1.1 LTP4's SEA Policy Assessment

**Appendix 2 – Extracts from proposed Bicester and Banbury policies** (Full policies contained in LTP4 Area Strategies Volume ii)

**Extract of transport initiatives in Policy BIC 3**

- Continuing to work with the Highways Agency to improve connectivity to the strategic highway, including future proposals for the A34, Junctions 9 and 10 of the M40.
- Delivering effective peripheral routes around the town.

Western peripheral corridor:

- Increasing capacity at the Howes Lane / Bucknell Road junction and approaches
- Enabling a new more efficient junction with the rail-line
- Improvements to the Lord's Lane / B4100 roundabout

Eastern peripheral corridor:

- Improvements to the Buckingham Road / A4221 junction
- Implementing increased link capacity on the A4421 between the Buckingham Road and Gavray Drive
- A new link through the South East Bicester development site

Southern peripheral corridor:

- Improvements to Boundary Way

Investigating options for a South East Perimeter Road from the A41 north of Junction 9, round to the south of Graven Hill and then crossing the A41 to form a new link up to Wretchwick Way. The Graven Hill development will deliver the section round to the south of this site, joining the A41 at the Pioneer Road junction. There are two route options to connect westwards from Graven Hill to the A41 which need fully assessing and taking through a public consultation and decision process.

- The Garden Town proposal for a new motorway junction near Arncott also needs to be assessed in terms of its impact on the need for a south east perimeter road.

- Possible future improvements to the peripheral route may include a potential new link road to the north of the NW Bicester site. Although not required during the timeframe of the Area Strategy, assessment and viability will be undertaken and opportunities to safeguard a route will be taken if they arise

- Working closely with the rail industry to deliver solutions at the Charbridge Lane level crossing affected by the East West Rail Project.

- Working closely with the rail industry and the Department for Transportation to develop a solution to the likely restrictions affecting the London Road as a result of the East West Rail project.
- Supporting the proposals to secure a potential freight interchange at Graven Hill and working with the district and developers to achieve this.
- Working collaboratively on longer term aspirations to rationalise rail station locations within the wider Bicester area.
- Delivering a Park & Ride facility adjacent to the A41, close to the Vendee Drive junction.
- Reviewing key county road links out of Bicester, including those that cross the county boundary.

### **Extracts of transport initiatives in Policy BIC2**

- Implementing Bicester town centre highway modifications.
- Enhancing pedestrian, cycle and public transport links to the Bicester Town Station and Bicester North Station and key employment sites.
- Use the opportunities offered by the redevelopment of Bicester Town Railway Station to create a 'state-of-the-art' multi-modal interchange
- Improving Bicester's bus services along key routes to connect residential areas with existing and future employment centres, particularly Graven Hill, North West Bicester, the Launton Road Industrial estate, Bicester Business Park, South-East Bicester and North-East Bicester Business Parks.
- Providing bus priority where feasible to ease movements – in particular there is the need to find a solution to issues at the Bucknell Road / Field Street junction which is proposed to become an important bus route as North West Bicester builds out.
- Significantly improving public transport connectivity with other key areas of economic growth within Oxfordshire, through access to high-quality, high frequency services on the core network between Bicester, Oxford, Banbury, Witney and Science Vale
- Growth at Upper Heyford will need to be considered in terms of improved public transport frequency and connectivity with Bicester.
- Providing improved public transport infrastructure where there are identified needs arising from strategic development sites and working with Bicester Town Council to enhance passenger information at strategic locations, and potential bus priority measures.
- Improving access to Bicester Village.
- Providing new sections of urban pedestrian and cycle routes to better connect residential developments with the town centre and key employment destinations.
- Public realm improvements in Bicester Market Square and The Causeway t



- Securing green links between proposed development sites on the outskirts of the town and existing Public Rights of Way, providing a series of leisure / health walks.

### **Extracts of transport initiatives in Policy BIC3**

- Undertaking travel promotions and marketing measures to complement the wider Bicester Vision place-making initiatives
- Developing a coordinated parking strategy in partnership with Cherwell District Council
- Discourage undesirable routing of traffic by developing a signage strategy, improving the directional signage on the town's road network by directing strategic traffic away from the town centre.

### **Encouraging changes in travel behaviour through Smarter Choices**

- Coordinated information and advance notice of construction closures and traffic related issues
- The North West Bicester development site will provide new approaches to transport, including a heavy emphasis on sustainable modes and travel choice advice, as well as early provision of bus services and cycle routes.

### **Extracts of transport initiatives BIC4**

- Secure strategic transport infrastructure contributions from all new development based on the contribution rate per dwelling or per m2 for non-residential developments
- Secure strategic public transport service contributions for new or improved public transport services as well as bus stop infrastructure to support sustainable development.

### **BAN1 – We will seek opportunities to deliver transport schemes which will support the regeneration and growth of Banbury to 2031 and protect the historically sensitive areas of the town through:**

- **Traffic calming along A361 the South Bar Street/ Horsefair corridor.**
- **Promotion of Bankside .**
- **Bridge Street/ Cherwell Street improvements.**
- **Bloxham Road (A361)/ South Bar Street improvements.**
- **Increasing the capacity of junctions along Warwick Road (B4100).**
- **Hennef Way/ Southam Road improvements.**
- **Hennef Way/ Concord Avenue improvements,**
- **Hennef Way/ Ermont Way improvements.**
- **Ermont Way/ Middleton Road improvements.**
- **Provision of a link road from Higham Way to the Central M40 site.**
- **Provision of A361 Bloxham Road to A4260 Oxford Road Link Road.**

- Provision of a link road east of M40 Junction 11 (Overthorpe Road to A422), if required.
- Potential link road crossing from Tramway to Higham Way.
- Reviewing the highway signage on routes into the town centre to sign north-south through-traffic away from sensitive areas of the town centre and promote appropriate route choices at key decision making junctions, especially on Oxford Road A4260.
- Car park review and improvements, and provision of car park matrix signs.

**BAN2 – We will work closely with Cherwell District Council and other strategic partners to deliver infrastructure and junction improvements to support increased bus use in Banbury. This will focus particularly on the provision of direct links between existing and proposed residential areas, key employment sites and the town centre by:**

- Delivering short, medium and long term infrastructure improvements in the town centre to support quicker and more reliable bus journeys.**
- Reviewing and developing the town’s bus network and enhancing existing bus services/ providing additional services, with the long term aim for services to reach full commercial viability. Service enhancements will be funded through developer contributions. Developing inter-urban services through enhancement of existing bus services or providing new services.**
- Working with public transport operators to ensure the public has access to high quality public transport infrastructure and passenger information.**
- Reviewing the need for a bus station in Banbury, and rejuvenating and/or relocating the existing Bus Station**

**BAN3 - We will strengthen Banbury’s position on the rail network through revitalising the railway station and improving pedestrian, cycle and bus access to the station.**

- **We will work with our strategic partners to develop Banbury Station as a transport interchange. This is likely to involve re-designing the station forecourt to create an interchange that will feature a taxi rank, better cycle facilities (including cycle storage), and more pedestrian space, with improved public realm giving a sense of arrival.**
- **We will improve walking, cycling and public transport links to the station in order to meet future demand and to better connect the station to the town**

**BAN 4 - We will work closely with Cherwell District Council and other strategic partners, local users and developers to provide facilities for pedestrians and cyclists and we will work to fill in the gaps in the walking and cycling network, including Public Rights of Way.**

**BAN 5 - Travel Plans; Delivery & Servicing Plans; and Construction Logistics Plans will be secured for all new developments that meet OCC’s thresholds. Travel Plan/ DSP monitoring contributions will be secured.**

**This policy supports delivery of the Sustainable Transport Strategy.**

**BAN 6 - Where schemes are needed to mitigate one particular development, the developer will be expected to deliver the infrastructure directly, or**

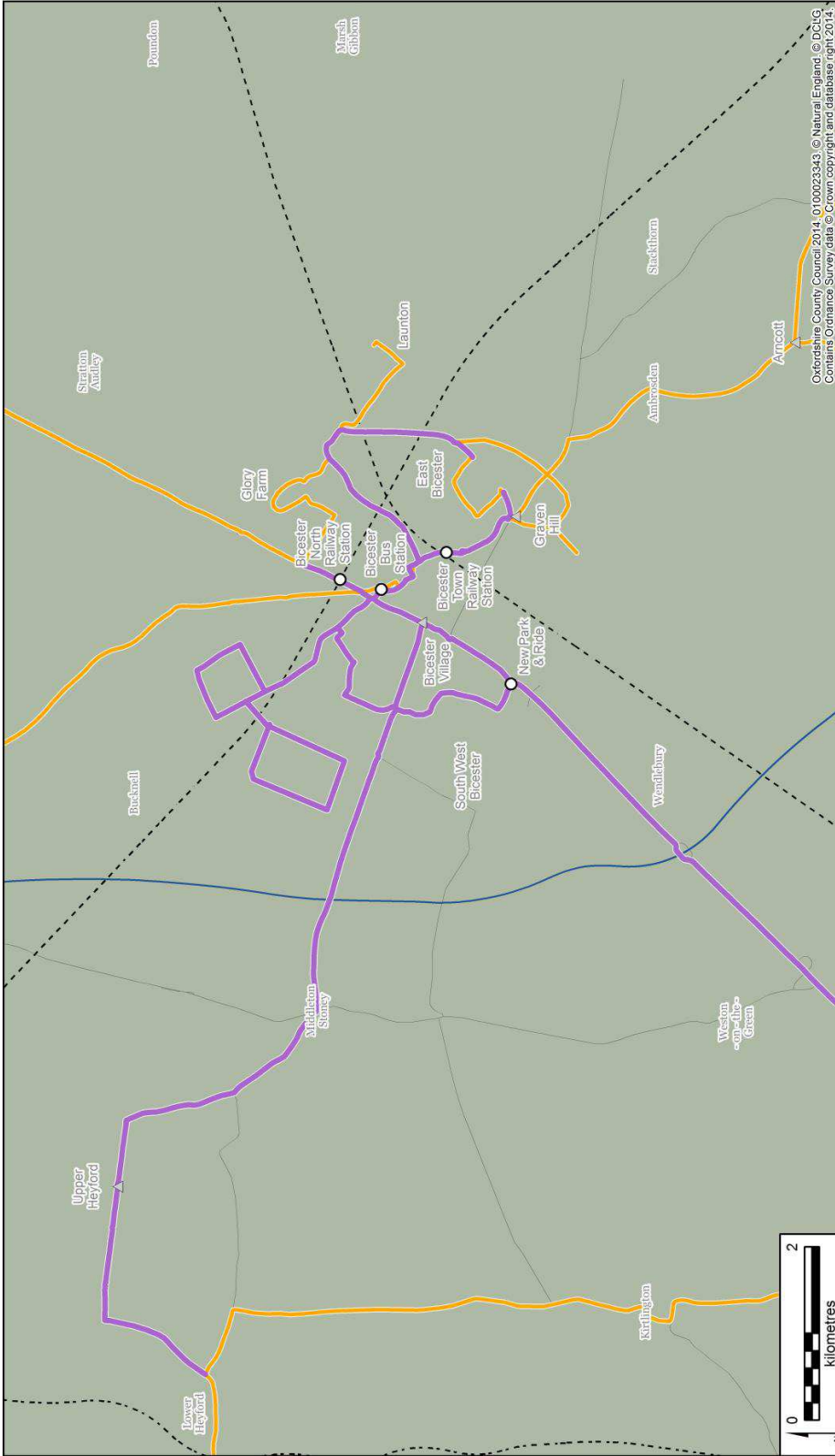
**provide funding for the scheme. Where a scheme is required due to the impact of more than one development, each developer will be expected to make a contribution proportional to the scale of their impact. This will include contributions towards infrastructure improvements set out in Cherwell District Council's Infrastructure Delivery Plan for Banbury, as well as bus service enhancements and infrastructure improvements.**

Oxfordshire County Council is working towards establishing a strategic Transport Contribution rate for developer funding, which will be adopted in a future update of this strategy.





# Appendix 3 Indicative transport infrastructure and bus network at Bicester and Banbury



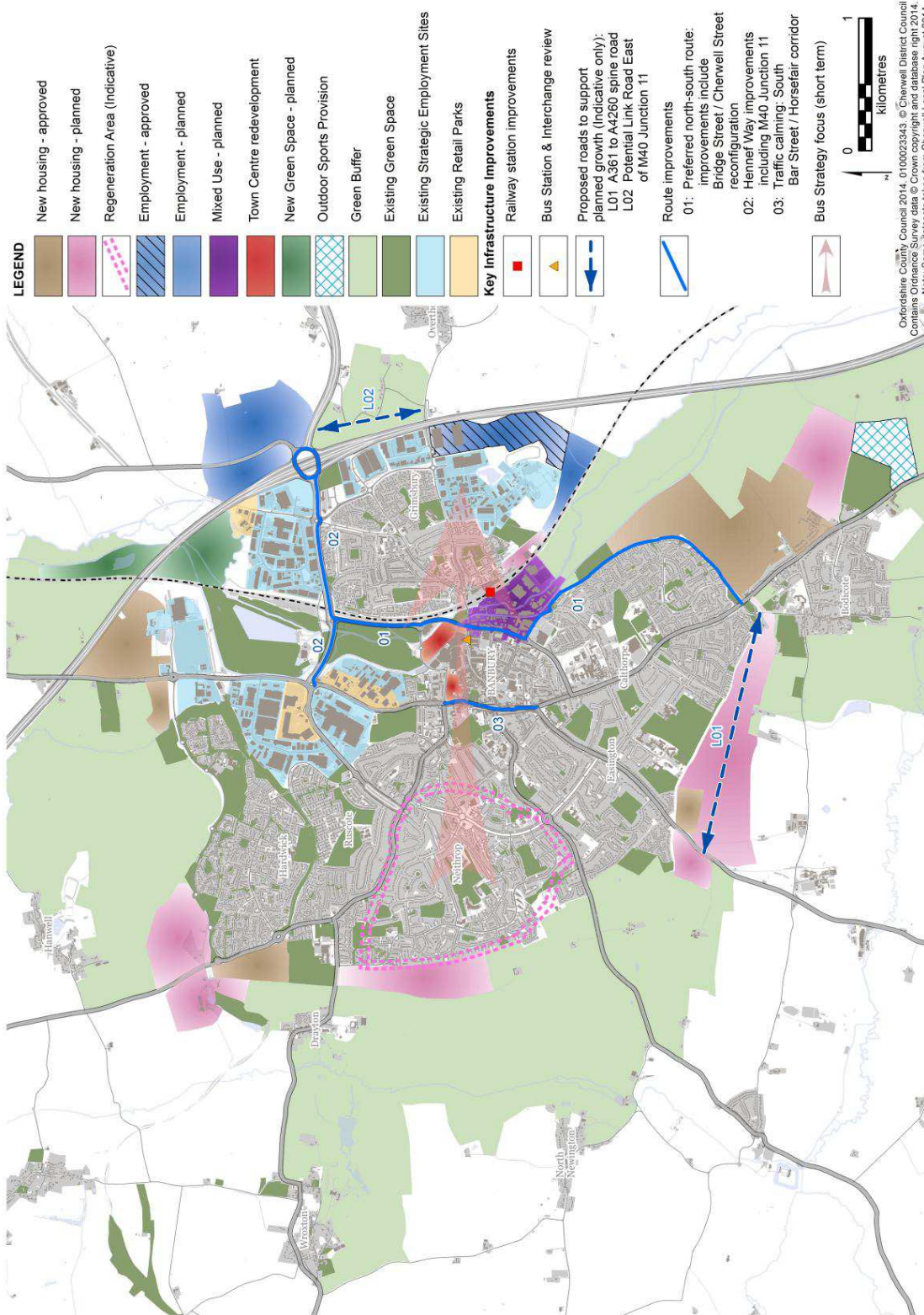
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**LEGEND**

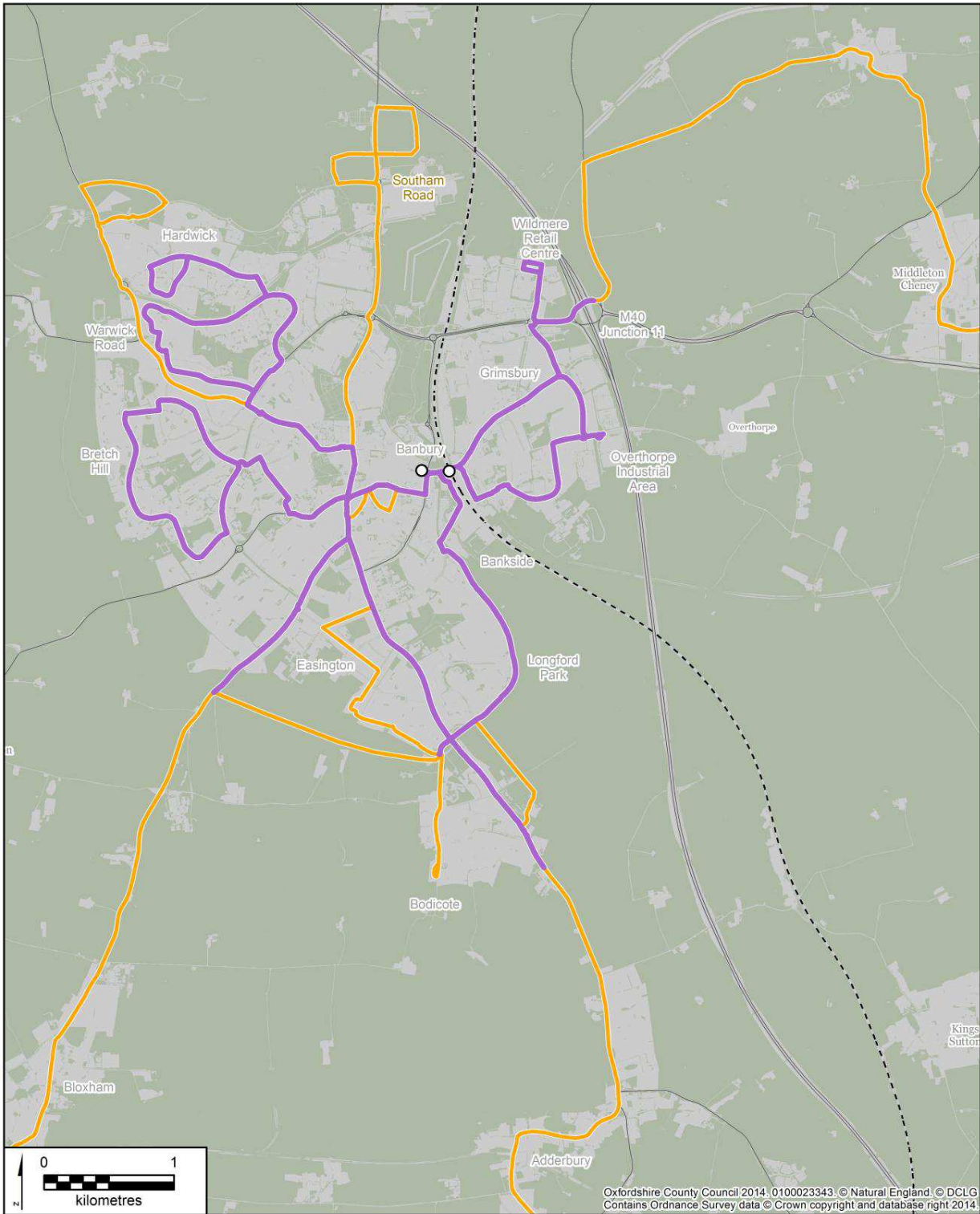
	Premium Transit Hub		Premium Transit Route
	Local Interchange		Connector Transit Route



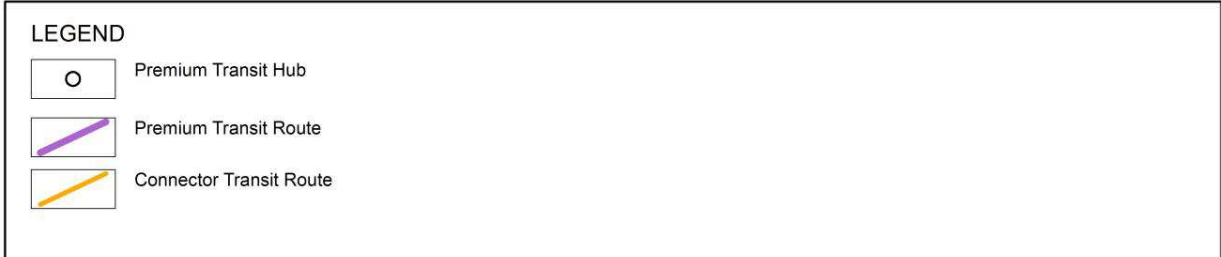


Oxfordshire County Council 2014. 0100023343. © Cherwell District Council  
 Contains Ordnance Survey data © Crown copyright and database right 2014.  
 Note: Some legasetts taken from Cherwell Local Plan August 2014.

indicative



Oxfordshire County Council 2014. 0100023343. © Natural England. © DCLG  
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Banbury Figure 2: Indicative Banbury strategic bus network

## Cherwell District Council

### Executive

7 April 2015

<p><b>Cherwell Local Plan 2011-2031 (Part 2): Development Management Policies and Sites</b></p>
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### Report of Head of Strategic Planning and the Economy

This report is public

#### Purpose of report

To advise members on the commencement of work on Local Plan Part 2 and the project timetable.

#### 1.0 Recommendations

The meeting is recommended:

- 1.1 To note the report.

#### 2.0 Introduction

- 2.1 The Council as local planning authority has a statutory requirement to keep under review the matters which may be expected to affect the development of the district or the planning of its development. It must keep under review its local development documents and must prepare a 'local development scheme' which sets out which local development documents are to be development plan documents and the timetable for the preparation and revision of those documents.
- 2.2 The National Planning Policy Framework (NPPF) makes clear, "*Local Plans are the key to delivering sustainable development that reflects the vision and aspirations of local communities. Planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.*" (para.150). It states, "*Each local planning authority should produce a Local Plan for its area. This can be reviewed in whole or in part to respond flexibly to changing circumstances. Any additional development plan documents should only be used where clearly justified.*" (para.153).
- 2.3 The Planning Advisory Service (PAS) has stated, "*Councils are advised to have very clear, well substantiated reasons why continuing with a separate Development Plan Document is the right approach in the local circumstances and would best*



*contribute to the achievement of NPPF's aims. If it were being used as a way of avoiding difficult decisions it is unlikely to be acceptable."*

2.4 The Development Plan for Cherwell presently comprises:

- i. the saved policies of the adopted Cherwell Local Plan 1996
- ii. saved policy GB1 of the Central Oxfordshire Local Plan 1992
- iii. saved policy H2 of the former Oxfordshire Structure Plan 2016
- iv. the saved policies of the Oxfordshire Minerals and Waste Local Plan 1996

2.5 The Council has identified the delivery of the Local Plan as a priority to provide a framework for sustainable housing, employment and infrastructure.

2.6 Local Plan Part 1 contains the Council's proposed strategic planning policies and was the subject of Examination Hearings in June and December 2014. The Inspector's report is presently expected to be received by the Council towards the end of May and will be presented to the Executive for consideration. Upon adoption by the Council it will replace the strategic policies of the adopted Cherwell Local Plan 1996, saved policy GB1 of the Central Oxfordshire Local Plan 1992 and saved policy H2 of the former Oxfordshire Structure Plan 2016.

2.7 The saved, non-strategic policies of adopted Local Plan 1996 including policies for development management and the allocation of smaller development sites will still require review. Additionally, there is necessary provision in the Submission Local Plan Part 1 (as modified) for some additional detailed work to be undertaken within a Local Plan Part 2.

2.8 The Council's current Local Development Scheme (LDS, November 2014) provides for the production of Cherwell Local Plan 2011-2031 (Part 2): Development Management Policies and Sites.

2.9 Work is now commencing on this Development Plan Document.

### 3.0 Report Details

3.1 It is proposed that the Local Plan Part 2 will cover the entire district. It will generally provide a non-strategic 'layer' of policy which must conform with Local Plan Part 1 upon adoption.

3.2 The LDS timetable and project details are as follows:

<b>Schedule 6.2 from the LDS (Nov 14)</b>	<b>Cherwell Local Plan 2011-2031 (Part 2): Development Management Policies and Sites</b>
Subject Matter	Detailed planning policies to assist implementation of strategic policies and the development management process. Identification and delivery of non-strategic development sites for housing, employment, open space and recreation, travelling communities and other land uses. The work is informed by earlier issues and options consultations and the production of a Kidlington 'Framework Masterplan'.
Geographical Area	Cherwell District

Status	Development Plan Document (DPD)	
Timetable	<b>District Wide Review of Previous Issues and Options Work and Preparation</b>	March – June 2015
	<b>District Wide Issues and Options Consultation (Regulation 18)</b>	July –August 2015
	<b>Preparation of Proposed Submission Plan</b>	September 2015 – January 2016
	<b>Consultation on Proposed Submission Plan</b>	January – February 2016
	<b>Submission (Regulation 22)</b>	April 2016
	<b>Examination (Regulation 24) (TBC)</b>	April - December 2016
	<b>Examination Hearings (Regulation 24) (TBC)</b>	August 2016
	<b>Receipt and Publication of the Inspector's Report (Regulation 25)</b>	December 2016
	<b>Adoption (Regulation 26)</b>	February 2017
	<b>Legal Challenge Period (6 weeks)</b>	February – April 2017
	<b>Final Publication</b>	April 2017
	Notes: Programme subject to change if Local Plan (Part 1) or Examination is delayed. Examination and Hearing dates yet to be confirmed.	
Management Arrangements	Overseen by Head of Service for Strategic Planning and the Economy. Regular reports to CDC Executive.	
Resources Required	Planning Policy team; input from other Council services, neighbouring authorities and consultees; Programme Officer and Planning Inspectorate.	
Monitoring and review mechanisms	Annual Monitoring Report	

- 3.3 The parameters of Local Plan Part 2 are set by Local Plan Part 1. Part 2 will seek to implement the spatial vision, objectives and strategic policies of Part 1 by allocating land and establishing policies which seek to meet identified needs, respond to market signals and ensure the protection of important natural, heritage and community assets. Part 2 will need to be prepared on a cooperative basis but will be principally aimed at meeting the district's requirements as identified in Part 1.
- 3.4 As provided for by the modified Submission Local Plan (Part 1), the Local Development Scheme (LDS) makes provision for a separate Partial Review of Part 1 in the interest of meeting that part of Oxford's unmet housing need which may be accommodated within Cherwell district. That Partial Review will be informed by on-going countywide work being undertaken through the Oxfordshire Growth Board. Local Plan Part 2 will be separate from that Review, but there may be planning considerations that require mutual consideration; for example, the mitigation of any cumulative environmental impacts.
- 3.5 The key components of the Local Plan Part 2 project are described below.

*Establishing broad scope of the plan*

- 3.6 In establishing the overall scope of Local Plan Part 2, officers are ensuring that the statutory requirements for plan-making are being met. They are also identifying the key issues that the National Planning Policy Framework (NPPF) requires the plan to consider and relevant advice from national Planning Practice Guidance (PPG). The requirements established by the modified Submission Local Plan (Part 1) are also

being considered. The Inspector's Report and the final iteration of Local Plan Part 1 will need to be reviewed as they become available.

- 3.7 Local Plan Part 2 will need to make clear the plan-making context, what development is going to be delivered, when, where and how this will happen. It will need to consider other relevant plans, programmes and policies, reflect the presumption in favour of sustainable development and ensure that objectively assessed development and infrastructure needs are met. The strategic needs are defined by Local Plan Part 1.

#### *Planning for community engagement*

- 3.8 Section 19(3) of the Planning and Compulsory Purchase Act 2004 requires a local planning authority to comply with its Statement of Community Involvement (SCI) in preparing local development documents. The current SCI, which also relates applications for planning permission, was adopted by the Council on 24 July 2006.
- 3.9 Since adoption of the SCI there have been significant changes to plan-making legislation and guidance including the introduction of the 'Duty to Cooperate'. There have also been changes to legislation and guidance affecting the preparation and consideration of planning applications. The SCI therefore needs to be reviewed to take account of changes in circumstances including the Localism Act 2011, the introduction of The Town and Country Planning (Local Planning) (England) Regulations 2012 (the 2012 Regulations), the National Planning Policy Framework (NPPF) and national Planning Practice Guidance (PPG). A new SCI will be present to the Executive for consideration at a future meeting.
- 3.10 The preparation of Local Plan Part 1 was supported by early work with Town and Parish Councils. Good engagement will again be needed to understand the constraints and opportunities in particular villages, the views of local councillors and to ensure good understanding and working relationships with those preparing Neighbourhood Plans.
- 3.11 Regulation 18 of the 2012 Regulations requires the Council to provide notification of the subject of a local plan which the local planning authority is to prepare and invite representations about what the local plan ought to contain. This also provides the opportunity to refresh the Planning Policy team's consultation database enabling people to opt-out of future consultations if they so wish.
- 3.12 The engagement strategy will include cooperation and consultation with prescribed and non-prescribed bodies including the County Council, adjoining authorities, infrastructure and other service providers. In preparing the Plan, there is also a statutory requirement to have regard to the Sustainable Community Strategy (SCS) required to be produced under Section 4 of the Local Government Act 2000.

#### *Internal engagement*

- 3.13 Project management arrangements will be established to ensure appropriate consultation with the Portfolio Holder, regular reports to the Executive and close internal working with other Council services.
- 3.14 Some internal consultation was undertaken in 2013 with other Council services in the interest of commencing a review of development management policies. This

comprised a number of workshops/meetings to identify likely policy issues. Such joint working will need to continue and a senior development management representative will need to be included on the project team.

*Planning the sustainability appraisal (SA) and habitats regulations assessment (HRA)*

- 3.15 It is necessary to conduct an environmental assessment in accordance with the requirements of the Strategic Environmental Assessment (SEA) Directive (European Directive 2001/42/EC). Under the Planning and Compulsory Purchase Act 2004, the Plan must be informed by a Sustainability Appraisal. It is therefore a legal requirement for the Cherwell Local Plan to be subject to SEA / SA throughout its preparation. An early stage will be to produce a SEA / SA Scoping Report. This involves reviewing other relevant plans, policies and programmes, considering the current state of the environment in the plan area, identifying any key environmental issues or problems and establishing the 'SA framework'. The SA Framework comprises the specific objectives against which the likely effects of plan policies and development proposals can be assessed.
- 3.16 A Habitats Regulations Assessment (HRA) under the Conservation of Habitats and Species Regulations 2010 (as amended) will also be required and will need to be considered through the SEA / SA process.

*Identifying significant cross boundary and inter-authority issues*

- 3.17 Early scoping of cross boundary/authority issues will be undertaken having regard to the statutory Duty to Cooperate. The Council is well placed to do this as a member of the [Shadow] Oxfordshire Growth Board. The Growth Board is governed by way of a joint committee of the local Councils within the Oxfordshire Local Enterprise Partnership. It also includes a number of non-voting members required for good linkages with the LEP. These are:
- LEP Chairman
  - Oxford University
  - Skills Board
  - Harwell/Diamond Light Source
  - LEP Business Representative
  - LEP Oxford City Business Representative
  - Homes and Communities Agency
- 3.18 When considering matters that sit under the purview of the Local Transport Board, then single representatives of Network Rail and the Highways Agency have the right to attend the Growth Board as non-voting investment partners.
- 3.19 The Growth Board is a helpful means of ensuring a cooperative approach to spatial planning across the county. Officers also attend the Oxfordshire Planning Policy Officer (OPPO) meetings which support the Growth Board and have working relationships with officers at other adjoining authorities outside of the county. The Council's management and joint working arrangements with South Northamptonshire District Council is particularly helpful.

*Ensuring that the plan rests on a robust and credible evidence base, including meeting the statutory requirement for keeping matters affecting the development of the area under review*

- 3.20 The NPPF states that local planning authorities should, “...ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. Local planning authorities should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals” (para. 158).

*Evidence gathering*

- 3.21 The Council has a substantial evidence base which supports the modified Submission Local Plan (Part 1). Much of this evidence will be relevant in preparing Local Plan Part 2. Adequate evidence will be prepared having regard to ‘value for money’ considerations. Potential areas of additional evidence include:

- Bicester and Banbury town centre area of search study / boundary reviews;
- Kidlington / Begbroke small scale green belt review (employment needs);
- the County Council’s review of the Local Transport Plan and its area strategies;
- adopted and emerging Neighbourhood Plans;
- village character assessments (Category A villages);
- survey of potential sites for the travelling communities;
- ‘brownfield’ land assessments;
- rural housing & employment sites including service / infrastructure capacity;
- agricultural needs / rural diversification;
- green infrastructure;
- ecological / biodiversity studies;
- flood risk assessment;
- open space and playing pitch studies;
- Local Green Space review;
- leisure / culture / tourism / recreation studies including canal and river;
- community infrastructure including schools and village halls;
- work undertaken or to come on the Bicester, Banbury and Kidlington Masterplans including on sustainable transport and on local housing needs at Kidlington;
- design standards.

- 3.22 The village character assessments will be used to assess the constraints and opportunities of individual ‘Category A’ villages (as identified in Local Plan Part 1) with a view to determining whether and how individual settlements should accommodate specific development sites to meet the rural housing requirements identified in Part 1. A place specific approach to the Category A villages will also ensure that Neighbourhood Plans are appropriately highlighted and referenced. Local Plan Part 2 will need to reflect on the policies and proposals contained with adopted Neighbourhood Plans and make appropriate provision for those advancing through the Neighbourhood Planning process. The NPPF makes clear (para. 185) that outside of the strategic plan-making context, “...neighbourhood plans will be able to shape and direct sustainable development in their area. Once a neighbourhood plan has demonstrated its general conformity with the strategic policies of the Local Plan and is brought into force, the policies it contains take

*precedence over existing non-strategic policies in the Local Plan for that neighbourhood, where they are in conflict. Local planning authorities should avoid duplicating planning processes for non-strategic policies where a neighbourhood plan is in preparation”.*

3.23 Officers will also review the potential pros and cons of established formal built-up area / settlement boundaries including the resource implications of surveying over 90 villages and hamlets.

*Other areas of work*

3.24 Preparing Local Plan Part 2 will also involve the following detailed areas of work:

- review of existing, and the preparation of new, detailed development management policies for:
  - housing;
  - employment;
  - infrastructure;
  - transportation;
  - motorway junctions;
  - retail;
  - recreation;
  - community facilities;
  - tourism;
  - climate change including criteria for solar farms, wind turbines and other renewable energy proposals;
  - biodiversity;
  - urban design and the built, historic and natural environments;
- review of existing non-strategic allocations i.e. those remaining in the saved policies of the adopted Cherwell Local Plan 1996 and the Non-Statutory Cherwell Local Plan 2011;
- consideration of Local Transport Plan infrastructure commitments;
- economic strategies for securing local employment and skills training;
- pollution and nuisance control;
- examination of potential tranquillity areas;
- telecommunication needs;
- national defence needs;
- supporting allocations and policies in Local Plan Part 1, providing further detailed policies to assist the delivery of strategic site allocations where this would be beneficial.

*Review of issues and options papers*

3.25 A number of issues and options papers have been produced since 2006 that need to be considered. They are:

- i. Banbury and North Cherwell Site Allocations Development Plan Document, Issues and Options Paper (July 2006);
- ii. Banbury and North Cherwell Site Allocations Development Plan Document, Supplemental Issues & Options Paper (November 2006);

- iii. Bicester and Central Oxfordshire Site Allocations Development Plan Document, Issues and Options Paper, May 2007
- iv. Supplemental Consultation Paper on Site Allocations Issues and Options: New and Amended Sites (February 2008).

3.26 Many of the sites and issues consulted upon in these issues and options papers have been considered through the preparation of Local Plan Part 1 and its evidence documents including the Strategic Housing Land Availability Assessment (SHLAA). However, they will need to be revisited to ensure that all reasonable non-strategic issues and options are considered in Local Plan Part 2.

#### *Review of Best Practice*

3.27 In addition to national Planning Practice Guidance (PPG), best practice will be kept under review. This will include the consideration of recently adopted plans, guidance such as that produced by the Planning Advisory Service (PAS), the Royal Town Planning Institute (RTPI) and other professional organisations. The guidance of specialist national advisers such as Historic England, Natural England and the Environment Agency will also be considered.

#### *Plan preparation*

3.28 Officers will identify the issues to be addressed in Local Plan Part 2 and the objectives aimed at responding to these issues and meeting the strategic vision and objectives articulated in Local Plan Part 1. Using the SEA/SA process, the emerging evidence base and on-going engagement with stakeholders, officers will identify and assess 'reasonable alternatives' (sites and policies) for achieving these objectives and propose an issues and options consultation paper for Members to consider with a view to undertaking a public consultation in July-August 2015. Officers will need to demonstrate that the statutory procedures have been complied with and that the requisite cooperation has taken place. The input of other services will be required and progress reports will be presented to the Joint Management Team and the Executive at key stages.

3.29 The options being progressed must be realistic, deliverable within the plan period and supported by any necessary delivery partners. Risks to delivery, and the need for flexibility and contingency will need to be considered.

3.30 The representations received in response to the consultation, together with the continuation of the SEA/SA process, on-going cooperation and engagement and the further development of the supporting evidence base will inform the refinement or review of proposals and the preparation of a detailed policies and proposals in a proposed plan. It will be necessary to ensure that the plan is deliverable, viable, supported by necessary infrastructure and that the necessary monitoring framework is established. There will be a formal consultation on the 'proposed submission documents before the Plan is submitted for Examination

## **4.0 Conclusion and Reasons for Recommendations**

4.1 A Local Plan Part 2 is needed to ensure that non-strategic development provided for by the modified Submission Local Plan (Part 1) is appropriately planned and sustainably delivered. The Council's non-strategic allocations and its detailed

development management policies are in need of review. This report is presented to ensure that the Executive is kept fully informed of the process and timetable for producing the Part 2 plan in the interest of ensuring that the plan is produced efficiently and in accordance with Council priorities.

## **5.0 Consultation**

Internal briefing: Councillor Michael Gibbard, Lead Member for Planning

## **6.0 Alternative Options and Reasons for Rejection**

6.1 Not applicable. This report is for noting only.

## **7.0 Implications**

### **Financial and Resource Implications**

7.1 The work on preparing the Local Plan Part 2 is to be met within existing budgets.

Comments checked by:

Paul Sutton, Head of Finance and Procurement, ext. 7936,  
Paul.Sutton@cherwellandsouthnorthants.gov.uk

### **Legal Implications**

7.2 The Local Plan Part 2 must be prepared having regard to statutory requirements. Legal support will be required throughout the preparation process. This will require both internal advice and that of external Counsel for the Local Plan Examination.

Comments checked by:

Nigel Bell, Team Leader – Planning, 01295 221687,  
nigel.bell@cherwellandsouthnorthants.gov.uk

## **8.0 Decision Information**

### **Key Decision - No**

**Financial Threshold Met: No**

**Community Impact Threshold Met: No**

### **Wards Affected**

All



## Links to Corporate Plan and Policy Framework

Accessible, Value for Money Council  
District of Opportunity  
Safe and Healthy  
Cleaner Greener

### Lead Councillor

Councillor Michael Gibbard, Lead Member for Planning

### Document Information

Appendix No	Title
None	
Background Papers	
None	
Report Author	David Peckford, Planning Policy Team Leader
Contact Information	01295 221841 david.peckford@cherwell-dc.gov.uk

## Cherwell District Council

### Executive

7 April 2015

<p style="text-align: center;"><b>Community Infrastructure Levy (CIL) and Developer Contributions SPD</b></p>
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### Report of Head of Strategic Planning and the Economy

This report is public

#### Purpose of report

To advise Members on the process and on-going work for the setting of a Community Infrastructure Levy (CIL) and on the preparation of a new Developer Contributions SPD.

#### 1.0 Recommendations

The meeting is recommended:

- 1.1 To note the report.

#### 2.0 Introduction

- 2.1 Planning obligations, secured under Section 106 of the Town and Country Planning Act 1990 (as amended), are known as Section 106 agreements. They are a legal mechanism for helping to ensure that development proposals, that would not otherwise be acceptable, are acceptable in planning terms. They are used to mitigate against the impact of development. Section 106 agreements, together other highway contributions, are often referred to as 'developer contributions'.
- 2.2 Section 106 agreements have commonly been used to secure affordable housing, open space and other infrastructure, and to secure financial contributions. They are also used to restrict development and the use of land and to make specific requirements in the implementation of planning permissions. Obligations can be unilateral undertakings or multi-party agreements.
- 2.3 Legal tests for the use of Section 106 agreements are set out in regulations 122 and 123 of the Community Infrastructure Levy Regulations 2010 (as amended). Regulation 122(2) requires planning obligations to be:
  - a) necessary to make the development acceptable in planning terms;
  - b) directly related to the development; and
  - c) fairly and reasonably related in scale and kind to the development.

- 2.4 The obligation is a formal document, a deed which becomes a land charge. If the Section 106 agreement is not complied with, it is enforceable against the person that entered into the obligation and any subsequent owner.
- 2.5 The requiring of developer contributions is presently guided by a draft Planning Obligations Draft Supplementary Planning Document (July 2011) which was approved by the Executive in May 2011 as informal guidance for development management purposes. The document does not have a statutory basis and has not been consulted upon. New legislation and national policy and guidance has been introduced since it was prepared and the Council now has a modified Submission Local Plan (February 2015) that has been the subject of Examination Hearings. The draft SPD therefore carries little weight in decision making but remains the Council's most recent statement of guidance.
- 2.6 The Government introduced the Community Infrastructure Levy (CIL) in response to concerns about the use of Section 106 agreements in the determination of applications for planning permission. The Government considered that CIL would provide greater transparency and certainty for the development industry on the level of contributions expected for infrastructure provision, that it could reduce delays in the granting of planning permission by reducing the need for negotiations over the contributions sought, and that Councils would have an additional, more flexible, source of revenue for delivering infrastructure.
- 2.7 CIL remains discretionary for Local Planning Authorities but the Government has scaled back the potential use of Section 106 agreements. Planning Practice Guidance (PPG) makes clear that CIL *"...is intended to provide infrastructure to support the development of an area, rather than making individual planning applications acceptable in planning terms. As a result, some site specific impact mitigation may still be necessary in order for a development to be granted planning permission. Some of these needs may be provided for through the levy but others may not, particularly if they are very local in their impact. Therefore, the Government considers there is still a legitimate role for development specific planning obligations to enable a local planning authority to be confident that the specific consequences of a particular development can be mitigated"* (Paragraph: 094Reference ID: 25-094-20140612).
- 2.8 The use of CIL and planning obligations cannot overlap and there is now (from 6 April 2015), a limit on pooled contributions from planning obligations towards infrastructure that may be funded by the levy i.e. no more than five planning obligations can be entered into for an infrastructure project or type of infrastructure. A separate report is to be presented to Planning Committee on the approach to developer contributions from 6 April 2015.
- 2.9 This report to the Executive explains the work that is now underway to prepare the Community Infrastructure Levy for Cherwell and to prepare a new Supplementary Planning Document (SPD) for Developer Contributions. Due to the inter-relationship between the projects, the SPD is being produced alongside the preparation of the Community Infrastructure Levy.

### 3.0 Report Details

3.1 CIL and the Developer Contributions SPD are listed as projects in the Council's Local Development Scheme (LDS, November 2014), the programme for production of the Council's Local Development Documents (LDDs).

3.2 Advice on CIL is provided in national Planning Policy Guidance (PPG) (Paragraph: 001 Reference ID: 25-001-20140612 onwards). Key points are set out below to explain the process of producing a CIL (it should be noted that there are detailed exceptions and criteria that must be considered in preparing and implementing a CIL):

- i) in England, levy charging authorities are district and metropolitan district councils and other authorities that prepare 'relevant', Local Plans which include assessments of the infrastructure needs for which the levy may be collected;
- ii) the charging authority sets out its levy rates in a charging schedule. Charging schedules are not formally part of the Local Plan, but schedules and plans should inform, and be generally consistent with, each other;
- iii) the process for preparing a charging schedule is similar to that which applies to Local Plans but charging schedules do not require a Sustainability Appraisal. The process includes the following steps:
  - the charging authority prepares an evidence base in order to prepare its draft levy rates. It collaborates with neighbouring/overlapping authorities (and other stakeholders);
  - the charging authority prepares a preliminary draft charging schedule and publishes this for consultation (it is good practice for charging authorities to also publish their draft infrastructure lists and proposed policy for the associated scaling back of section 106 agreements at this stage);
  - consultation process takes place;
  - the charging authority prepares and publishes a draft charging schedule;
  - there is a period of further representations based on the published draft;
  - an independent person examines the charging schedule in public
  - the examiner's recommendations are published;
  - the charging authority considers the examiner's recommendations;
  - the charging authority approves the charging schedule;
  - the date the charging schedule comes into effect is chosen by the charging authority and specified in the charging schedule;
- iv) charging authorities must consult and should collaborate with County Councils in setting the levy, and should work closely with them in setting priorities for how the levy will be spent in two-tier areas;
- v) charging authorities should seek early engagement with local developers, others in the property industry and infrastructure providers when preparing their charging schedules;

- vi) charging authorities must identify the total cost of infrastructure they wish to fund wholly or partly through the levy. They must consider what additional infrastructure is needed in their area to support development, and what other sources of funding are available, based on appropriate evidence;
- vii) information on the charging authority area's infrastructure needs should be drawn from the infrastructure assessment that was undertaken as part of preparing the Local Plan;
- viii) in determining the size of its infrastructure funding gap, the charging authority should consider known and expected infrastructure costs and the other possible sources of funding to meet those costs. This will help the charging authority to identify a levy funding target;
- ix) charging authorities should focus on providing evidence of an aggregate funding gap that demonstrates the need to put in place the levy;
- x) infrastructure planning issues that have already been considered in putting in place a sound Local Plan should not re-opened;
- xi) a charging authority may undertake additional infrastructure planning to identify its infrastructure funding gap, if it considers that the infrastructure planning underpinning its Local Plan is weak or does not reflect its latest priorities;
- xii) where infrastructure planning work which was undertaken specifically for the levy setting process has not been tested as part of another examination, it will need to be tested at the levy examination. The examiner will need to confirm the aggregate infrastructure funding gap and the total target amount that the charging authority proposes to raise through the levy;
- xiii) at the examination the charging authority should set out a draft list of the projects or types of infrastructure that are to be funded in whole or in part by the levy. The role of the list is to help provide evidence on the potential funding gap. It is not the purpose of the examination to challenge the list;
- xiv) the charging authority should set out any known site-specific matters for which section 106 contributions may continue to be sought;
- xv) development liable for CIL is the type of development specified in the charging schedule as incurring a particular levy charge;
- xvi) levy rates are expressed as pounds per square metre and are applied to the gross internal floorspace of the net additional development liable for the levy;
- xvii) charging authorities should set a rate which does not threaten the ability to develop viably the sites and scale of development identified in the Local Plan;
- xviii) charging authorities should use infrastructure planning evidence to strike an appropriate balance between the desirability of funding infrastructure

from the levy and the potential impact upon the economic viability of development across their area;

- xix) the levy is expected to have a positive economic effect on development across a local plan area. When deciding the levy rates, an appropriate balance must be struck between additional investment to support development and the potential effect on the viability of developments using viability evidence;
- xx) charging authorities should be able to show and explain how their proposed levy rate (or rates) will contribute towards the implementation of their relevant plan and support development across their area;
- xxi) charging authorities should think strategically in their use of the levy to ensure that key infrastructure priorities are delivered to facilitate growth and the economic benefit of the wider area. For example, working with neighbouring authorities, Local Enterprise Partnerships and other interested parties and consideration of other funding available could be combined with the levy to enable the delivery of strategic infrastructure and facilitate the delivery of planned development;
- xxii) differential levy rates may be appropriate in relation to:
  - geographical zones within the charging authority's boundary;
  - types of development; and/or
  - scales of development;
- xxiii) the levy is collected by the 'collecting authority'. In most cases this is the charging authority. County Councils collect the levy charged by district councils on developments for which the county gives consent. The Homes and Communities Agency, urban development corporations and enterprise zone authorities can also be collecting authorities for development, with the agreement of the relevant charging authority, where they grant permission;
- xxiv) landowners are ultimately liable for the levy, but anyone involved in a development may take on the liability to pay;
- xxv) payment becomes due as soon as development commences;
- xxvi) the levy is charged on new development and applied to all types of planning consent including planning permissions and local development orders. It may also be payable on permitted development;
- xxvii) the levy may generally be payable on development which creates net additional floor space, where the gross internal area of new build exceeds 100 square metres but that limit does not apply to new houses or flats;
- xxviii) houses, flats, residential annexes and residential extensions which are built by 'self-builders' do not pay the levy;
- xxix) other exempted development includes social housing and charitable development that meets prescribed 'relief criteria' and specified types of

development which local authorities have decided as such in their charging schedules and vacant buildings brought back into the same use.

- 3.3 For non-site specific infrastructure CIL would be one of the means of securing funding. Once in place, accruing funds will take some time and it is unlikely that it will cover all funding needed.
- 3.4 Although likely to be a small contribution in comparison to infrastructure need, CIL offers some advantages to the charging and collecting authorities. Once set, CIL is non-negotiable and its implementation could be linked to capital programmes. CIL can be levied on a wider range of developments than through Section 106 agreements (depending on viability evidence outcomes) and the funds collected are not tied to a specific development or infrastructure project. The funds could be used by the collecting authorities on any infrastructure as defined in the regulations and could contribute as infrastructure priorities change overtime.
- 3.5 CIL is one means to secure funding and close liaison with infrastructure providers will be required to ensure funding from their own capital programmes as well as timely bids for Government funding to deliver infrastructure needed to support planned growth.
- 3.6 As CIL is not mandatory, decisions on whether to formally adopt CIL will need to be taken by the Council once there is a clear understanding of the infrastructure gap and viability considerations. These decisions will also need to take account of how the scaling back of Section 106 obligations from April 2015 onwards has affected the funding of infrastructure, other potential sources of funding for identified infrastructure (set out in the 'Infrastructure Delivery Plan' which accompanies the Local Plan), the need to deliver planned growth in the Local Plan, and the preparation of the Developer Contributions SPD within the context of the CIL regulations.
- 3.7 Having an up-to-date, evidenced Developer Contributions SPD which complies with CIL regulations and relates to the Local Plan, supported by up-to-date infrastructure schemes, will help to minimise challenges and help secure funding for the infrastructure needed.
- 3.8 Although the key tests for developer contributions under the CIL regulations (para. 2.3 above) are similar to the previous tests, officers are of the view that the Planning Inspectorate is following a firmer line to ensure that Section 106 agreements meet these tests. The SPD will need to demonstrate compliance with the regulations and advise infrastructure providers and developers on:
- i. the relationship between planning obligations and CIL within Cherwell (i.e what the Council intends to fund via planning obligations and what via CIL)
  - ii. the approach to planned infrastructure projects that have clear information on costs, funding, delivery mechanisms and timescales.

#### *Timeframes and Project Scope*

- 3.9 The timetables for and projects details for the production of the Community Infrastructure Levy and the Developer Contributions SPD, as should in the Local Development Scheme are set out below:

<b>Schedule 6.3 From LDS (Nov 14)</b>	<b>Community Infrastructure Levy Charging Schedule</b>	
Subject Matter	The purpose of CIL is to raise funds to deliver off-site infrastructure that will support the development proposed within Cherwell. This could include open space, leisure centres, cultural and sports facilities, transport schemes, schools among other requirements. The charging schedule providing the basis of the Levy and must be informed by an assessment of an infrastructure funding gap and the viability of different levels of Levy. There will be consultation and a public Examination.	
Geographical Area	Cherwell District	
Status	Local Development Document (LDD)	
Timetable	<b>Preparation and Viability Testing</b>	January 2015 – May 2015
	<b>Drafting of Preliminary Charging Schedule</b>	June 2015
	<b>Consultation on Preliminary Charging Schedule (Regulation 15)</b>	July – August 2015
	<b>Review of Charging Schedule</b>	August – October 2015
	<b>Consultation on Draft Charging Schedule (Regulation 16)</b>	November 2015 – January 2016
	<b>Submission of Charging Schedule (Regulation 19)</b>	February 2016
	<b>Examination (TBC)</b>	February 2016 – June 2016
	<b>Examination Hearings (TBC)</b>	April 2016
	<b>Receipt and Publication of the Inspector's Report (Regulation 23)</b>	June 2016
	<b>Adoption</b>	August 2016
	<b>Legal Challenge Period (6 weeks)</b>	August – September 2016
	<b>Final Publication</b>	September 2016
		Notes: Programme subject to change if Local Plan (Part 1) or Examination is delayed. Examination and Hearing dates yet to be confirmed.
Management Arrangements	Overseen by Head of Service for Strategic Planning and the Economy. Regular reports to CDC Executive.	
Resources Required	Planning Policy team; input from other Council services, neighbouring authorities and consultees; Programme Officer and Planning Inspectorate.	
Monitoring and review mechanisms	Annual Monitoring Report	



<b>Schedule 6.4 From LDS Nov 2014</b>	<b>Developer Contributions SPD</b>	
Subject Matter	Reviews and Updates the current draft Planning Obligations SPD in the light of the policies set out in the Local Plan (Part 1) and alongside the preparation of the CIL Charging Schedule	
Geographical Area	Cherwell District	
Status	SPD & Local Development Document (LDD)	
Timetable	<b>Preparation of 1<sup>st</sup> Draft</b>	January – June 2015
	<b>Initial Consultation</b>	June – July 2015
	<b>Review</b>	July – September 2015
	<b>Preparation of 2<sup>nd</sup> Draft</b>	September - November 2015
	<b>Consultation (Regulation 12)</b>	November – December 2015
	<b>Preparation of Final SPD</b>	January 2016 – March 2016
	<b>Adoption (Regulation 14)</b>	May 2016
	Notes: Programme subject to change if Local Plan (Part 1) is delayed	
Management Arrangements	Overseen by Head of Service for Strategic Planning and the Economy. Regular reports to CDC Executive.	
Resources Required	Planning Policy team; input from other Council services, neighbouring authorities and consultees.	
Monitoring and review mechanisms	Annual Monitoring Report	

- 3.10 Both projects are being developed in tandem and require the involvement of a number of Council Services at operational and managerial level. Officers at Oxfordshire County Council are also to be involved.
- 3.11 A flow chart illustrating the structure for both projects is attached at appendix 1 and shows the parallel workstreams and the following four main strands of work:
- a) infrastructure planning;
  - b) viability testing;
  - c) planning and regulatory compliance;
  - d) implementation.
- 3.12 The key outputs for each strand of work are:
- a) CIL infrastructure project list and identification of the aggregate infrastructure funding gap;
  - b) list of infrastructure projects the subject of Section 106 agreements since 2010 (pooled contributions) and CIL viability study;
  - c) adoption of CIL charging schedule and Developer Contributions / Planning Obligations SPD;
  - d) corporate prioritisation, implementation, collection, spend and monitoring of CIL and Section 106 developer contributions
- 3.13 Given the wide-ranging nature of the two parallel projects a working group was set up in early February 2015 building on an initial cross-service briefing session on 28 January 2015 organised by the Development Management service.
- 3.14 A core internal project group has been formed to take forward the development of the necessary systems, with Page 356 services being engaged to ensure that the

commencement and implications of the CIL are understood. The group includes representatives from Planning Policy, Development Management, Legal, Delivery and Finance.

- 3.15 The group has met every two weeks since Thursday 5th of February and a brief presentation has been made to the Joint Management Team. The early work is focusing on evidence gathering, a substantial task.
- 3.16 The next steps are as follows:
- i) a separate report to be presented to Planning Committee on the interim approach to developer contributions from 6 April 2015;
  - ii) continue to gather information on the type of development which has come forward in the past five years and that expected in the following five years;
  - iii) use the information gathered to inform which infrastructure projects are likely to be funded by developer contributions secured through Section 106 agreements and which via CIL or other funding sources.
- 3.17 Once these steps are complete, officers will be in a position to provide hypothetical scenarios of what infrastructure funding might be raised by CIL and what might reasonably be achieved through the use of Section 106 agreements. This will help inform the best approach for the Council in terms of optimising the use of planning obligations and CIL.
- 3.18 Implementation of CIL and a new Developer Contributions SPD will affect a number of services across the Council as shown in the appended project flow chart. Heads of Service will need to be kept informed. Should it be decided in due course that the Council should adopt a CIL, prioritisation and implementation will require corporate, legal and financial coordination. A further report will be presented to the Executive once the initial stages are complete.

## **4.0 Conclusion and Reasons for Recommendations**

- 4.1 The Council needs to consider the potential adoption of CIL, and an up-to-date Developer Contributions SPD needs to be prepared, in the interest of securing the delivery of infrastructure to support planned growth. This report is presented to ensure that the Executive is kept fully informed of the process and timetable for the two parallel projects in the interest of ensuring that the plan is produced efficiently and in accordance with Council priorities.

## **5.0 Consultation**

Internal briefing: Councillor Michael Gibbard, Lead Member for Planning

## **6.0 Alternative Options and Reasons for Rejection**

- 6.1 Not applicable. This report is for noting only.

## 7.0 Implications

### Financial and Resource Implications

- 7.1 The work on preparing the CIL and the Developer Contributions SPD is to be met within existing budgets. Both projects will require resources from a number of Council services including, but not exclusively, Law and Governance, Finance and Procurement and Development Management. The output of both projects will affect financial contributions sought and collected to fund infrastructure which will also affect the funding required from other sources. At this stage the contributions and funding cannot be defined.

Comments checked by:

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### Legal Implications

- 7.2 The CIL and the Developer Contributions SPD must be prepared having regard to statutory requirements. Legal support will be required throughout the preparation process. This may require the advice of external Counsel for the CIL Examination. Legal advice will be needed in the implementation of CIL.

Comments checked by:

Nigel Bell, Team Leader – Planning, 01295 221687  
[Nigel.Bell@cherwellandsouthnorthants.gov.uk](mailto:Nigel.Bell@cherwellandsouthnorthants.gov.uk)

## 8.0 Decision Information

### Key Decision - No

**Financial Threshold Met: No**

**Community Impact Threshold Met: No**

### Wards Affected

All

### Links to Corporate Plan and Policy Framework

Accessible, Value for Money Council  
District of Opportunity  
Safe and Healthy  
Cleaner Greener

### Lead Councillor

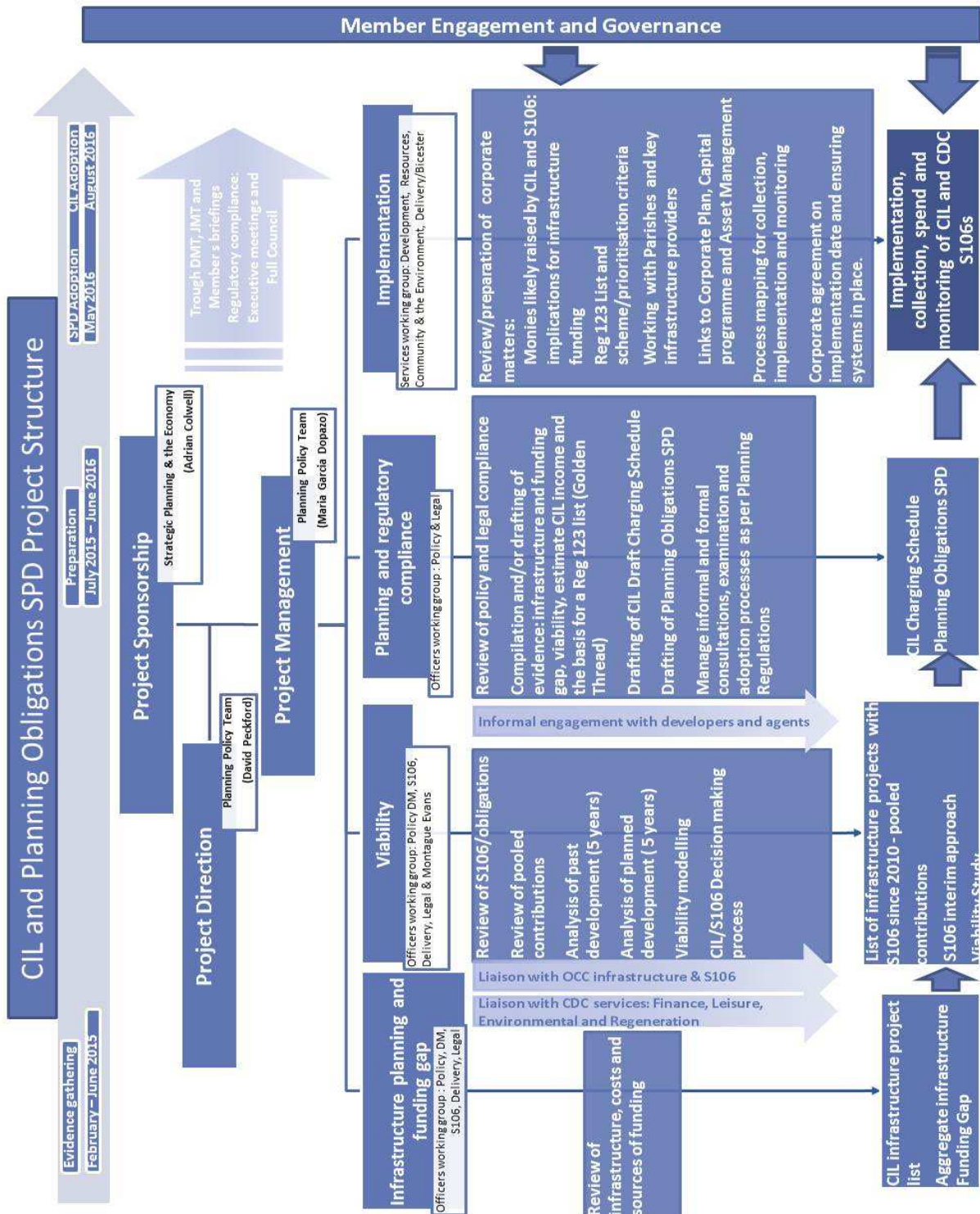
Councillor Michael Gibbard, Lead Member for Planning

## Document Information

Appendix No	Title
Appendix 1	CIL & Developer Contributions SPD – Project Structure Flow Chart
<b>Background Papers</b>	
None	
<b>Report Author</b>	Maria Garcia Dopazo, Planning Policy David Peckford, Planning Policy Team Leader
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# Appendix 1

## CIL & Developer Contributions SPD – Project Structure Flow Chart



## Cherwell District Council

### Executive

7 April 2015

#### NW Bicester Apprenticeships Scheme

#### Report of Commercial Director (Bicester)

This report is public

#### Purpose of report

To update the Executive on the successful outcome of a recent bid to OxLEP to support the NW Bicester Apprenticeship Scheme, in order that Cherwell District Council can receive the funding as the accountable body.

#### 1.0 Recommendations

The meeting is recommended:

- 1.1 To note the contents of the report and approve Cherwell District Council role as accountable body for this grant award.

#### 2.0 Introduction

- 2.1 Over the past year, the Eco Bicester Project Team has been working with partners to progress a scheme which would allow a sustained programme of apprenticeships to be delivered throughout the construction of the NW Bicester site. In doing this we have been mindful of the Eco Town principles and the leverage this gives the Council as a planning authority to encourage the development to be economically sustainable.
- 2.2 In addition, it is the scale of the development at NW Bicester which gives us a golden opportunity to devise a scheme which could make a significant impact on the numbers of construction apprenticeships available to young people, both of benefit to them as well as providing the skills needed to support the further growth planned for this area.

#### 3.0 Report Details

- 3.1 The NW Bicester site will deliver 6000 homes and other mixed use development. The site will come forward via at least 5 outline planning applications and if approved by Cherwell District Council (CDC), will be built out over 25 – 30 years.

The project aims to deliver a sustained programme of a minimum of 300 apprenticeships over the build out period (and potentially beyond), focusing on the construction and related trades initially, but broadening its scope to end users on site. This figure has been confirmed as realistic by the Construction Industry Training Board (CITB).

### 3.2 Setting up a local Oxfordshire-based Apprenticeships Training Agency (ATA)

A key element in the successful delivery of the programme will involve the setting up of a local Oxfordshire-based Apprenticeship Training Agency (ATA). In essence the Council's role has been to seek a way to secure apprenticeships through development and setting up the ATA is the best way to make this happen. It will be this organisation that will employ apprentices. The ATA will effectively carry all the risk. It will provide the necessary insurances and health and safety training as well as liaising with Oxfordshire Apprenticeships to access suitable local candidates, liaise with local training providers to secure the appropriate college training and support, and with developers to agree the nature of the apprenticeship and on-site placement timescale.

3.3 In essence, the ATA will provide a holistic package for apprentices with the necessary support and training, who will therefore enjoy enhanced opportunities in accessing employment following the conclusion of their apprenticeships.

### 3.4 Sustainability of approach

This approach involves developing and testing a model - initially for NW Bicester and then to be rolled out in other development sites in Bicester and the wider Cherwell District. Ultimately the intention is that this pilot could be used Oxfordshire wide and with the positive impact of making the ATA self-sustaining over the long term.

### 3.5 Benefits of the Approach

Specifically the benefits are the creation of a scheme which:

- is easy and relatively risk-free for the developer to sign up to;
- is cost effective;
- meets the objectives of the participating partners;
- is locally driven and locally delivered;
- increases employer awareness of the benefits of apprenticeship and trainee placements
- provides a top quality educational experience for apprentices with enhanced employment prospects upon conclusion.

## 4.0 Conclusion and Reasons for Recommendations

4.1 The Eco Bicester Team submitted a bid to OxLEP's City Deal Initiative in December 2014 for funding to support the set-up of the ATA and its early operation. The bid was successful and a £50,000 grant has been awarded by OxLEP, subject to the signing of a legal agreement which the Eco Bicester Team are in the processes of

negotiating. This is a positive step forward for the initiative as now we have the means to turn the concept into reality. The funding is anticipated to be awarded in April 2015 and needs to be spent over 2 years during 2015/2016 and 2016/2017.

- 4.2 The aim is to set up the ATA by summer 2015 so that it can be referred to in future S106 agreements attached to any consents for NW Bicester, as a preferred route to enable developers to deliver apprenticeships. Initial discussions with developers of NW Bicester have been encouraging and have demonstrated an interest and willingness to sign up to the scheme. Regular meetings are being held to progress the initiative with CDC's delivery partners who are: Oxfordshire Apprenticeships, Activate Learning, ACE Training and Oxfordshire County Council. Letters of support for the Bid were also received from Bicester Vision, ACE Training and the CITB.
- 4.3 The £50,000 funding was bid for specifically to set up the ATA in the first year and then to fund its operation in the second year. CDC will be using the funding to carry out the necessary research and background work into the options for the ATA and to support the ATA becoming accredited by the Skills Funding Agency (SFA) so it can operate as a bone fide organisation. The actual setting up of the setting and registering it as a company will be carried out by a third party rather than CDC which is preferable in terms of minimising exposure of CDC to any associated risks. So although the funding will rest with CDC, it will be used to support a third party set up of the organisation.
- 4.4 The acceptance of funding from OxLEP is conditional upon the delivery of the following outputs which are contained in a draft legal agreement - the final version is still awaited from OxLEP:
- Setting up the ATA as a legal entity within the first 6 months of the project duration.
  - Building on relationships with local partners to increase employer awareness of the benefits of apprenticeships and traineeships
  - To secure 20 apprenticeships during the 2 year duration of the project.
  - To provide traineeship opportunities wherever possible
  - To provide proposals to expand the project beyond the NW Bicester site before 31 March 2017.
  - The ATA to move towards self-sustainability by the end of the two year project duration.
- 4.5 There will be regular monitoring of the outcomes against the grant award with regular updates being given to the One Vision Steering Group.

## **5.0 Consultation**

- 5.1 The contents of this report have been subject to consultation with; ACE, Oxfordshire Apprenticeships, Activate Learn, OCC, One Vision Steering Group, Bicester Vision



## 6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Not to accept the funding

## 7.0 Implications

### Financial and Resource Implications

- 7.1 The expenditure on this project will be met from the grant with part of the funding being used to employ a staff resource to carry out the ATA set up work, the management of whom will be resourced within the Bicester Delivery Team.

Comments checked by:

Martin Henry, Director of Resources, 0300 003 0102,  
[martin.henry@cherwellandsouthnorthants.gov.uk](mailto:martin.henry@cherwellandsouthnorthants.gov.uk)

### Legal Implications

- 7.2 The draft legal agreement has been scrutinised by CDC's legal team who advise that it is a standard funding agreement with all the typical provisions one would expect to see.

Comments checked by:

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## 8.0 Decision Information

**Key Decision** **NO**

**Financial Threshold Met:** **No**

**Community Impact Threshold Met:** **No**

### Wards Affected

All Bicester wards.

### Links to Corporate Plan and Policy Framework

Meets "Cherwell - a District of Opportunity" specifically by supporting economic development, employment, regeneration and the development of the district. It also is part of the delivery of the masterplan for Bicester by helping to provide new jobs.

Meets “Cherwell – thriving communities” - specifically by working with partners to support financial inclusion and help local people into paid employment.

### **Lead Councillor**

Councillor Barry Wood, Leader of the Council

### **Document Information**

<b>Appendix No</b>	<b>Title</b>
None	None
<b>Background Papers</b>	
None	
<b>Report Author</b>	Caroline Clapson, Community Governance and Social Infrastructure Adviser
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