

RESPONSES TO SODC COMMENTS CONCERNING POLICIES SV2, SV5, SV7, SV10, SV14, SV15, SV20 and SV25

SODC REF.	NP REFERENCE	COMMENT BY SODC	RESPONSE BY SHIPLAKE PC
1		<p>General comment</p> <p>We note various policies are referenced to be compliant with the neighbourhood plan and the development plan. In light of this the neighbourhood Plan once made forms part of the development plan so the reference to it within the policies is therefore not necessary and therefore for clarity we recommend this to be removed.</p>	<p>Response not requested by Examiner</p>
2	<p>Page 7 - C. further development outside the existing built area of the villages should require clear justification in accordance with the policies in the development plan and national policy;</p>	<p>The NPPF and the Adopted Local Plan 2035 require that development is appropriate to that location not that development outside the existing built area of villages should require clear justification in accordance with the policies in the development plan and the NPPF. We recommend the paragraph is amended to reflect this.</p>	<p>Response not requested by Examiner</p>

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3	<p>Page 24- 5.3.1 '4. Provide a catalyst for re- siting inappropriate and non- conforming type uses (i.e. uses that impact adversely on the character and/or amenity of the centre) from within the centre of Lower Shiplake in order to release land for residential-based development of a kind which will enable the achievement of the other plan objectives whilst also retaining these non-conforming uses locally to provide much needed services to the community. (Source: Sections 4.5, 4.6)'</p>	<p>The following paragraph lacks clarity and precision. The plan wants to act as a catalyst to move certain land uses from the centre, encourage residential development in its place. The plan also wants to retain the land uses that move away from the centre of Lower Shiplake in the parish. It is not clear what land uses would be affected, where these land uses would move to and thus it is not clear how this is proposed to be achieved.</p>	<p>Response not requested by Examiner</p>
4	<p>Page 29 – 6.2.22 'It is therefore clear that there is a significant demand for employment land in the District and this is primarily in the B1 Use Class which is for employment activities that can operate without harm to residential amenity.'</p>	<p>The B1 use class is now under Use Class E and needs to be amended in this paragraph.</p>	<p>Response not requested by Examiner</p>

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5	<p data-bbox="181 280 719 316">Page 32 - Policy SV2 - Rural Housing</p> <p data-bbox="181 355 898 608">The development of additional dwellings in the open countryside will only be supported if they are necessary or suitable for a countryside location, consistent with the policies of this Plan and the Development Plan for the district and appropriate as defined in the NPPF from time to time, including where:</p> <ol data-bbox="181 647 898 1457" style="list-style-type: none"> <li data-bbox="181 647 898 826">1. The development constitutes permitted development under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended or replaced); or <li data-bbox="181 866 898 943">2. The purpose is to divide a larger existing dwelling into two or more smaller dwellings; or <li data-bbox="181 983 898 1161">3. The development involves the redevelopment of redundant or disused buildings and would not adversely affect the landscape or rural character of the countryside or area of valued landscape in which it is located; or <li data-bbox="181 1201 898 1310">4. The development would deliver a rural worker's dwelling which meets the relevant tests; or <li data-bbox="181 1350 898 1457">5. The development facilitates the future protection of a heritage asset (either through reuse or where such development would represent 	<p data-bbox="916 280 1563 499">Policy SV2 relates to rural housing outside the built-up area of the villages. We have previously advised the neighbourhood planning group to simplify and merge Policies SV1 and SV2. The policy wording could be simplified as follows:</p> <p data-bbox="916 539 1563 719">Within the built-up area of the villages infill development and redevelopment of previously developed sites will be supported, subject to compliance with other applicable policies in the Development Plan.</p> <p data-bbox="916 759 1563 978">Proposals for new dwellings outside the built-up area of the villages will only be supported if they are necessary or suitable for a countryside location and consistent with the policies in the Development Plan for the district.</p> <p data-bbox="916 1018 1563 1166">We recommend the definition of appropriate development set out in the NPPF is removed or moved into supporting text to help future proof the plan.</p>	<p data-bbox="1594 280 2107 647">The Council has never made clear the reason for amalgamating these two policies except that the proposed amalgamated policy uses a form of words that has passed examination. Other than that there is no over-riding justification for joining the two policies together except to reduce the number of policies from two policies to one.</p> <p data-bbox="1594 687 2107 978">Joining them into one would have the effect of watering down the policy and making it no different to Local Plan policy – in which case it should probably then be removed due to duplication. See comments in response to examiner's questions for reasons to keep policies.</p>

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	<p>enabling development); or</p> <p>6. The development would deliver a dwelling that is exceptional in terms of its design, and which respects the character of the locality, significantly enhancing the local landscape setting.</p>		
6	<p>Page 32</p> <p>‘*formerly Use Class B1’</p>	<p>The reference to ‘*formerly Use Class B1’ is not necessary within the policy wording and should be removed.</p>	<p>Response not requested by Examiner</p>
7	<p>Page 35</p> <p>‘6.3.18. Median house prices²⁶ for dwellings, semidetached and terraced dwellings in Shiplake are as follows:’</p>	<p>This sentence is unfinished and does not direct you to where it was intended to. We recommend that “are as follows” is changed to indicate where they are shown (i.e. Table 3).</p>	<p>Response not requested by Examiner</p>
8	<p>Page 40 - Policy SV5- Dwelling Statement</p> <p>All applications for new build residential development shall be accompanied by a ‘Dwelling Statement’ identifying how the proposed accommodation will meet the specific housing needs of the villages. This statement should provide details of how the development: -</p> <p>a. Meets the specific villages’ needs including affordability of different groups in the community such as, but not limited to: young people; local workers; small families; older residents including downsizers; and people with disabilities; and</p>	<p>The policy includes an administrative requirement, it requires the submission of a ‘Dwelling Statement’ This requirement is overly onerous and doesn’t practically contribute towards achieving the policy objective. We therefore suggest that the policy focus is on the mix of dwellings that should be delivered.</p> <p>We recommend that policy SV5 is amended to reflect a similar approach to the adopted Little Milton NDP policy LM13 which is detailed below and has passed examination.</p>	<p>The suggestion that the policy needs to address the District-wide shortage of smaller houses is a matter for consideration in a Local Plan rather than a Neighbourhood Plan. The purpose of the Neighbourhood Plan process is to produce policies which are locally-specific rather than applicable District-wide.</p> <p>The origin of this policy was to require a ‘statement of housing</p>

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	<p>b. Complies with the Nationally Described Space Standards or their successor.</p>	<p>Policy LM13 - Dwelling Mix</p> <p>A. Proposals for new residential development will be required to demonstrate a mix of dwelling types and sizes which:</p> <ol style="list-style-type: none"> 1. Meet the needs of current and future households, and 2. Address the district wide shortage of smaller houses, and 3. Are appropriate to the site in terms of style and design, <p>B. Proposals that recognise the need for smaller dwellings and comprise single houses, terraced cottages or groups of small detached or semi- detached houses with a maximum of 3 bedrooms will be particularly supported. C. Development on rural exception sites that are conformity with the Development Plan will be supported.</p>	<p>need', indeed that was the title of the policy. This issue was raised at the Regulation 14 stage and (see p.252 of the Consultation Statement) the response provided stated that the policy sought to ensure that the housing that is provided within the NP area meets the needs of the villages. Reference was made to adjacent Henley & Harpsden NP policy H3 ('made' in 2016) which contains similar provisions and the full policy wording was reproduced on p.252 of the Consultation Statement. It states:</p> <p><i>“Development proposals providing 10 or more net additional dwellings will set out within a ‘Dwelling Statement’ submitted as part of any planning application how the proposal provides an appropriate choice of homes that contributes towards meeting the specific housing needs of Henley and Harpsden. The Dwelling Statement should provide details on how the proposed development:</i></p> <ol style="list-style-type: none"> <i>a) Meets the needs of different groups in the community, such as but not limited to, young people;</i>

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			<p><i>local workers; small families; older residents (55+); and people with disabilities; and</i></p> <p><i>b) Provides a high standard of internal and external living space.</i></p> <p><i>Development proposals providing 10 or more net additional dwellings should ensure that housing types, sizes and tenures are appropriately ‘pepper-potted’ across the site to avoid large areas of uniform type, size and tenure.”</i></p> <p>Whilst the policy requires a ‘statement’ to be prepared and submitted it need not be a lengthy document and can be included in the D&A statement or planning statement. Nevertheless the intention is to ensure that applicants have given consideration to the needs of the Neighbourhood Plan area first and foremost.</p>
9	<p>Page 40 Policy SV7 – Replacement Dwellings</p> <p>The replacement of a dwelling will be permitted provided that the dwelling to be replaced:</p> <ul style="list-style-type: none"> • is not listed individually or as part of a group listing (see page 24 of the Character Appraisal at Appendix 6 and also Appendix 2 to this Plan); 	<p>The policy as currently worded is overly restrictive.</p> <p>The first bullet point is in conflict with paragraph 194 of the NPPF which allows for the loss of listed buildings in exceptional circumstances.</p>	<p>The NPPF para 194 point relates to ‘exceptional’ circumstances – ie as an exception to policy. Therefore it is not necessary to refer to the exception in the policy because it will apply anyway.</p>

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	<ul style="list-style-type: none"> • is not a building of heritage value, unless the scale of any harm or loss and the degree of significance of the heritage asset is outweighed by the benefits; or • is not considered to contribute positively towards the landscape character or built environment in which it is located. <p>Replacement dwellings should contribute towards enhancing the character and appearance of the area, in accordance with Shiplake Neighbourhood Plan policies SV8, SV24 and SV25.</p> <p>Replacement dwellings shall avoid giving rise to an adverse impact on the amenity of neighbouring residential properties. As part of this, they should seek to maintain the amount of separation to either side of the new dwelling. Additional landscape planning between the dwelling and its neighbouring properties will be strongly supported provided it does not lead to loss of daylight / sunlight or overshadowing for either dwelling.</p> <p>In the event that the proposed replacement dwelling is not located on the original footprint, unless environmental reasons prevent it from occurring, the existing dwelling must be removed from the site prior to the completion of the development, or within 1 month of the first occupation of the new dwelling where the existing dwelling remains in residential use by the occupier during the construction period.</p>	<p>The section setting out: “In the event that the proposed replacement dwelling is not located on the original footprint, unless environmental reasons prevent it from occurring, the existing dwelling must be removed from the site prior to the completion of the development, or within 1 month of the first occupation of the new dwelling, where the existing dwelling remains in residential use by the occupier during the construction period.” is overly restrictive and unduly onerous. It imposes an arbitrary requirement that the existing dwelling must be removed within 1 month of occupation of the new dwelling. It adds an additional policy requirement that does not exist in national or local policy. Such matters where appropriate are better addressed through the development management process and planning conditions.</p> <p>We suggest the word unacceptable is inserted before loss of daylight so that it reads ‘does not lead to an unacceptable loss of daylight/sunlight’</p>	<p>The LPA’s comments are not accepted. Almost all policies deal with matters that are addressed through planning conditions. The subject matter therefore remains valid.</p>

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10	<p>Page 55 – Policy SV9- Valued Landscapes</p> <p>The Neighbourhood Plan identifies a number of valued landscapes on figure 15 (Parish Landscape Character Areas) as follows:</p> <ul style="list-style-type: none"> • River Thames Meadows and Terraces (PLCA) • Shiplake Woods (PLCA) • Shiplake Semi-Enclosed Dipslopes (PLCA) • Shiplake Open Dipslopes (PLCA) <p>Development proposals should ensure the characteristics which define the landscapes as valuable are reflected in the proposals, including:</p> <ul style="list-style-type: none"> • The retention of the distinct rural character of each of the valued landscapes • the role they play in providing a setting to the AONB • the intrinsic character and beauty of the countryside <ul style="list-style-type: none"> • the important contribution the landscapes make to the distinctive character and identity of the settlements of Shiplake Cross and Lower Shiplake <p>Proposals for development appropriate to a countryside location will be supported where they do not adversely impact on the purpose or qualities of the valued landscapes.</p>	<p>We note that the valued landscapes cover most of the open countryside within the NDP area. We consider this coverage to be a broad-brush approach, We have previously advised the neighbourhood planning group that the areas should be refined.</p> <p>We note that the landscape character assessment was updated in April 2021. All of the four parish landscape character areas (PLCA's) identified in the assessment are also found to be valued landscapes 'in NPPF 2019 paragraph 170 terms'. These types of local landscape designation policy were abandoned in favour of the landscape character led approach in the early 2000's, in accordance with best practice advice at that time, such as the Area of Great Landscape Value which was last included in the 1992 South Oxfordshire Rural Areas Local Plan.</p> <p>The term 'valued landscapes' has since been introduced in the NPPF, and recent draft Landscape Institute advice (TGN 02/21) on assessing valued landscapes has been issued.</p> <p>TGN 02/21 Landscape Value and Valued Landscapes, notes that '3.2.1 Landscape value at the local authority or neighbourhood level can be mapped spatially (i.e. through local landscape designation). However,</p>	<p>The following comments are to read in parallel with the responses to the Examiner's Questions.</p> <p>1. Policy SV9</p> <p><i>Q. Is the valued landscape a broad brush approach?</i></p> <p>The NDP approach to a local valued landscape is in accordance with Technical note 02/22 which encourages a spatial approach with no limitation on size whilst discouraging a site or feature based approach to evaluating the landscape. The proposed area is much smaller than the old AGLV in this area and the AONB and only determined after a full assessment of the valued attributes. Paragraph 2.5 of the Assessment which clarifies this.</p> <p><i>Q. Has the right approach been taken to assessing landscapes?</i></p> <p>We are pleased that SODC recognise that the current NPPF guidance supports the identification of valued landscapes within a development plan, in this case the NDP. The local valued landscapes of the NDP are lower in the hierarchy than AONBs or</p>

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		<p>absence of designation does not mean absence of value and landscape value can also be described as part of evaluative studies linked to landscape character assessment. Each approach can highlight particular aspects of the landscape that are valued and the LI considers that there is a place for both. Where possible, the value placed on a landscape should be defined in development plan documents adopted for that area.'</p> <p>Advice in the Landscape Institute draft advice note, TGN 02/21, with respect to coming to a judgement of landscape value, includes (3.4.1.1) 'The identification of landscape value needs to be applied proportionately ensuring that identification of valued landscape is not overused.'</p> <p>See below with respect to comments on the methodology used in the assessment, which does not seem to follow recognised guidelines and lacks clarity with respect to how the definition of valued landscape has been arrived at.</p> <p>Whilst the policy does not preclude development appropriate to a countryside location, the valued landscape categorisation would presumably bring into play NPPF 174, which requires that valued landscapes are protected and enhanced.</p> <p>The methodology for the Landscape Character Assessment should be clearly set</p>	<p>any Local Plan designations. We consider that the identification of the NDP valued landscapes is proportionate. It is not a matter of size but of recognising the areas that display the characteristics of a valued landscape. Historically the area was included in the AGLV. The Chilterns AONB have identified that the land in this area should be investigated for inclusion in the AONB and fully support the conclusions in the Assessment.</p> <p><i>Q. Are SODC's comments on the findings of the assessment well founded?</i></p> <p>SODC is concerned about the inclusion of some key valued characteristics. The key valued characteristics identified for each Parish Landscape Character Area (PLCA) are those that contribute to the PLCA as a whole being considered a valued landscape. Even for example the openness of roads or lack of watercourses which, were these to be changed, would alter the overall integral character of the PLCA which creates the value of the landscape. For the example the very openness of PLCA4 is commended as</p>

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		<p>out identifying what guidance has been followed, the criteria considered in the desk and field studies and how these are drawn together to produce the character areas. It is also not clear what methodology has been used for the valued landscape assessment. This doesn't seem to follow the guidance set out in GLVIA3 which assesses landscapes against a set of criteria in Box 5.1 (landscape quality/condition; scenic quality; rarity; representativeness; conservation interests; recreation value; perceptual aspects; associations) or the LI draft guidance note TGN 02/21 which includes a similar list but also includes spatial function. Landscape quality/ condition, rarity and representativeness are not covered. The lists set out under 'key valued landscape characteristics' specific to each character area, include items such as 'weak hedgerow structure and no woodland cover, 'a mix of open roads with cars visible across landscape', and 'no watercourses'. These seem to be just landscape characteristics rather than valued landscape characteristics. The lists set out under Valued Landscape at the end of each character area description often relate to contributing to the setting of the AONB or the Thames, which have not been mentioned previously. They also refer to 'many landscape features of value in their own right as set above',</p>	<p>a Valued Landscape by the landscape architects in support of the Response by Bolney Court Inc. The Summary for each PLCA draws out the overall value of each PLCA, with the detail found in the preceding paragraphs. In particular, the Shiplake Landscape Assessment is in compliance with Technical Note 02/21. The paragraphs below are from this document:</p> <p><i>Landscape value = the relative value or importance attached to different landscapes by society on account of their landscape qualities</i></p> <p><i>2.2.1 Landscape value at the local authority or neighbourhood level can be assessed and mapped spatially, i.e. through identifying areas for local landscape designation. Studies to support spatial designations should identify the landscape qualities of each area of landscape proposed for designation.</i></p> <p><i>2.2.2 Landscape value can be assessed as an evaluation stage of a landscape character assessment or as a follow-on study. In this case</i></p>

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		<p>which would include a vast number of features, not all of them apparently of value as noted above, rather than identifying the specific features of value.</p> <p>A clear methodology is needed to enable an understanding of the process which has led to the valued landscape categorisation. We recommend the examiner seeks clarification of the points above.</p>	<p><i>landscape qualities will be identified in relation to individual character areas or types. Currently these are commonly described as ‘valued landscape characteristics’ or ‘landscape qualities’.</i></p> <p>2.4.5</p> <ul style="list-style-type: none"> • <i>The indicators of value should be reviewed on a case-by-case basis, taking into account what they contribute (positively or negatively) to a specific landscape. The relative importance to be attached to each indicator is likely to vary across different landscapes. Once evidence for each factor has been collated and assessed, it is important to step back and judge the overall ‘weight of evidence’ in coming to an overall judgement on landscape value.</i> • <i>While condition/intactness of a landscape is one factor that can influence value, poor landscape management should not be a reason to deny a</i>

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			<p data-bbox="1677 284 2085 357"><i>landscape a valued status if other factors indicate value.</i></p> <p data-bbox="1583 395 2119 536">The above guidance is not prescriptive and allows for flexibility in assessing the value of landscapes outside of the AONB</p> <p data-bbox="1583 580 2107 721">Q. Why are there no references to the AONB and River Thames landscape before the lists under Valued Landscape?</p> <p data-bbox="1583 727 2130 1126">The contribution that the open countryside of the Parish and each PLCA makes to both the wider AONB and the River Thames landscape is integral to the Assessment as set out in Sections 2, 3, 4, and 5 from para 2.5 on throughout the document. Both the AONB and River Thames landscape corridor are recognised landscapes of value, not least in Local Plan ENV1.</p> <p data-bbox="1583 1171 2123 1426">We are a little surprised that the above were only raised at this late date given the continuing discussions with SODC on this topic since the first version of the Assessment was completed in 2017 with no concerns raised during this process.</p>

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11	<p>Page 56 - Policy SV10 – Riverside Related Development</p> <p>Development proposals adjacent to the River Thames should protect and enhance the waterside character, heritage value and setting, and will provide physical and visual links with the surrounding areas (including views along the river).</p> <p>Development proposals will promote and enhance the use of the river and the riverside by:</p> <ul style="list-style-type: none"> • Maintaining the low key and informal nature of infrastructure and facilities for boat users including jetties, private and public moorings, slipways, steps and stairs; • Supporting opportunities to improve the quality of and links to the riverside rights of way; • Carefully managing the proliferation of river-based and riverside recreation and leisure activities • Protecting and enhancing the Thames River Corridor as a valuable resource for biodiversity and wildlife (wildlife corridor) • Demonstrating the proposals will not lead to harm to the setting or landscape character of the riverside; 	<p>We recommend the sentence ‘Development proposals will promote and enhance the use of the river and the riverside by:’ is replaced with</p> <p>‘As appropriate to their nature and scale development proposals should promote and enhance the use of the riverside by:’</p> <p>The last paragraph also suggests that the local authority will seek financial contributions and lists some types of infrastructure projects CIL funds may be spent on. Spending CIL funds is a budgetary decision, made by the appropriate council, which cannot be committed by a neighbourhood plan policy. A neighbourhood plan can highlight the infrastructure that it believes should be prioritised, but it cannot commit CIL receipts. We recommend this section is modified accordingly and moved to Section 7.1 where you have set out a list of your priorities.</p>	<p>This policy specifically deals with development proposals, ie those requiring planning permission.</p> <p>Where development does not have a direct impact on a specific criterion then it will not apply. The concerns expressed could be addressed through the addition of the words “<i>Where appropriate</i>” at the beginning of the first paragraph of the policy, and the addition of the words “<i>and/or</i>” at the end of each of the first five bullet points.</p> <p>The riverside area is of a particular character which the Parish Council considers it is important to protect and the policy will ensure such protection is achieved whilst at the same time ensuring that development which adversely impacts the riverside area is mitigated, where justified, through the vehicle of planning obligations contained in S.106 agreements or undertakings.</p> <p>The comments by SODC about determining where CIL funds will be spent appears to be at crossed purposes with what the final part of</p>

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	<ul style="list-style-type: none"> Ensuring that there will be no significant adverse impact upon navigation and flood risk. <p>Major development within the defined riverside corridor (highlighted in blue on figure 15) shall be accompanied by a landscape and visual impact assessment which demonstrates that proposals will not give rise to adverse landscape and visual effects.</p> <p>Provided the legal tests* are satisfied the planning authority will seek financial contributions from new developments through planning obligations towards improving the quality of the riverside environment including river infrastructure, open spaces, biodiversity, rights of way, and links to the riverside from the surrounding area.</p> <p>* The legal tests are also known as the Community Infrastructure Levy, or 'CIL', Regulation 122 tests</p>		<p>the policy is actually saying. The last paragraph of the policy deals with the LPA seeking to mitigate the unacceptable effects of development by requiring S106 obligations to make development acceptable in planning terms. It is not talking about the Community Infrastructure Levy – that is a separate regime. As the LPA will be aware, planning obligations have to meet three legal tests which are set out in Regulation 122 of the Community Infrastructure Levy Regulations.</p> <p>Planning Practice Guidance states:</p> <p><i>“When can planning obligations be sought by the local planning authority?”</i></p> <p><i>Planning obligations assist in mitigating the impact of unacceptable development to make it acceptable in planning terms. Planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms. They must be:</i></p>

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			<ul style="list-style-type: none"> - <i>necessary to make the development acceptable in planning terms;</i> - <i>directly related to the development; an</i> - <i>fairly and reasonably related in scale and kind to the development.</i> <p><i>These tests are set out as statutory tests in regulation 122 (as amended by the 2011 and 2019 Regulations) and as policy tests in the National Planning Policy Framework. These tests apply whether or not there is a levy charging schedule for the area.</i></p> <p><i>Paragraph: 002 Reference ID: 23b-002-20190901 Revision date: 01 09 2019”</i></p>
12	Page 56 - Policy SV11 – Important Views	The important views shown in Figure 21 are expansive, most of them covering 360 degrees and covering most of the undeveloped parish. For clarity the drawing needs to be refined to reflect more closely the views described in the policy. To avoid misinterpretation, photographs could also be included to identify each of the views listed	Response not requested by Examiner

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13	<p>Page 58 - Policy SV12-Dark Skies and Lighting</p> <p>Policy SV12 - Dark Skies and Lighting 1. Development proposals that conserve and enhance relative tranquility, in relation to light pollution and dark night skies, and comply with other relevant policies will be permitted, provided it can be demonstrated that they meet or exceed the Institute of Lighting Professionals guidance and other relevant standards or guidance (CIE 150:2003 Guide on the Limitation of the Effects of Obtrusive Light from Outdoor Lighting Installations, or any equivalent replacement/updated guidance) for lighting within environmental zones, and have regard to the following hierarchy: a. The installation of lighting is avoided; b. If lighting is installed it is necessary for its intended purpose or use and any adverse impacts are avoided; and c. If it is demonstrated that (a) or (b) is not achievable, then adverse impacts are appropriately mitigated.</p> <p>2. To be appropriate, lighting for development proposals should ensure that:</p> <p>a. The measured and observed sky quality in the surrounding area is not reduced;</p> <p>Lighting is not unnecessarily visible in nearby designated and key habitats;</p> <p>c. The visibility of lighting from the</p>	<p>Item d refers to building design that results in increased light spill. This will be impractical to implement unless made more specific, we therefore suggest this is revised to 'building designs which include large areas of glazing resulting in light spillage into rural and unlit areas are avoided' Adding reference to suitable mitigation measures may simply encourage mitigation proposals such as the use of internal blinds, which can't be relied upon.</p>	<p>Response not requested by Examiner</p>

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	<p>surrounding landscape is avoided; and</p> <p>d. Building design that results in increased light spill from internal lighting is avoided, unless suitable mitigation measures are implemented.</p>		
14	<p>Page 59 – para 6.4.89</p> <p>‘Central to the theme is the requirement to achieve a ‘biodiversity net gain’, an approach to development that is likely to become enshrined in legislation should the Environment Bill, introduced to Parliament on the 15th October 2019, receive royal assent.’</p>	<p>The Environment Bill mentioned in this paragraph is now the Environmental Act 2021 and should be updated to reflect this.</p>	<p>Response not requested by Examiner</p>
15	<p>Page 59- Policy SV13 – Biodiversity Net Gain</p> <p>All development proposals in the Parish should seek to deliver a biodiversity net gain of at least 10% having regard to the requirements of Section 40 of the Natural Environment and Rural Communities Act 2006 and section 15 of the National Planning Policy Framework. In addition, the following measures will be supported in the determination of planning applications for development in the Neighbourhood Plan area:</p> <p>a. Avoidance of the unnecessary loss of mature and veteran trees, hedgerows, orchards or other form of wildlife corridor and biodiversity concentration. Any loss shall be mitigated on site or in an approved alternative location in accordance with a planning scheme</p>	<p>References within the policy to the Environment Bill 2019 need be updated to Environment Act 2021.</p> <p>The text of SV13 strongly encourages all development proposals to deliver at least 10% net gain for biodiversity which is consistent with the Act. At present the 10% net gain requirement in the Act has not come into force and the date at which this becomes a mandatory requirement will be set out in ‘supplementary regulations’ along with any exceptions to the 10% requirement.</p> <p>We support the approach in SV13 as it is consistent with the Act and SOLP 2035 but</p>	<p>Response not requested by Examiner</p>

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	<p>which shall accompany the application for planning permission;</p> <p>b. The inclusion of measures to provide wildlife corridors in order to maintain, retain and secure connectivity of the wider network;</p> <p>c. Where the loss of scrubland is unavoidable, the retention of sufficient areas of vegetation on the site linked to adjacent habitats, wildlife corridors or hotspots to allow wildlife to pass around or through the site;</p> <p>The provision of one or more of the following: Owl boxes; bat boxes; and bird boxes (particularly suited to their use by swifts, swallows and house martins) should be installed as an integral part of any new or replacement dwellings;</p> <p>e. Culverted watercourses shall be re- opened where feasible and linked to wetland creation</p>	<p>not absolute, allowing flexibility where 10% cannot be achieved or for any types of development which are subsequently excepted from the 10% requirement by supplementary legislation.</p> <p>We recommend the insertion of one word to SV13 to make it consistent with SOLP 2035 and national guidance related to the mitigation hierarchy:</p> <p>Point A, second sentence: ‘Any loss shall be mitigated on site or compensated in an approved alternative location.....’</p>	
16	<p>Page 60 - Policy SV14- Landscaping and Greening of the Environment</p> <p><i>In determining applications for development on land that lies within or adjoining the Green and Blue Infrastructure Network defined on figure 10 regard will be had to the degree to which the landscaping schemes, layouts, public open space provision and other amenity requirements arising from the development (such as pedestrian and cycle connections) will maintain or enhance the visual characteristics and biodiversity of the Network and will contribute to or improve the connectivity and maintenance of the Network.</i></p>	<p>This policy could be simplified to provide a clearer direction for development. We therefore recommend to the examiner that the policy should be amended using a similar approach to the wording as detailed below:</p> <p>‘As appropriate to their nature and scale, development proposals should:</p> <ul style="list-style-type: none"> · demonstrate how the landscaping schemes, layouts, public open space provision and other amenity requirements arising from the development (such as pedestrian and cycle connections) will maintain or enhance the visual characteristics and biodiversity of the 	<p>Comments provided by SODC on an earlier draft of this policy (dated 13-02-20) stated:</p> <p><i>“The policy as worded is overly restrictive. You can address this by using the wording suggested below.</i></p> <p><i>The Stonehouse NDP have the following policy which you may wish to use similar wording:</i></p> <p><i>‘Development proposals that maintain and enhance the locally valued green and blue infrastructure</i></p>

SODC REF.	NP REFERENCE	COMMENT BY SODC	RESPONSE BY SHIPLAKE PC
	<p>Proposals which maintain or enhance the existing Green and Blue Infrastructure Network will be supported, <i>particularly where they encourage the planting of native trees or encourage biodiversity and enhance habitats of protected species.</i></p> <p>Proposals to create new Green and Blue Infrastructure and associated new pedestrian and cycle routes will also be supported.</p>	<p>Network and will contribute to or improve the connectivity and maintenance of the Network.</p> <ul style="list-style-type: none"> Development proposals are particularly encouraged to plant native trees, improve biodiversity and enhance habitats for protected species. Proposals to create new Green and Blue Infrastructure and associated new pedestrian and cycle routes will be supported.' 	<p><i>network, as identified in Map 10, will be supported.'</i></p> <p><i>You could also add the following:</i></p> <p><i>'Development proposals should demonstrate how the landscaping schemes, layouts, public open space provision and other amenity requirements arising from the development (such as pedestrian and cycle connections) and maintain or enhance the visual characteristics and biodiversity of the Network and will contribute to or improve the connectivity and maintenance of the Network.</i></p> <p><i>Proposals to create new Green and Blue Infrastructure and associated new pedestrian and cycle routes should also be supported.'"</i></p> <p>The Parish Council largely incorporated those changes resulting in the policy wording found today in policy SV14. The only additional wording to that proposed by SODC is that shown in blue in the second column of this table at SODC ref 16. The order of the policy and the additional wording is</p>

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			<p>considered to enhance the policy approach.</p> <p>The revised wording proposed by SODC appears to depart from their previous suggestion, and therefore the Parish Council's preference is to retain the current wording for policy SV14 which has arisen from consultation with SODC, the local community and statutory consultees.</p>
17	<p>Page 60 - Policy SV15– Preservation and Replacement of Trees</p> <p>Policy SV15 – Preservation and Replacement of Trees Development proposals affecting trees and woodlands should where appropriate:</p> <p>a) Avoid unacceptable loss of, or damage to, existing trees or woodlands during or as a result of development;</p> <p>b) Be supported by adequate tree survey information as part of planning applications;</p> <p>c) Include a comprehensive landscaping scheme to secure a wide range of tree planting.</p> <p>d) Be designed to provide sufficient space for planting to be accommodated, and demonstrate that trees that die or are diseased will be replaced</p>	<p>We've consulted the council's Senior Tree Officer who has provided the following comments and recommendations. Comments are in blue and recommended alternative wording are in blue and bold:</p> <p>Policy SV15 – Preservation and Replacement of Trees</p> <p>Development proposals affecting trees and woodlands should where appropriate</p> <p>a) Avoid unacceptable loss of, or damage to, existing trees or woodlands during or as a result of development;</p> <p>b) Be supported by adequate tree survey information as part of planning applications;</p>	<p>Comments provided by SODC on an earlier draft of this policy (dated 13-02-20) accepted criteria a), b), e) and f) of the policy (the latter two criteria were to be 'encouraged' according to the SODC comments).</p> <p>Whilst the current suggested changes to criteria d), d1) appear sensible and would add value to the policy it is unclear whether – using the colour-coding in the SODC comment – criteria e) and f) are accepted as currently worded or not.</p> <p>The final recommended change to the last paragraph of the policy appears sensible again (changing the diameter dimensions to 8-10cm)</p>

SODC REF.	NP REFERENCE	COMMENT BY SODC	RESPONSE BY SHIPLAKE PC
	<p>for the first five years following planting.</p> <p>e) Ensure that trees not to be retained as a result of the development are replaced at a ratio of at least 2:1; and</p> <p>f) Provide for additional, new, native trees to be planted at a minimum of:</p> <p>i Five saplings at a density of 1,100 saplings/ hectare for each dwelling for residential development; or</p> <p>ii. For non-residential development, whichever is the greater of five trees for each parking space; or two trees per 50m² of gross floorspace</p> <p>Infill development proposals are encouraged to plant additional, new, trees using larger planting stock e.g. 10 to 12cm girth at 1m above ground level.</p>	<p>c) Include a comprehensive landscaping scheme to secure a wide range of tree planting.</p> <p>d) Be designed to accommodate new trees by providing sufficient soil volume for roots and space for mature canopy establishment, ensuring sufficient separation from dwellings.</p> <p>d1) Demonstrate that any dead or diseased trees will be replaced for the first five years following planting</p> <p>e) Ensure that trees not to be retained as a result of the development are replaced at a ratio of at least 2:1; and</p> <p>f) Provide for additional, new, native trees to be planted at a minimum of: (not always appropriate for all tree planting to be native. Other none natives may be more suited to the site conditions. Simply relying on natives may limit what can be achieved)</p> <p>i. Five saplings at a density of 1,100 saplings/ hectare for each dwelling for residential development; or</p> <p>ii. For non-residential development,</p>	<p>and adding the new last paragraph:</p> <p><i>“A mix of broadleaf and coniferous tree species is required with no more than 20% of any genus and no more than 10% of a particular species on the site. This is to prevent major impacts on the landscape in event of disease.”</i></p>

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		<p>whichever is the greater of five trees for each parking space; or two trees per 50m2 of gross floorspace</p> <p>This proposal is too complicated and prescriptive to implement. This type and density of planting is used for creating woodlands or a copse. Only in larger scale schemes would this sort of planting be appropriate. For smaller residential schemes it would be better to specify a number of trees to be planted within the curtilage of each dwelling and then emphasise that development proposals must include a high quality tree planting scheme as part of site wide landscaping. (I would suggest a minimum of 2 trees within the boundary of each dwelling).</p> <p>Infill development proposals are encouraged to plant additional, new, trees using larger planting stock e.g. 10 to 12cm girth at 1m above ground level. (Only in a very small number of cases would it be better to use planting stock above 10 to 12cm, often 8 to 10cm would be better. Smaller planting stock tends to establish better in the long term. Often a combination of planting sizes is better. The larger stock to give a bit of instant landscape impact, whilst the smaller stock will grow on to provide the long term tree cover for the area. It might be better to broaden the</p>	

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		<p>wording to be less restrictive.)</p> <p>Overall to get the best results tree planting should be made up of a wide variety of tree species to provide a visually interesting treescape, resistant to pest and disease. See below some suggested wording</p> <p>“A mix of broadleaf and coniferous tree species is required with no more than 20% of any genus and no more than 10% of a particular species on the site. This is to prevent major impacts on the landscape in event of disease.”</p>	

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19	<p>Page 71 - Policy SV20– Protection of Existing Rights of Way and Cycle Network</p> <p>Development proposals which affect rights of way or the cycle network in the Plan area will be determined having regard to the following criteria:</p> <ol style="list-style-type: none"> a. Any proposals that result in the obstruction or requires the diversion or urbanisation of a public footpath, bridleway or cycle way to the detriment of the community will be resisted. b. Proposals which harm the following characteristics of existing public rights of way and the cycle network will be resisted: Safety; Directness; Access and Connections; Attractiveness; Convenience; Features such as trees and hedgerows. c. Proposals for development adjoining a public footpath or bridleway shall ensure that the rural character of the footpath or bridleway is maintained. d. Proposals that protect the Parish cycle path network will be strongly supported. 	<p>There is an element of repetition between this policy and SV21 which both are worded in an overly restrictive manner. The policy should be worded 'should' rather than using phrases such as 'will be resisted' to be positively worded and to provide a clear direction whilst allowing for an appropriate degree of flexibility. The diversion of footpaths is controlled outside the planning system. It may not be possible and practical in all circumstances to stop development proposals that require the diversion or urbanisation of public footpaths.</p> <p>The Berrick Salome NDP, which has passed examination, offers a good example of how the policy could be modified we therefore suggest the following wording:</p> <p>Development proposals will be supported, provided that, where appropriate to the location, they have regard to the following walking, cycling and riding principles, and they accord with the other policies of the Plan and the adopted development plan:</p> <ul style="list-style-type: none"> • if they adjoin a public footpath or bridleway, have regard to maintaining the functionality and rural character of the footpath or bridleway, unless this is unavoidable, in which case the route should be diverted in a way that remains safe and 	<p>Policy SV20 is intended to protect the existing rights of way and cycle network in the Plan area.</p> <p>Policy SV21 is intended to support the provision of new rights of way, paths, cycle networks etc.</p> <p>The approach adopted in criterion a) is not intended to step outside the land use planning regime; it is simply flagging that development which would (because of its location / form etc) lead to a right of way having to be diverted will be resisted if it is detrimental to the community, because the harmful impact on the right of way will be a material planning consideration.</p> <p>Similarly the urbanization of a right of way to the detriment of the community will be a material planning consideration and it is therefore reasonable to include reference to this in policy.</p> <p>If diversion or urbanization is unavoidable then that will be weighed in the planning balance when it comes to the determination of a planning application or appeal.</p>

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		<p>convenient for users;</p> <ul style="list-style-type: none"> • if they lie in a location that enables a new pedestrian, cycle link and/or bridleway to be created to an existing public footpath or bridleway, that the layout and access arrangements of the scheme allow for such an improvement, provided they avoid or minimise the loss of mature trees and hedgerows and use materials that are consistent with a rural location • it is located in an area which facilitates and where possible encourages walking, cycling and riding to access The Parish. 	<p>That doesn't mean that the policy shouldn't include clear statements about how such proposals will be regarded.</p> <p>The proposed wording (taken from the Berrick Salome NDP) could lead to a watering down of policy SV20 as currently proposed, and it also contains provisions that would duplicate the provisions in policy SV21 (the support for new links / rights of way etc). Therefore the Parish Council's preference is to retain policy SV20 and SV21 as currently drafted.</p>

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20	<p>Page 71 -Policy SV21-Cycle Network, Rights of Way, Footpaths and other Routes</p> <p>‘Developer or CIL contributions will be sought to fund improvements to the existing cycle and footpath networks as well as supporting the provision of new connections, where these have been identified and can be delivered.’</p>	<p>The final part of the policy suggests that the local authority will seek financial contributions and lists some types of infrastructure projects CIL funds may be spent on. Spending CIL funds is a budgetary decision, made by the appropriate council, which cannot be committed by a neighbourhood plan policy. A neighbourhood plan can be used to highlight the infrastructure that should be prioritised, but it cannot commit CIL receipts. We recommend this section is amended accordingly and moved into Section 7.1 where you have set out a list of your priorities.</p>	<p>Response not requested by Examiner</p> <p>(but please note that the same comments about CIL referred to in the context of policy SV10 also apply here. If the incorporation of the words “<i>or CIL</i>” in the final paragraph of the policy is not accepted, then it could be deleted from the policy wording without affecting the integrity of the policy so that it remains intact in all other respects.)</p>
22	<p>Page 78 – Policy SV25– Building Materials / Design / Density / Layout</p> <p>‘minimising the impacts on residential amenity of the construction arrangements by way of lorry movement, deliveries, working times, lighting, parking of contractor’s vehicles, wheel washing provision and street cleaning’</p>	<p>This bullet point is normally dealt with through the development management process via a planning condition and therefore should be deleted.</p>	<p>Construction management matters can be found in Neighbourhood Plans (eg the Isle of Dogs Neighbourhood Plan 2019-2031 Policies CC1, 2 & 3; the Sandridge Parish Neighbourhood Plan 2019 – 2036 Policy D2; Soho Neighbourhood Plan 2019-2040 Policy 17 – all referendum plans).</p> <p>It is not unreasonable to include provisions in policies that seek to address this matter in circumstances where the issues that are covered by this bullet point have been raised repeatedly in the community surveys as contained in</p>

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			the Consultation Statement.
23	<p>Page 78 – Policy SV25– Building Materials / Design / Density / Layout ‘Support will be given to development which reflects local building styles and detailing, and which uses traditional materials as described in the Character Appraisal, especially within the setting of heritage assets. Proposals will be expected to demonstrate compliance with the Design Principles in the Character Appraisal for the character area within which the site is located.’</p>	<p>This paragraph duplicates the requirements set out in the first part of the policy and is therefore not necessary.</p> <p>The last sentence highlighted in yellow is also considered to be overly restrictive. We recommend ‘demonstrate compliance’ is replaced with ‘have regard to’.</p>	<p>Building materials are not mentioned in the first part of the policy, nor the reference to the setting of heritage assets.</p> <p>The Parish Council would like to see this paragraph retained in the policy because it ties in directly to the Policy title (which refers to building materials) and adds a layer of detail that is not found elsewhere in the policy.</p>

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24	<p>Page 78 – Policy SV25– Building Materials / Design / Density / Layout</p> <p>‘Proposals involving the removal or replacement of unsympathetic structures and materials will be supported where there is a net benefit to the character area.’</p>	<p>It is not clear from the final paragraph why the caveat is necessary, we consider the removal of an unsympathetic structure already an improvement and a positive contribution and therefore it may not be appropriate for it to be conditional on providing a net benefit. Requiring an improvement is overly onerous.</p>	<p>The policy is worded so that developers / applicants cannot simply remove one type of unsympathetic structure or material and replace it with another, otherwise the ‘improvement’ that would derive from the removal could be cancelled out.</p> <p>The Parish Council’s preference is to see this paragraph retained in the policy because it adds a layer of detail and seeks to support the Government’s policy objective of creating ‘beautiful and sustainable buildings and places’</p>

