

KIDMORE END NEIGHBOURHOOD DEVELOPMENT PLAN

RESPONSE OF KIDMORE END PARISH COUNCIL TO THE EXAMINER'S 2ND CLARIFICATION NOTE

Policy LCLG

Q. Given that the South Oxfordshire Local Plan has now been adopted are the pressures which were around at the time that that Plan was being prepared still relevant?

Response: The pressures that existed when the Plan was first being prepared are still relevant today and will be for the foreseeable future. This policy is critical to ensuring that the gap between Caversham, Reading and Tokers Green is maintained. We are very aware not only of single developments but also the effects of cumulative development and this policy protects against both. The gap is quite small but the landscape changes significantly and immediately from urban Reading to rural South Oxfordshire and the small area of land between Caversham and Tokers Green has been identified as an area of special community value through community consultations.

Policy HDA

Site Assessments

The AECOM Site Assessment work comments in detail about the proposed site. In particular it comments that it is located within in AONB and has 'medium sensitivity' in landscape terms. Based on the findings of the AECOM assessment work:

Q. How did the Parish Council balance the acknowledged sensitivity of the site with the proposed limitations on its size?

Response: The Parish Council acknowledges that this site is within the AONB, and careful consideration has been given to the impact of the proposed development on the AONB. Limiting the size of the allocation has always been a key consideration of the site.

The parish council has been clear that the development will be small in size, i.e. no larger than 0.2 hectares, acknowledging the landscape sensitivities of the parish and AONB.

The parish council agreed with AECOM that this site was the most appropriate of the sites put forward in the call for sites process. More information about the site selection process is set out in the Housing Requirement and Allocation Paper, reference Appendix B3.

The location of the proposed site, along with the size of the site and type of dwellings to be delivered were also key considerations.

The proposed allocation has been informed by the findings from the household survey, which indicated an appetite for smaller and more affordable dwellings. Feedback from parishioners has demonstrated a preference for small houses, as the stock of houses in the village has changed over the years, with the need for younger families to be encouraged into the parish. Paragraph 7.5 and section 10 of the Plan discusses this in more detail.

Within Tokers Green Lane there are a range of houses of different sizes.

Whilst the site is located within the AONB, the site is also within the village of Kidmore End, which is the most sustainable village within the parish, as it is the only 'smaller village' identified by the South Oxfordshire Local Plan settlement hierarchy. In addition, there has only been one house built since 2011, whereas the development in other villages has been greater. The Parish Council has balanced the benefits of locating the allocation at Kidmore End village, against elsewhere in the parish.

Q. How did the Parish Council assess the implications of bringing forward a site in the AONB on the one hand, with its aim to provide improved protection against the adverse impact of speculative development if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites (paragraph 7.5 of the Plan) on the other hand?

Response: The protection against speculative development was just one consideration. As paragraph 7.5 of the Neighbourhood Plan sets out, the considerations also included: a positive proactive approach to appropriate development, housing targets, the household survey, smaller more affordable housing, and sustainable growth.

In addition to the above, the Parish Council considered Policy H8 in the Local Plan which states:

'1. The Council will support development within the Smaller Villages in accordance with Policy H16. Where a Parish Council wishes to prepare a Neighbourhood Development Plan and make housing allocations within it to support further growth, the Council will support this.

2. Those Neighbourhood Development Plans will need to demonstrate that the level of growth they are planning for is commensurate to the scale and character of their village, and this is expected to be around a 5% to 10% increase in dwellings above the number of dwellings in the village in the 2011 census (minus any completions since 1 April 2011).

3. Neighbourhood Development Plans allocating sites on greenfield sites in these locations should consider how development can meet the bespoke needs of their village, including housing mix, tenure and the amount of affordable housing.'

Paragraph 4.37 of the Local Plan goes on to say:

'Smaller Villages, as defined in the settlement hierarchy (Appendix 7), have no defined requirement to contribute towards delivering additional housing (beyond windfall and infill development) to meet the overall housing requirement of South Oxfordshire. There is a sufficient supply of housing from strategic allocations and from existing planning permissions, which means that the less sustainable settlements will not be required to offset the housing requirement. However, some parishes may still wish to proceed with preparing a Neighbourhood Development Plan for example to achieve the protection afforded by allocating housing to fund projects they want to deliver or they would like to identify a specific type of housing

bespoke to their village's needs. The Council's strategy therefore allows them to do so, provided that the levels of growth are commensurate to the size of the village.'

Considering paragraph 4.37 of the Local Plan, Kidmore End village is identified as a Smaller Village and the Neighbourhood Plan is seeking to respond to a bespoke local appetite for a small amount of smaller housing, identified through the household survey and via the call for sites process which identified CFS8 as the most sustainable location.

All the factors identified in paragraph 7.5 of the Plan combined were considered against the location of the proposed development. It is important to the Parish Council that the site is meeting a local appetite for smaller dwellings, on a limited sized site, in an appropriate location, in the context of the wider parish. Paragraphs 7.6 to 7.17 of the Neighbourhood Plan seek to explain this. If the examiner feels that additional explanation is needed, then we suggest that the following sentence could be added: *'All of these factors have been carefully considered when proposing to bring forward a site allocation in the AONB. The proposed allocation is in line with feedback from parishioners, on a limited site, in an appropriate sustainable location.'*

The decision to have a site at the proposed location, which happens to be within the AONB, is based on feedback from local consultation, considered debate and a desire to have a robust NDP. The Parish Council is very respectful of the AONB and its position in protecting this landscape now and for the future.

Q. Please can the Parish Council comment about the relationship between the second bullet point of the Key evidence on site CFS8 about the boundaries on the west and south of the site and Footnote 14 of the wider Assessment?

Response: The second bullet point states that *'The area to the west and south of the allocation should be contained by native hedgerow planting interspersed with trees to soften the edge of the settlement.'*

Footnote 14 of the wider Assessment relates to what might constitute major development (see the full wording in Supporting Info at the end of this document).

The Parish Council does not consider this allocation as major development within the AONB.

Policy HDA as drafted contains criteria, with 5 of these heavily focused on design and landscape. In addition, paragraph 7.12 of the Neighbourhood Plan highlights: *'Through careful site design and with the inclusion of the KENDP policies, this aims to provide a good level of confidence that this site will not be further extended over time.'*

The limited size of the site makes it possible, with further refinement of the design requirements in Appendix D7, to provide a defensible boundary and also to ensure that the site blends in with the wider built form and has minimal adverse impact on the AONB.

Additional measures such as wider hedgerow/landscape buffer and curvature to match existing boundary form/layout can be added to D7. Please see a revised version of Appendix D7 alongside this response note.

The current boundary south and western boundary for the last house before the proposed development is mainly beech hedging.

Future controls on the sizes of the proposed new houses

I have considered the earlier responses very carefully. However, I am still unclear about the extent to which the Plan intends to safeguard its wider approach by restricting the size of the houses in the first instance and their potential for future expansion thereafter.

I invite the Parish Council to provide some further clarification on the following matters:

Q. The extent to which the proposed southern and western boundaries of the site could be designed and implemented in a way which would bring about the type of landscape mitigation anticipated by the AECOM study?

Response: A more substantial landscape hedging/buffer can be added into the design plan.

A slight reconfiguration of the red line to mimic the existing plots on Tokers Green Lane could provide landscape mitigation. See attached amended Appendix D7.

The landscaping on the south and western boundaries will be implemented by ensuring that this design is stated clearly in the documentation which leads to the planning application and discussed with the landowner, at the beginning of any further process.

Q. The extent to which the layout of the site could incorporate and/or safeguard the permissive footpath (as anticipated by the AECOM study)?

Response: The southern boundary of the proposed site does not encroach on the footpath. In any case, as South Oxfordshire confirmed in their response to the first clarification note, there is no recorded public right of way in this location and, to the knowledge of the parish council, this is not a permissive footpath as the landowner has not given permission for its use.

Q. The extent to which controls on future extensions of the proposed houses would be practicable?

Response: The Parish Council are intending to control future extensions through the overall size of the site and the resultant plot sizes. For example, under permitted development rights, in most cases extensions and other buildings must not exceed 50% of the curtilage. Therefore, by limiting the size of the plot, the potential size of any future extension is also restricted.

However, on the basis that these limited houses are meeting an appetite for smaller more affordable housing, policy wording to guarantee that the properties remain smaller in perpetuity could be introduced. For example, through the introduction of wording requiring the imposition of a planning condition or legal agreement, removing rights under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Q. If such controls were considered to be practicable, whether they would be by way of land use planning mechanisms (planning conditions/S106 agreements) or by way of private covenants/restrictions?

Response: An amendment to criterion 4 could be made to ensure the mix of housing sizes is delivered and retained in perpetuity:

'Proposals will be supported provided they are retained as smaller units in perpetuity to be secured through a planning condition or legal agreement. The development should include a mix of housing sizes, meaning no more than 3 bedrooms in any of the proposed dwellings, and that the mix should include dwellings with less than 3 bedrooms; and'

Amendments to the supporting text to mirror this change will need to be made. If the examiner was minded to agree, we would suggest text such as:

'The policy seeks to control the types of dwellings delivered on the allocation to ensure they are responding to the expressed desires of the local community through the household survey and consultation events.'

Q. In the wider planning balance to what extent has the Parish Council taken account of the relationship between the delivery of specific houses to meet local housing needs with the broader spatial strategy in the adopted Local Plan for the delivery of new houses in the District?

Response: The spatial strategy, set out in STRAT1 in the adopted Local Plan supports Smaller and Other Villages by allowing for limited amounts of housing and employment to help secure the provision and retention of services.

Policy H8 of the Local Plan clearly states:

'Where a Parish Council wishes to prepare a Neighbourhood Development Plan and make housing allocations within it to support further growth, the Council will support this'

Policy H8 relates to Smaller Villages and emphasises that the Council will support Parish Councils wishing to making housing allocations to support further growth. The Parish Council has identified this further growth through the household survey. Policy H8 goes on to state:

'2. Those Neighbourhood Development Plans will need to demonstrate that the level of growth they are planning for is commensurate to the scale and character of their village, and this is expected to be around a 5% to 10% increase in dwellings above the number of dwellings in the village in the 2011 census (minus any completions since 1 April 2011).

3. Neighbourhood Development Plans allocating sites on greenfield sites in these locations should consider how development can meet the bespoke needs of their village, including housing mix, tenure and the amount of affordable housing.'

The Household Survey provided an indication of the appetite for a small amount of growth in the form of a small development. As explained in paragraph 7.5 of the Plan, it is expected that through a small amount of appropriate infill and the small allocation of 3 to 4 houses, we will achieve closer to 10% growth by 2035. This is in line with part 2 of Policy H8. Through the measures such as limiting the site size and the mix, we hope to meet the bespoke requirement of the village and parish to have a vibrant and healthy mix of housing (in line with part 3 of the policy).

As already stated, we have considered multiple factors when considering the level and type of development to be proposed in the Neighbourhood Development Plan.

Housing in our parish is expensive. We have a need to ensure an ongoing stock of more affordable housing to encourage families to move into the villages. This then in turn keeps establishments like the nursery, pre-school and school running. Kidmore End village thrives currently on having a wider age range of people living here and this limited development is hoped to increase the numbers of younger people in the village. The pandemic has illustrated the benefits to communities of all generations working together in a supportive way.

Kidmore End has had one new house built since 2011 and this is not within the village envelope. Many of the existing houses have been extended and are expensive to buy. This small development aims to slightly redress the balance. Other villages in the parish have had new developments as demonstrated in the plan.

Our plan for limited development is intended to help ensure our parish remains vibrant and continues to attract younger families, without adding undue pressure to the facilities our residents all rely on.

Broader Planning Policies

Q. To what extent does the Parish Council consider that the policy is in general conformity with Policies ENV1 (1), H1 and H8 of the adopted Local Plan?

Response: The starting point is policy Strat1viii, which sets out that proposals for development should be consistent with the strategy of supporting Smaller and Other Villages by allowing for limited amounts of housing and employment to help secure the provision and retention of services.

Policy H1 sets out that residential development will be permitted at sites allocated by Neighbourhood Development Plans.

Policy H8 guides development in Smaller villages with and without a neighbourhood plan. Policy H8 sets out that the Council will support development in Smaller villages in accordance with Policy H16. Where a Parish Council wishes to prepare a Neighbourhood Development Plan and make housing allocations within it to support further growth, the District Council will support this.

The first sentence in Policy H8 is particularly important in guiding development in Smaller Villages without a neighbourhood plan. The second sentence is relevant to Smaller villages with neighbourhood plans proposing site allocations. Policy H8, parts 2 and 3 offer guidance

on how to assess the appropriateness of proposed site allocations. As explained above in response to the previous question, we consider the Kidmore End Neighbourhood Plan is in general conformity with H8.

In terms of ENV1 of the adopted Local Plan, it sets out that the AONB is afforded the highest level of protection. This does not prevent development from coming forward in these areas, but ensures that development conserves, and where possible enhances the character and natural beauty of the AONB. Through developing Policy HDA and Appendix D7 we have taken steps to try and control and guide future development, to protect the AONB.

When an application for the proposed allocation is submitted and considered, other development plan policies will have to be considered, including ENV1.

Supporting info

Policy ENV1: Landscape and Countryside 1. The highest level of protection will be given to the landscape and scenic beauty of the Chilterns and North Wessex Downs Areas of Outstanding Natural Beauty (AONBs):

- Development in an AONB or affecting the setting of an AONB will only be permitted where it conserves, and where possible, enhances the character and natural beauty of the AONB;
- Development in an AONB will only be permitted where it is appropriate to the economic and environmental wellbeing of the area or promotes understanding or enjoyment of the AONB;
- Major development in an AONB will only be permitted in exceptional circumstances and where it can be demonstrated to be in the public interest; and
- Development proposals that could affect the special qualities of an AONB (including the setting of an AONB) either individually or in combination with other developments, should be accompanied by a proportionate Landscape and Visual Impact Assessment. AONB Management Plans will be a material consideration in decision making.

Footnote 14 from sites and options page 11

14 As this site assessment report is part of the neighbourhood plan evidence base rather than a policy document, and as it comprises part of the plan-making process rather than of the development management process, it has not been drafted by 'decision makers' and therefore its approach to assessing the suitability or otherwise of sites affected by Paragraph 172 and Footnote 55 can only be provisional. The final judgement in this respect is subject to the decision-makers' view on what would or would not constitute major development in each case, having regard to the Footnote 55 criteria. Because the NPPF makes it clear that whether a planning application in an AONB is major development or otherwise is a matter of planning judgement for the decision-maker, in the absence of other guidance at the time of assessment, a common-sense but provisional approach has been used by AECOM; namely, that sites in the AONB larger than 10 dwellings or 0.5ha have the potential to be judged as major development. This assessment, which has been stated where it applies for the avoidance of doubt (see Tables 1 and 2), then triggers SODC, as the decision maker, to apply the NPPF requirements. It also, by implication, identifies where it may be prudent for the decision-maker to consider if exceptional circumstances exist. 15 Planning Practice Guidance Paragraph: 003 Reference ID: 8-003-20140306, at <https://www.gov.uk/guidance/na>