



DISTRICT COUNCIL
NORTH OXFORDSHIRE

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/ 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 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

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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:
 - 2nd paragraph, 2nd 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.
 - 3rd paragraph 1st 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, 2nd 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 – 4th 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)