

East Challow 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 clear and concise vision for the neighbourhood area.

The presentation of the Plan is very good. The difference between the policies and the supporting text is very clear. The Plan makes good use of various high-quality maps and photographs.

The twelve appendices are both helpful and comprehensive. It is clear how they have informed the policies. This provides assurance that the Plan has been properly prepared.

The Key Issues (in Section 5) relate well to the parish.

Points for Clarification

I have read the submitted documents and the representations made to the Plan. I have also visited the neighbourhood area. I am now able 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 the examination 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:

Policy L1

This policy sets the scene well for the Plan. It properly captures the location and the setting of East Challow.

Policy L2

In the first part of the policy the relationship with the Landscape Character Appraisal and the Parish Character Appraisal is clear. However, in what circumstances would the Parish Council anticipate that the 'or where appropriate enhance' element would apply?

To what extent would the policy have regard to Section 15 of the NPPF which makes a clear distinction between the countryside (more generally) and valued landscapes (in this case the Area of Outstanding Natural Beauty)?

Policy L3

The 'enhance' element of this policy raises similar issues to those raised in relation to Policy L2. The Parish Council's comments would be appreciated on this matter.

How would the Parish Council anticipate that the District Council would implement the final sentence of the first part of the policy with clarity and consistency throughout the Plan period?

In any event would the policy be clearer if the order of its two parts was reversed?

Policy L4

This is a good policy which is underpinned by the details in Appendix 9.

Policy HO1

The policy comments about a 'preference' for housing proposals which meet the needs of the local community. Does this mean that more general proposals would not be supported?

Does the second part of the policy identify the range of elements which housing proposals should include in order to secure support?

Policy D1

This policy is a good local response to Section 12 of the NPPF. It is underpinned by the excellent Parish Character Appraisal (including the design guide).

Plainly minor and domestic proposals should embrace the principles of good design. Nevertheless, some or most of the criteria in the policy would not necessarily relate to such proposals.

As such I am minded to recommend that the policy is modified so that it can be applied on a proportionate basis. Does the Parish Council have any comments on this proposition?

Policy HE1

Whilst the supporting text clarifies the range of non-designated assets the policy does not directly relate to this evidence. As such, I am minded to recommend that the second part of the policy is modified to make this connection.

Does the Parish Council have any comments on this proposition?

Policy E2

In general, the reversion to residential use in the third part of the policy is understood. Nevertheless, is this approach either realistic or practicable?

In the final part of the policy is the fourth criterion either realistic or enforceable?

Policy C1

This is a good policy which acknowledges the importance of community facilities in the parish.

Policy C2

This is also a good policy. In this case, it acknowledges that commercial viability may change in the Plan period and that replacement community facilities may come forward.

Policy CL1

Is the final part of the policy necessary given that it largely repeats elements of Section 14 of the NPPF?

Policy FP1

The ambition of the policy is self-evident. However most minor and domestic proposals will not be directly affected by its contents.

In addition, whilst the policy is more readily applicable to major development proposals the location of such proposals may not always allow for the integration as expected by the policy.

In these circumstances I am minded to recommend that it is modified so that it can be applied in a proportionate way and where it is practicable to do so. Does the Parish Council have any comments on this proposition?

Policy FP2

I fully understand the intention of the second part of the policy (on the Wantage Western Relief Road). However, the relationship between footpaths and a new road is highways matter rather than a land use matter.

As such I am minded to recommend the deletion of this part of the policy and its relocation into the supporting text. Does the Parish Council have any comments on this proposition?

Policies FP3/FP4

Plainly the former Canal is an important element of the parish and its restoration is supported locally.

However, does Policy FP3 (value to the community) add any value to the contents of Policy FP4 (avoiding conflict with the route/infrastructure)? In any event, how does the Parish Council anticipate that the District Council would implement Policy FP3 given its focus on value to the community rather than a direct land use issue?

Policy P1

Does this policy bring any added value beyond national and local planning policies on car parking?

Policy EV1

This is a well-considered policy

However, is the final sentence necessary? Should it be supporting text? In any event, does it relate only to replacement trees (rather than more generally to additional trees)?

Aspirations

The Plan includes a good selection of Aspirations. They are appropriately included in a separate part of the Plan.

Representations

Does the Parish Council wish to comment on any of the representations made to the Plan?

Does it wish to comment specifically the representations made by:

- Oxfordshire County Council (on Local Green Spaces);
- Wiltshire and Berkshire Canal Trust; and
- Blenheim Strategic Partners?

The District Council proposes a series of revisions to certain policies and the supporting text in the Plan. Does the Parish Council have any comments on the suggested revisions?

Protocol for responses

I would be grateful for responses and the information requested by 7 February 2023. Please let me know if this timetable may be challenging to achieve. It is intended to maintain the momentum of the examination.

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

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Independent Examiner

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19 January 2023