Chilterns Conservation Board Comments on the SODC Core Strategy following publication of the National Planning Policy Framework (April 2012)

Conservation Boards

A Conservation Board is a statutory independent corporate body set up by Parliamentary Order under the provisions of Section 86 of the Countryside and Rights of Way (CROW) Act 2000.

Section 87 of the CROW Act sets out the purposes of a conservation board as:

a) the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty, and

b) the purpose of increasing the understanding and enjoyment by the public of the special qualities of the area of outstanding natural beauty

But if it appears to the board that there is a conflict between those purposes, they are to attach greater weight to the purpose mentioned in paragraph (a).

Furthermore “A conservation board, while having regard to the purposes mentioned in subsection (1) [of Section 87], shall seek to foster the economic and social well-being of local communities within the area of outstanding natural beauty, and shall for that purpose co-operate with local authorities and public bodies whose functions include the promotion of economic or social development within the area of outstanding natural beauty.”

Section 85 of the CROW Act states under “General duty of public bodies etc”

“(1) In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.”

The attached response has been prepared by Colin White, Planning Officer, under delegated powers and will be presented for approval to the Conservation Board’s Planning Committee which meets on 16th May 2012.

Should you require any further information do not hesitate to contact the writer. Please note that the Board has only commented on those elements of the consultation document that are considered to have implications for the Chilterns AONB and the need to conserve and enhances its natural beauty.

Response of the Chilterns Conservation Board

1. The Chiltern Conservation Board has made comments at various stages in the production of the South Oxfordshire District Council Core strategy and is grateful for the opportunity to comment at this stage on matters arising from the publication of the National Planning Policy Framework.

2. One of the issues that had been addressed by modifications to the Core Strategy, and which had significant consequences for the AONBs within South Oxfordshire, was that of a windfall allowance. The modifications sought the removal of references to the provision of
1051 dwellings through unallocated sites (towns 550 and larger villages 501) and the consequent redistribution of that figure (along with other amendments to the calculations) to other areas including a large number to larger villages which increased from 501 to 740 and then to 1154 (with at least 500 in the Central Oxfordshire area) through the various iterations of the Core Strategy.

3. The Board considers that the publication of the final version of the National Planning Policy Framework allows the Council the opportunity to revisit the issue of the inclusion of an allowance for windfalls. In fact, paragraph 48 states that ‘local planning authorities may make an allowance for windfall sites in the five-year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any allowance should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends, and should not include residential gardens’. Inclusion of a windfall figure in the Submission Core Strategy was a clear demonstration of the availability of such sites and the figure provided had been suitably discounted in order to be robust.

4. The Board therefore considers that the Core Strategy should be further modified by the removal of those modifications that sought deletion of the references to unallocated sites. Furthermore, the housing figures used in the Core Strategy should be examined once again in order to ensure that they are as up to date as possible and so that the figure used as a windfall allowance is both robust and deliverable.