

## **East Hanney Neighbourhood Development Plan**

### **Examiner's Clarification Note**

Please see below our response to the clarifications raised.

We have endeavoured to address most of the clarifications requested within this paper. The responses given are provided below each of the respective clarification questions.

We apologise for the slight delay in the issue of this initial response. We have found the timetable a little challenging and consequently a small number of responses are to follow.

The representation from The District Council which proposes a series of revisions to certain policies and the supporting text in the Plan (Response 5), is one of the areas for response which is to follow. To address those points, we have composed a separate note which is purely focused on the matters raised by the District Council. That document is nearing completion, and we hope to be able to forward it within the next 7 days. Thereafter the only matters remaining to be responded to should be a response to the Representations that are noted, and a revision of Policy EHNP17 which is intend complete the response to the clarification in respect of that policy.

We intend to have been able to have completed and provided our response to all matters no later than 14<sup>th</sup> September 2023. We hope that this is an acceptable timeframe and will seek to provide responses earlier if possible. If we should encounter any delay, we will keep you informed.

If there are any queries or if further clarification of the responses submitted are needed, please advise and we will respond promptly.

We thank you for the opportunity to clarify each of the matters raised.

East Hanney Neighbourhood Plan Steering Group Lead.

31<sup>st</sup> August 2023

## Response to clarifications – East Hanney Parish Council

### *General*

Several of the policies are written in a way which will be difficult to apply on a day-to-day basis by the District Council. This includes commentary that issues should 'be considered' and that certain works 'will be encouraged' which appear throughout the Plan.

Please can the Parish Council explain its thinking on this matter? Could the relevant policies be modified so that they become supporting policies?

EHPC Response: We have reviewed the use of the terminology highlighted and have considered each policy. We have also looked at use of the word 'should'. Amendments are proposed so that those policies with such terms are modified to enable clarity and ease of application on a day- to- day basis.

In the main where words and statements such as 'should be considered' formed part of the drafting, the amendments proposed are for deletion and replacement, so that there is a more definitive policy requirement and thus clarity for application.

In respect of the 'will be encouraged' statements the use has been reviewed and some amendments proposed. In some cases, the use of 'will be encouraged' has been retained where considered appropriate for the context. The thinking in these examples is that by giving positive direction then those engaged in development will be encouraged and positively guided to provide the respective aspect, potentially initiating early dialogue with the Parish Council which is almost always beneficial. Where this is used, the Parish Council is not saying that there is an absolute requirement to undertake the respective aspect, but rather to encourage delivery of the stated ideals.

The intent is that through use of language that encourages, those looking to develop within the Parish will gain a sense of what would be ideal (which in such circumstances could typically be additional to the minimum requirement) and accordingly seek to develop their proposals on this basis. The use of these statements is mainly in respect of aspects that are relative to a developer's approach or on a wider aspect of a development proposal.

In those policies where a more definitive use of wording is needed to specify a planning policy requirement, amendment has been proposed. In some examples removal into the supporting text is suggested.

Regarding each of the policies where such terminology is used, our thoughts in respect of each application is as follows:

- EHNP1 – 1st para third line. Word 'should' to be deleted and replaced with 'to'.
- EHNP1- i) Propose that the word 'should' is deleted.
- EHNP1 -ii) Be amended by deletion of 'should demonstrate' to be replaced by 'Each demonstrates' so that the line reads 'Each demonstrates that they have considered, etc.'
- EHNP1 – Second para: 'Innovation and sustainability are to be encouraged as long as the design approach is sympathetic to the Character of the surrounding area.'

It is proposed that this paragraph is deleted from the policy wording in full and moved into the supporting text.

- EHNP1 – vii) Propose that the words ‘where appropriate’ are deleted, and that ‘should’ is replaced with ‘are to’.
- EHNP3 -Second para, last line. Propose deletion of the words ‘should in particular’ and replace with ‘to’. So that it reads ‘Proposals for infill development to have regard to the following principles;’-
- EHNP4- First line. Propose deletion of ‘should’ and replace with ‘will need to’.
- EHNP4- 1st para third line. Propose delete ‘should’ and replace with ‘must’, so that the sentence reads ‘In particular, new development must maintain the separation between...’
- EHNP6 – Second para. ‘Propose that ‘Applicants should demonstrate’ is amended to ‘Applicants are to demonstrate’.
- EHNP6- i) 1st line. Propose that ‘Should’ is deleted and replace with ‘to’, and on the third line ‘planting should be provided’, be amended to ‘planting to be provided.’
- EHNP6- iv). Propose that ‘varieties of’ is deleted and that ‘should be preserved’ is amended to ‘are to be preserved’. And that the words ‘with the respective varieties’ be inserted after ‘replanting’. Thus iv) will read ‘Where sites were historically orchards, old fruit trees are to be preserved and enhanced, including propagation and replanting with the respective varieties within the site and wider village’.
- EHNP7. First line. Propose that ‘should’ is deleted and replaced with ‘are to’. Fourth line, same amendment so that the fourth line reads ‘development proposals are to be at least’.
- EHNP7. Last word of first para, propose that ‘should’ is deleted and replaced with ‘are to’ so that it reads ‘and all proposals are to:’
- EHNP7 -ii). Propose that ‘should’ is deleted and replaced with ‘are to’.
- EHNP7 – vii). We consider that the use of the word encouraged works well here as the intent of the limb is to encourage additional features.
- EHNP7 – viii). Propose that the word ‘considered’ is deleted. Thus, the amended words read as follows’ ....is to be recognised and treated as a ....’
- EHNP9- iii). Propose that the words ‘should seek’ are deleted.
- EHNP9 iv) ‘are encouraged to achieve a 20% net gain in biodiversity’. We consider that this works well here as the objective of this limb of the policy is to encourage achievement in a particular part of the Parish. It is not a requirement but a supported part of the policy. If the drafting were to be taken into the supporting text, we are concerned that it would lose some weight and not be considered by contractors. The alternative would be to rephrase the limb and use the words, ‘supported’, but ‘encouraged’ is we feel more appropriate.
- EHNP10. 1st line. ‘Should’ to be deleted and replaced with ‘must’.
- EHNP10 Third para. Third line. Delete ‘should’ replace with ‘to’. Thus, it reads ‘development to also be at a density....’
- EHNP10. Last para. First line, delete ‘should’ replace with ‘to’. 2<sup>nd</sup> line of last para, to be unchanged. We feel that the use of ‘should’ within this context is appropriate.
- EHNP11-i) and ii). Drafting to be retained, use of should is relevant because of viability.
- EHNP11. – iii) Use of ‘encouraged’ we feel works, ‘should’ also to be retained.
- EHNP11.-v). This limb to be taken into the supporting text.
- EHNP12.-ii). Use of ‘encouraged’ we feel works.
- EHNP13. Second line ‘should’ to be deleted and amended to ‘to’.  
Second paragraph first line ‘encouraged’ we feel works as this provides direction and encouragement within the policy for the provision of the facilities whatever the size of the development. ‘Should’ also to be retained.

The sentence 'Discussion of proposed facilities with the Parish Council at an early stage is encouraged' to be moved to supporting text, save for the words 'Proposed facilities, etc, to the end of the sentence, which are to remain.

- EHNP14. Second line. 'These open spaces should be' , 'should' to be deleted and replace with 'are to'.

Third line. Sentence starting 'Such areas', 'should not' to be deleted and replaced with 'are not to', thus the sentence reads 'Such areas are not to include/comprise of ....'.

- EHNP14. Second para. 'Developers are encouraged to consider'. Delete 'encouraged'.
- Ehnp14. Third para, last line. 'are encouraged and' to be retained, as this is appropriate in the context.
- EHNP15. Point 2. 'development proposals should'. Delete 'should' replace with 'must'.
- EHNP16. Last line. Delete 'encouraged' replace with 'will be supported'.
- EHNP17. Second Bullet. 'Areas of existing screening should not be redeveloped', delete 'should not', replace with 'are not to'.
- EHNP17.' Biodiversity enhancements are encouraged'. Encouraged to be deleted and replaced with 'required'.

Last bullet line 'Developers are encouraged'. Delete 'encouraged' replace with 'required'. Add in after 'stage' the words 'any larger scale'

### *Policy EHNP1 – Village Character, Sustainable Development and Design*

This is an excellent policy which is underpinned by the submitted Design Code

In the round it is a very good local response to section 12 of the NPPF.

EHPC Response: Thank you for this supporting statement.

### *Policy EHNP2 – Settlement Boundary*

This policy proposes a well-defined boundary which is underpinned by the details in Appendix C. Developers (Responses 8 and 13/14) comment that the use of a settlement boundary is restrictive. Does the Parish Council wish to comment on these responses?

EHPC: Thank you for the opportunity to comment, responses to each are provided as follows.

#### *In respect of response 13:*

The representation is submitted on behalf of a developer by Stantec. The document gives little reference to the Settlement boundary other than to identify a site which they wish to see developed for housing which is adjacent to the settlement boundary.

The submission also gives considerable reference to the impact of the Abingdon Reservoir proposals which are of concern to the village and the wider impacts that it may have on the future of this area.

There is no specific commentary about the settlement boundary policy, it is therefore assumed that as drafted the provision of the Settlement boundary as proposed does not present a concern.

They also commend the EHNP on the preparation of the draft NP.

*In respect of response 14:*

The representation is submitted by a developer with interest in land adjacent to the settlement boundary. The document both provides commentary on the Settlement boundary and on the site which they wish to see developed.

They note that the boundary is drawn tightly, and comment initially that 'apart from some modest infill the Plan does not provide additional opportunities for growth'.

However, the policy does provide for additional growth through the inclusion of the following wording within the draft policy; 'Outside of the Settlement Boundary development proposals will be supported on allocated sites'.

The representation proceeds to acknowledge this and notes both that 'the sites allocated in the Local Plan have now been included within the settlement boundary' and 'that the policy wording allows for further sites to be allocated in any Local Plan review'.

An important aspect of this policy is that it allows for additional growth outside of the boundary on allocated sites, thus on a planned and managed basis, and is not therefore restrictive. It has the benefit to the village of ensuring that development can be in appropriate locations and provided on a basis in accordance with both the District and Parish Plans and needs.

The Settlement boundary is drawn tightly, this is acknowledged and is intended, but as set out above, is not restrictive because of the provisions within the policy that instead provide for managed development. It provides a robust and definitive boundary line.

*In respect of response 8:*

The representation is submitted on behalf of a developer by Carter Jonas. The representation has a specific section 4.0 on Settlement boundaries.

The commentary does not give reference to the specific detail of or the drafting of the EHNP Settlement boundary policy but provides their opinion that incorporation of a settlement boundary is '*negative*' and that in their view the use of settlement boundaries do not comply with planning guidance. Having made this statement Carter Jonas then state at 4.3 that '*We submit that the use and operation, of settlement boundaries does comply with the Planning Practice Guidance*'.

The use of the word '*restrictive*' being quoted from Planning Practice Guidance, (which the representation quotes on page 8). This is considered below:

We do not believe that the context of the Planning Guidance as quoted in the representation is within context, because there is no consideration of the provisions of the policy or the detail of the proposed boundary and in any event is not applicable because:

\* the settlement boundary as proposed within EHNP2 has been evolved through a definitive process and is supported by evidence as provided within the supporting policy wording and the appendix.

\*The policy drafting allows for the delivery of additional sustainable development on a managed basis

Other than opinion there does not appear to be any real evidential argument relative to the boundary and policy proposed given within the representation, nor is there a response to the drafting of the policy which has been revised for Reg 16. The contention that the policy is restrictive is we believe unfounded because the policy as drafted enables development both within the settlement boundary and outside at the discretion of the District Council through selected site allocation.

The relevant drafting within the policy is: *'Outside of the Settlement Boundary development proposals will be supported on allocated sites or where the development is appropriate for a countryside location, and they are in accordance with policies of the development plan and comply with policies in the Neighbourhood Plan'*.

The representation also argues that *'in terms of impact on amenity and the local landscape it might be preferable to locate new homes in edge of village locations which technically might sit outside of arbitrary boundaries'*.

As a note: the EHNP proposes a policy which considers development at the village edge which would be through allocated sites and on a basis compliant with District and Parish policy, rather than speculative.

The boundary as proposed is not arbitrary. It has been developed through a process of consultation and following independent technical advice. That included ensuring that the boundary was run tight at various points recommended by the independent advisor and thus gives a measured and definitive position.

The boundary as proposed has taken into consideration a number of influencing factors as set out within the appendix, these include natural features, areas prone to flooding, aspects such as planning decisions supported by Inspectors on appeal, and physical boundaries.

It was considered important that a process for the development of the boundary was followed including consultation and taking professional independent advice, consequently, is robust and definitive. Thus, is not arbitrary, but professionally supported and appropriate to this Plan.

One of the other general comments within the representation is at 1.9 which states *'we do not believe that settlement boundaries are a positive approach to managing development'*, we would comment that the Settlement Boundary policy as drafted does in fact provide for the positive management of development within the village and should the District require, enables management of development through allocation of strategic sites which may be outside of the boundary . This is a much better and controlled approach to the management of development than that experienced in the last 10 years which has seen a near doubling of the village size at locations many of which are considered unsuitable for reasons as set out within the Neighbourhood plan. It is important for a small rural based village like East Hanney for there to be a Settlement Boundary policy this provides a strategy for growth relevant to the needs of the village which enables development in appropriate locations and on a controlled and managed basis.

*Policy EHNP3 – Village Infill*

The first sentence of the second part of the policy is explanatory text and not a land use policy. As such, I am minded to recommend that it is deleted and repositioned into the supporting text.

Does the Parish Council have any comments on this proposition?

EHPC Response: We agree that this is a sensible amendment.

*Policy EHNP4 - Coalescence*

This is an important policy in the Plan.

Given the relationship of the East Hanney/West Hanney gap with the identified gap in the made West Hanney Plan, did the Parish Council consider using the same policy approach (Policy RS2 of the West Hanney Plan) to ensure consistence for development management purposes?

EHPC Note: – West Hanney policy RS2 given below for reference.

<b>POLICY RS2 – THE HANNEY GAP</b>
Any proposals for development within the Hanney Gap (as shown in Map 2) should not, either individually or cumulatively, unacceptably detract from the character and/or the scale of the remaining gap between West Hanney and East Hanney and should conserve the open and tranquil character of the landscape and its views.

EHPC Response: The early drafting of the draft policy did consider a similar policy approach. The EHNP Reg 14 draft had focus on the Hanney Gap with drafting seeking to conserve openness. But also, had a need for a wider approach to address the risk of coalescence or unreasonable encroachment from other neighbouring settlements where such development would compromise the visual separation of respective communities.

The focus of the West Hanney policy is on the preservation of the ‘Hanney Gap’ with some emphasis on the area of ‘smallest remaining space’ this remaining space lies within the Parish of West Hanney.

Whereas, the perspective in East Hanney is wider with the risk of coalescence with other settlements particularly from Grove in the south, as well as consideration of the area of the Hanney Gap which lies within East Hanney.

The importance of this policy and the need for ensuring separation of East Hanney from neighbouring settlements was recognised by the District Neighbourhood Planning team who have been very helpful in developing the policy on the basis of separation. The drafting as presented for Reg 16 is provided with recommended policy wording to ensure separation and thus protect from the risk of coalescence.

Did the Parish Council assess the extent to which the proposed gap between East Hanney and Grove should be addressed differently in the Plan than that between West Hanney and East Hanney given that it is both larger in scale and does not yet exist in the form proposed to be protected by the policy?

EHPC Response: Yes, there has been assessment and consideration of the extent to which the proposed gap between East Hanney and Grove should be addressed. In light of the very large scale of Grove and those areas of Grove close to the East Hanney Parish border which are subject to development, then compared to East Hanney being much smaller, (a village environment and very different in character), it is thought reasonable that the area of fields which currently exist between the edge of East Hanney (at Summertown) extending southwards to the Parish border with Grove be proportionate as a gap to be retained, when considering the size of Grove compared to East Hanney. That is what is intended within the policy and indicated in figure 11 (area in pink hash) page 38.

We would be comfortable amending the policy to make this clearer, and if recommended adopting drafting based on West Hanney RS2 (above) in this regard for both of the areas covered within EHNP4 to maintain separation: as you may recommend:

We have considered some alternative wording as follows:

*Suggested amendment adopting drafting from West Hanney NP, propose amendment is inserted as a new and additional bullet after the second paragraph (ending 'only be supported where') :*

- Any proposals within either of the areas that separate the settlements should not, either individually or cumulatively, unacceptably detract from the character and/or the scale of the remaining respective gap (insofar as this affects the neighbourhood area) and should conserve the open and tranquil character of the landscape and its views.

#### *Policy EHNP7- Letcombe Brook*

Is there any specific evidence to support the policy's requirement for a 20m buffer beyond the commentary in the supporting text?

EHPC Response: A letter from the Letcombe Brook Project which specifically relates to the Letcombe Brook and explains in detail the need for a wider buffer is submitted within Appendix A, Base Line Evidence. Please see Page 34 of that Appendix. The letter also sets out the benefits of a buffer.

Relevant laws that are not mentioned in the evidential material which may help give weight to the argument for increased protection (which we can incorporate as evidential material) include:

- Section 41 of the Natural Environment and Rural Communities Act (2006)<sup>124</sup>. Chalk streams being identified as a priority conservation.
- Environment Act 2021. Part 6 of the Act Biodiversity Gain in Planning strengthens the NERC Act in respect of biodiversity. Public authorities are now required to seek to conserve and enhance biodiversity in the exercise of their function. This we feel gives weight to the argument for the provision of the extended buffer, the extension helping fulfil the obligations,

namely, to seek to conserve and enhance biodiversity relevant to the course of the Letcombe Brook chalk stream within the Parish of East Hanney.

- We also understand also that the Government recently voted to increase protection for chalk streams. The Levelling up Bill was debated in the House of Lords on Wednesday 18<sup>th</sup> July 2023, and it was agreed that DEFRA would bring forward an amendment to provide the required protection for chalk streams under threat from abstraction and pollution, meaning that specific protection for chalk streams is now to be written into UK law.

The above we consider indicates that the direction of travel in relation to chalk streams is for enhanced protection, and for provision of requirements on public authorities to conserve and enhance biodiversity. The extension of the buffer as proposed under EHNP7 to 20 meters from the bank aligns with this and would provide the protections needed to help conserve the rare qualities of the Letcombe Brook chalk stream within East Hanney, and conserve and enhance its biodiversity.

### *Policy EHNP8 – Local Green Spaces*

I looked at the proposed local green spaces (LGSs) carefully during the visit. I have also looked at the details in Appendix D.

Please can the Parish Council advise about the sizes of the various LGSs (other than D and H).

The final section of this note provides an opportunity for the Parish Council to respond to the various comments made on some of the proposed designations

EHPC Response: The Parish Council has assessed the sizes of the various LGS spaces to be as follows:

Site	Size
A	2.12 ha
B	4.55 ha
C	3.13 ha
E	4.25 ha
F	3.19 ha
G	5.65 ha

### *Policy EHNP10 – Housing Density*

The 'Policy Context' helpfully draws attention to Policy 23 of the Local Plan Part 1. I can also see the way in which the submitted Plan has addressed local circumstances.

Nevertheless, is the Parish Council satisfied that the policy is in general conformity with the strategic policies in the development plan?

The third part of the policy is difficult to follow. Please can the Parish Council explain its approach?

EHPC Response: The Parish Council is satisfied that the policy is in general conformity with the strategic policies of the development plan. It is the intent of Policy 23 of the Local Plan Part 1 for there to be a relief from the requirement from the specified minimum density of 30 dwellings per hectare, there being provision for a lower density to prevail where circumstances apply, this specifically includes adverse impact on character.

The policy wording of Policy 23 states *'that a minimum density of 30 dwellings per hectare (net) will be required unless specific local circumstances indicate that this would have an adverse effect on the character of the area, highway safety or the amenity of neighbours.'*

The inclusion within Policy 23 of the words:

*' unless specific local circumstances indicate that this would have an adverse effect on the character of the area'.*

clearly ensures provision for a lower density in relevant circumstances as applies for East Hanney, where a minimum density level of 30 dwellings per hectare (net) would be substantially out of keeping and would have an adverse effect on the character of the area.

Further, the supporting text of Policy 23 states that higher or lower densities may be acceptable and the approach to density should be justified in the Design and Access Statement and relate to urban structure, legibility, landscape and townscape context and creating enclosure to streets and spaces.

East Hanney is a compact and walkable settlement where it is safe and convenient to walk or cycle supported by low densities. The minimum of 30 dwellings per hectare figure reflects a more suburban style of layout with urban features and where car-based travel is frequented. This would be contrary to the character of the settlement of East Hanney which has rural characteristics, is of low density and has a green village landscape surrounded by countryside.

In more recent modern developments on the edge of the settlement higher densities have been permitted and whilst these schemes have tried to emulate aspects of village character, they have undermined character because of the density, and have also presented a harder urban edge to the countryside rather than the traditional settlement pattern.

In the case of East Hanney therefore where character is a paramount material consideration supported by the Neighbourhood Plan, it is reasonable to assume that local circumstances would apply to reduce densities to be lower than the minimum 30 dwellings per hectare across the settlement, to align with village densities. In this sense the Neighbourhood Plan does conform to policy 23 in the Local Plan Part 1.

Policy 23 is a District wide policy and understandably needs to apply to all development locations and environments, rural, village, village edge, urban and town centre, consequently, we believe that the intent of Policy 23 (as set out in its supporting notes and within the policy itself), is not for a consistent minimum density of 30 dwellings per hectare in all locations, but for housing densities to be appropriate relevant to local circumstances such as in a rural village (as is the case for East Hanney) where lower densities apply.

We consider that the Neighbourhood plan as submitted, appropriately addresses the 'specific local circumstances' relevant to East Hanney in order to prevent 'an adverse effect on the character of the area' and is thus entirely in general conformity with policy 23 of the Local Plan Part 1.

We would suggest that for Policy EHNP10 a new first paragraph is added as follows:

*'In line with Policy 23 of the Local Plan Part1, applicants must take into account local circumstances (including existing densities within the locality and the detail of the area as set out in the East Hanney Design Code). The density of new developments to be justified within the Design and Access Statement, with particular regard to impact on village character'.*

With regard to the third part of the policy. We agree that it could be restated in a clearer form.

Within the third paragraph developments on the periphery are considered in more detail especially where facing open countryside; these should offer a softer edge with greater emphasis on low density and integrating green spaces and other rural features. It should be noted that the Design Code references local densities in sub areas but where this is not clear the local circumstances should be determined by the immediate surrounding areas. The issue arises where the immediate area is one where higher densities have been permitted and this is where lower densities are needed to make a positive contribution to enhancing village character rather than expanding developments that are out of keeping with character.

The intent of the provision is therefore for new developments at the village edge to be at a lower density than those in the (existing) core of the settlement, and also lower than that of any housing immediate to the proposed development, so that a softer edge of the village is achieved. Giving a more rural feel to the village edge, and thus not adversely impacting on the visual impact of the village from its approaches.

Below is suggested alternative wording for para 3, but we are also comfortable with any recommendation which you may feel provides the appropriate clarity and achieves the intent.

Proposed alternative wording for paragraph 3.

*'Where development is proposed at an edge of village location it must be at a lower density than in the core of the settlement and at a lower density than that of any existing development in the immediate surrounding area, with reference to the East Hanney Design Code, reflecting the rural nature of an edge of village location and character of the immediate locality and the settlement.'*

### *Policy EHNP11 – Housing Mix*

The fifth part of the policy reads as explanatory text rather than policy. As such I am minded to recommend that it is deleted and repositioned into the supporting text.

Does the Parish Council have any comments on this proposition?

EHPC: We agree with this suggested amendment.

*Policy EHNP12 – Housing mix for an aging population*

The second part of the policy reads as an aspiration. Was this the Parish Council's intention? Should this part of the policy acknowledge that its mathematical approach would better apply to major developments?

EHPC Response: In respect of the second part of the policy. It was not the Parish Council's intention for the policy to read as an aspiration. Following Reg 14 consultation, the drafting was amended with the table provided by the District Council. We understand that this is the requirement for affordable housing as set out by the District with District policies.

The main intent of the Parish Council is to ensure provision of affordable housing available to meet needs and particularly the needs of the local community.

We agree that it would be sensible for this part of the policy to acknowledge that the approach provided for by way of the table should only apply to major developments.

*Policy EHNP17 – Sustainable development and environmental impact*

The policy has been presented in a different way to the others and is difficult to navigate. Please can the Parish Council explain its thinking and (if applicable) propose a revised policy.

To what extent does the policy add specific value beyond the details in Policy 25 of the Local Plan?

Is the second part of the policy aspirational?

EHPC Response: The Parish Council will propose a revision of the policy particularly in respect of the form and structure of the supporting text. Revised policy to follow.

The policy is intended to add value beyond that of the District Council Development Management Policy 25 (Local Plan Part 2) which relates to Noise.

The drafting of EHNP17 to be amended as part of its revision to make clear that the District Policy referenced is the Development Management policy 25 from Local Plan Part 2 (The Local Plan Core Policy 25 from Local Plan Part 1 is in respect of Rural Exception sites).

EHNP17 adds specific value by:

- Addressing the issue of excess noise within a specified area and setting out requirements relating to solutions that may be proposed to ensure effectiveness. It is therefore relevant to a specific area and an established problem within East Hanney.
- Limbs of the policy also address certain conventional solutions which may generally be proposed in cases of excessive noise and sets out requirements to aid effectiveness, such as ensuring that areas of existing screening should not be redeveloped without alternative procedures in place.
- The policy also addresses air quality.

In comparison Development Management Policy 25 provides a more general solution and sets out standards. EHNP 17 is intended to compliment and be compatible with the District policy, as referenced within EHNP17.

EHNP17 is to be revised and will seek to make a clear differentiation between the District policy and that in the Neighbourhood Plan so that the added value is clear and the policy does not unnecessarily repeat the provisions of Development Management Policy 25.

We do not consider the second part of the policy to be aspirational as we believe it to be both deliverable and in keeping with the local environmental needs of the village. Enhancement of biodiversity and the green environment enjoyed in the village is a reoccurring theme throughout the Plan's supporting documents, this aspect of this policy aids biodiversity enhancement and so has value for both developers and for the local environment within East Hanney.

The elements set out, have also been achieved in at least one of the recent major development approvals. An example is:

\* North-East of East Hanney – Rosie Bees P19/V0910/FUL. For this application it was requested that biodiversity enhancements particularly to encourage wildlife be provided for as a condition. The Committee report made the recommendation and by way of example Planning consent was granted with this as a condition; Condition 17 of the Consent being as follows:

'Prior to any development above slab level details of swift bricks including their design, the number to be installed on houses (which shall number at least six (6) swift bricks), and which houses they shall be installed on including their positions, shall be submitted to and approved in writing by the local planning authority. The swift bricks shall be provided in accordance with the approved details prior to the first occupation of the dwellings on which they are to be installed. Reason: Swifts (*Apus apus*) are a declining species in this country. The swift bricks will provide nesting opportunities and may assist in protecting this bird species (core policy 46 of the adopted Local Plan 2031 Part 1).'

Consequently, we are confident moving forward that the policy requirements for such biodiversity enhancements as set out in EHNP17 are deliverable and particularly relevant for this village. The precedent achieved gives weight and will help the policy to become an established plank of local planning considerations that will deliver enhancements towards net biodiversity gain within the village and encourage provision of habitat for wildlife as part of development.

## ***Representations***

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

I would find it helpful if the Parish Council commented on the representations made by:

- Landan Homes (Response 8);
- Frances Dudley (Response 9);
- Lagan Homes (Response 13/14);

- Bloor Homes (Response 15); and
- Dijkman Planning (Response 16).

EHPC Response: Thank you for the opportunity to comment.

Response to this question in respect of each of the noted Representations is to follow.

The District Council proposes a series of revisions to certain policies and the supporting text in the Plan (Response 5). Does the Parish Council have any comments on the suggested revisions?

EHPC Response: Comments are to be provided for each of the District Council proposed revisions. A separate document is to follow.