

North Hinksey Neighbourhood Development Plan

Examiner's Clarification Note

This note sets out my initial comments on the submitted Plan. It also sets out areas where it would be helpful to have some further clarification. For the avoidance of any doubt matters of clarification are entirely normal at this early stage of the examination process.

Initial Comments

The Plan provides a very clear and distinctive vision for the neighbourhood area. In particular it addresses a series of important issues in a positive and effective fashion.

The layout and presentation of the Plan is excellent. The various maps add to its depth and interest. The differences between the policies and the supporting text is very clear. The combination of text, tables and maps maintains the interest of the reader throughout the document.

The way in which the Community actions are located in the Plan separate from the policies is good interpretation of national policy on this matter.

Points for Clarification

I have read the submitted documents and the representations made to the Plan and have visited the neighbourhood area. I am now in a position to raise issues for clarification with the Parish Council.

The comments made on the points in this Note will be used to assist in the preparation of my report and in recommending any modifications that may be necessary to the Plan to ensure that it meets the basic conditions. I set out specific policy clarification points below in the order in which they appear in the submitted Plan:

Map 1.2

Is the boundary of the Green Belt in the northern part of the neighbourhood area correct? (see the representation from Woolf Bond for further details).

If it is a matter of clarity and/or the diagrammatic nature of the Map itself there are a range of options to remedy any inconsistencies through the modification process

Policy HS2

I can see the supporting text in section 4.1.4. However, is the reference to a 'balanced community' necessary or appropriate within the policy given that its focus is on the height and mix of dwellings?

Policy HS3

This policy appears to restate Core Policy 23 of the Local Plan Part 1. I am minded to recommend a modification to the policy that safeguards its ambitions but which shifts the focus to one which concentrates on the exceptions within the neighbourhood area. Does the Parish Council have any comments on this proposition?

Policy HS6

This policy addresses two separate issues – housing in conservation areas and land released from the green belt. In any event the latter is not a policy.

I am minded to recommend the deletion of the element of the policy on green belt releases. It is not specific to any part of the neighbourhood area and therefore does not have the clarity required by the NPPF. In any event the general matter is satisfactorily addressed in the sixth part of policy 4.1.4.6

Does the Parish Council have any comments on this proposition?

In the retained element on housing in conservation areas how realistic are any or all of the matters addressed in the second bullet point? For example on what basis would the District Council be expected to promote a competition if a developer submitted a planning application for 10 dwellings on a site in a conservation area?

Policy EE1

In the third part of the policy I see the link to the community action (CAEE2). However, there is immediate tension between referencing a community action in a land use policy.

I am minded to recommend a modification to the policy that captures its third element as supporting text. Does the Parish Council have any comments on this proposition?

Policy EE2

The policy is not a policy as its focus is on the issues to be addressed in employment development proposals.

I am minded to recommend a modification to the policy that replaces the 'will need to address element' with 'will be supported' (with consequential changes to the remaining parts of the policy). Does the Parish Council have any comments on this proposition?

Policy TR1/TR2

As worded these policies would apply to all development proposals. Given that the majority of new development in the Plan period will be of a minor/domestic nature I am minded to recommend a modification to the policy so that it would only apply to major developments (with consequential changes to the remaining parts of the policy).

Does the Parish Council have any comments on this proposition?

Policies TR3/TR4/TR5

These are all highways-related matters. Their delivery is beyond the planning system.

I am minded to recommend a modification to replace the policies with community actions. Does the Parish Council have any comments on this proposition?

Policy SI1

This policy is very-well developed.

However, is the Oxford Brookes University Harcourt Hill campus (SF4) a social facility for the wider neighbourhood area?

Policy UT2

Is there any evidence to support the need for this policy within the neighbourhood area?

In part a) of the policy would it be reasonable/appropriate/practicable to apply the approach anticipated to all new development given that the majority of new development in the Plan period will be of a minor/domestic nature?

The paragraphs after section c) of the policy read as supporting text. In the event that I am satisfied that there is sufficient evidence to support the retention of the policy in the Plan I am minded to recommend that these paragraphs become supporting text.

Does the Parish Council have any comments on this proposition?

Policy GS1

The policy and the selection of Local Green Spaces is very well considered. The way in which it has addressed the overlaps with Green Belt has clear regard to national policy.

However, the policy itself goes beyond the matter of fact approach in the NPPF. I am minded to recommend that the second and third sentences become supporting text. Does the Parish Council have any comments on this proposition?

Policy GS2

I understand the thrust of the policy. Nonetheless its opening part is less than clear. I am minded to recommend that the policy 'supports' development (subject to other policies) which deliver any or all of the criteria (as relevant to the proposal).

Does the Parish Council have any comments on this proposition?

Policy GS3

The initial part of policy is not a policy - its focus is on the issues to be addressed in relevant planning applications and process matters. I am minded to recommend a modification to the policy that requires new development to take account of the identified views and replaces the 'will need to address' element with 'will be supported' (with consequential changes to the remaining parts of the policy).

Does the Parish Council have any comments on this proposition?

Policy BU1

As submitted the policy is confusing. The first element is process-related. The second element is policy based. Nevertheless, this element is open to interpretation and in any event would be difficult for the District Council to enforce. The third element simply encourages certain things to happen rather than either support them or requires them to be incorporated into any development proposals.

In general terms to what extent does the Parish Council consider that the policy is in general conformity with Core Policies 9 (Harcourt Campus) and 13 (Green Belt) of the adopted Local Plan Part 1 and adds distinctive local value to those policies?

In terms of the specifics of the policy:

- In the second part of the policy on what basis has the 20% increase travel movements been selected?
- In the second part of the policy and section b) I can understand the importance of both of its related elements. However, is it reasonable to require the University to manage its allocation of accommodation in this way? If this is the case how would the allocation of the accommodation be monitored effectively?

Representations

Does the Parish Council have any comments on the various representations made to the Plan?

In particular does it have any comments on the representations received from the District Council and Oxford Brookes University?

Protocol for responses

I would be grateful for comments from the Parish Council by 10 May 2019. Please let me know if this timetable may be challenging to achieve. It is intended to maintain the momentum of the examination.

In the event that certain responses are available before others I am happy to receive the information on a piecemeal basis. Irrespective of how the information is assembled please could it all come to me directly from the District Council. In addition, please can all responses make direct reference to the policy or the matter concerned.

Andrew Ashcroft

Independent Examiner

North Hinksey Neighbourhood Development Plan.

23 April 2019