

Reviewed Long Wittenham Neighbourhood Development Plan

Independent Examiner's Clarification Note

Context

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 is very well-presented. The Plan provides a clear and distinctive vision for the neighbourhood plan area in a challenging context in terms of the relationship between existing planning policy and the emerging Local Plan. Its focus on the proposed community hub and the natural and built environments, is both appropriate and distinctive to the neighbourhood area. Its proposals for a Community Hub are both innovative and well-developed.

Points for Clarification

I have read the submitted Plan and its associated documents. I have also visited the neighbourhood area. I am now in a position to raise some initial issues for clarification. They are designed for the Parish Council. The comments that are made on these points will be used to assist in the preparation of my report. They will also inform any modifications that may be necessary to the Plan to ensure that it meets the basic conditions.

General Policy Wording

The Plan uses overlapping wording in several policies where it takes a positive approach to development. In these circumstances it uses either 'permitted or approved'. Where it takes a more negative approach to development it uses 'will not be allowed'.

This is potentially confusing to all concerned and to SODC in particular as it would implement a 'made' Plan up to 2033. As such I am proposing to recommend modifications to all affected policies so that they include either 'support' or 'not support' as appropriate.

Your comments would be appreciated at this stage.

Policy LW1

I have a series of detailed comments on this important component of the Plan. They should be seen within the context of my views on the Community Hub in the 'Initial Comments' section above.

Policy LW1Ba

What is meant by 'changing educational and social expectations'?

Does it overlap with paragraph 78a?

Would it be more appropriate for the criterion to require compliance with educational standards in place at the time of determining planning applications for the community hub?

Policy LW1Bb

The second sentence appears to detract from the substance of the first sentence.

Is there any possibility that a complementary approach will not be possible?

Policy LW1D

What is this component of the policy seeking to achieve?

Is it more a matter for the underpinning development agreement (and/or supporting text) rather than for planning policy?

Policy LW1E

In the wider context of the policy is this component necessary?

If it is required for assurance or clarity should it be supporting text rather than policy?

Policy LW3Bb

The second sentence appears to detract from the substance of the first sentence.

Is there any possibility that a complementary approach will not be possible?

Policy LW4

Both components A and B read in a potentially-confusing fashion.

By definition development in both the proposed Green Gaps and the wider countryside would be restricted in general terms. Nevertheless, in both cases the exceptions to the restrictions are presented as the key elements of the policy.

In addition, this matter is potentially further confused by the double-negative approach included in both LW4Ba and LW4Bd.

I am proposing to recommend a modification to the policy so that its approach is reversed (a restrictive approach with specific exceptions).

Does the Parish Council have any comments?

LW6A

This reads as a statement of intent rather than as a policy.

Is its approach one which requires to developers to mitigate impacts on community infrastructure where an impact arises directly from the development proposed (and in doing so rely on the information in the Evidence Paper)?

LW7

Would the approach that is included in components A/B and C result in any material difference between the outcome of development proposals within the conservation area and elsewhere?

LW8B

This reads as a clarification of LW8A. Furthermore, it largely repeats paragraph 142.

Does it add any value? Is it needed?

LW9A

As drafted this policy would allow a developer to 'consider how they could contribute to wider proposals' and then decline to contribute.

Is the policy's purpose to ensure that proportionate payments are made where it is appropriate for the development proposed to do so?

The text in bold at the end of this part of the policy refers the reader to the excellent Evidence Paper. However, for the purposes of simplicity I am proposing to recommend a modification to replace the bold text with 'Policy LW9B'. The link to the Evidence Paper would remain in paragraph 146.

Does the Parish Council have any comments?

Policy LW11

I can see that this policy largely mirrors than in the 'made' Plan (Policy LW6). This is fine in itself.

However, should its geographic extent be modified (reduced) to take account of the implications of the inclusion of Policy LW3 in the submitted Plan (and the associated residential proposal granted on appeal)?

Representations made to the Plan

I will contact the Parish Council again once the Regulation 16 consultation period has concluded. That communication will ask if Parish Council wishes to make observations on any representations that have been received by the District Council.

Protocol for responses

I would be grateful for comments by Friday 7 December 2018. Please let me know if this timetable may be challenging to achieve. It reflects the factual basis of the questions raised.

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 can all responses be sent to me by the District Council and make direct reference to the policy/issue concerned.

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Independent Examiner

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