



CNP 2022 – Cholsey Parish Council Response to publication comments

[Submission Comments link](#)

The link to the Submissions Comments document is provided with relevant pages to the item in focus.

Comment received	Comment and Proposed Change (highlighted in bold red)
<p><i>Wardell Armstrong – JT Leavesley</i></p> <p>Refer to Submission Comments Link, pages 34 to 37</p> <p>1 Previous comments provided noted the need and opportunity for the Plan review to properly and in a sound manner based on up to date evidence respond further housing and wider development needs both within Cholsey and South Oxfordshire as a whole. Previous representations to the Neighbourhood Plan have relatively recently been submitted, the most recent was provided in May 2022 in response to the Regulation 14 pre-submission consultation. As previously, we continue to fully support the Parish in seeking to keep the Neighbourhood Plan up to date for the purposes of the National Planning Policy Framework (NPPF) and to suitably reflect the Local Plan 2035, which was adopted after the Cholsey Neighbourhood Plan (CNP). Previous comments provided noted the need and opportunity for the Plan review to properly and in a sound</p>	<p>It is not appropriate for the parish council to prepare evidence of housing need across South Oxfordshire. This is a district council function. The neighbourhood plan should be in general conformity with the strategic policies of the South Oxfordshire Local Plan 2035 in relation to the scale and broad locations for major new housing proposals. The plan meets this requirement.</p>

<p>manner based on up to date evidence respond further housing and wider development needs both within Cholsey and South Oxfordshire as a whole. We submit that these comments remain valid with no changes of policy direction or overall strategy apparent between the pre-submission and submission draft of the Cholsey Neighbourhood Plan review process. The responses from the Parish Council to our representation seems to put the responsibility on the District Council regarding the matter of properly reflecting development needs in an up-to-date manner'</p>	
<p>In order to ensure that a Neighbourhood Plan is acceptable in the event that there are material changes proposed to policies within the plan as part of the review process, it is necessary for the plan to re-consult and develop from the reg-14 stage. We note and support that the CNP has set out to do so in order to comply with statutory requirements. We further support the detailed review process identified on page 11 of the submission draft of the CNP which expresses the intent to submit the plan to an independent examiner to ensure it is acceptable and able to form a properly functioning facet of the overall Development Plan.</p>	<p>Support noted and appreciated.</p>
<p>2 We would also suggest that the government objective to 'significantly boost the supply of homes' is a key aspect for consideration when preparing Neighbourhood Plans as they are in a key position to allocate additional development beyond that specified in the development plan.</p>	<p>The South Oxfordshire Local Plan 2035 is recently adopted and makes very significant provision to boost the supply of housing over and above the needs identified for South Oxfordshire. It makes allocations for 30,056 homes in the plan period against an identified requirement of 23,550. Any allocations should also be made having regard to the overall strategy for the district in order that infrastructure can be available to meet the needs of new homes. Growth in South Oxfordshire is to be focussed on Science Vale and Didcot Garden Town in order to support economic growth in the district. Cholsey is not within an area where major new development is proposed. The local plan proposes a proportionate level of growth in larger villages of 15% above 2011 figures and core strategy allocations.</p>

<p>3 The South Oxfordshire District Council (SODC) Local Plan expressly places reliance on Neighbourhood Plans to meet development need within certain settlements, including Cholsey. It is therefore a clear intent of the adopted Local Plan that Neighbourhood Plans be proactive in their approach to the allocation of sustainable development, meeting need as it arises.</p>	<p>See responses to the above two comments. Cholsey has been proactive and has allocated sites for housing in excess of the identified requirement for the village.</p>
<p>Assessment of Basic Conditions In order for a draft Neighbourhood Plan or Order to progress to referendum, it must meet a set of basic conditions to establish that it is an appropriate policy document for inclusion within the Development Plan. These basic conditions are identified at paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The specific requirements of these conditions are set out in paragraphs 'a' through 'g', with the prevailing theme within being that Neighbourhood Plans need to be in accordance with wider national guidance and Development Plan policy principles.</p> <p>As a starting point we would draw attention to basic condition 'a' which requires that Neighbourhood Plans have regard for national policies and advice contained in guidance issued by the Secretary of State. A core focus in this regard should be the National Planning Policy Framework (NPPF) and Planning Policy Guidance (PPG) which both require that plan making be supported by the most up to date evidence. We would also suggest that the government objective to 'significantly boost the supply of homes' is a key aspect for consideration when preparing Neighbourhood Plans as they are in a key position to allocate additional development beyond that specified in the development plan.</p> <p>Basic condition 'e' identifies that Neighbourhood Plans should be 'in general conformity with the strategic policies contained in the development plan for the area'. The South Oxfordshire</p>	<p>The basic conditions statement set out how the neighbourhood plan meets the policies of the NPPF and the strategic policies of the South Oxfordshire Local Plan 2035.</p> <p>See the response above about boosting the supply of housing. The Oxfordshire SHMA made considerable provision for housing. In addition to basing the need on projected household growth and historic undersupply as required by the standard method the 2014 SHMA calculated additional needs generated by the rapidly growing economy in Oxfordshire. The housing need figure identified in the Oxfordshire SHMA is higher than the minimum figure which would be identified using the standard method.</p>

<p>District Council (SODC) Local Plan expressly places reliance on Neighbourhood Plans to meet development need within certain settlements, including Cholsey. It is therefore a clear intent of the adopted Local Plan that Neighbourhood Plans be proactive in their approach to the allocation of sustainable development, meeting need as it arises.</p>	
<p>The need to contribute towards wider development objectives is reflected within basic condition 'd' which expressly identifies that Neighbourhood Plans should 'contribute to the achievement of sustainable development'. In order to maximise the potential contribution towards sustainable development, it is logical that the Cholsey Neighbourhood Plan should proactively embrace the most up to date evidence available and not rely on aged evidence.</p> <p>Recently there have been a number of well publicised planning appeals within South Oxfordshire which have consistently demonstrated that the Council is unable to demonstrate a suitable housing land supply, as well as having a significant unmet (and growing) need for affordable housing and C2 homes and accommodation caring for the needs of the elderly. We note that SODC maintain they are able to demonstrate a sufficient housing land supply; however it is our contention that all recent evidence - at least four recent planning appeals - clearly contradicts this view. For example, the deficiency in affordable housing across South Oxfordshire is quoted as 'eye watering' by a Governmental Inspector.</p> <p>We would therefore suggest that for the purposes of the tests within the 'basic conditions', the Cholsey Neighbourhood Plan should acknowledge and seek to contribute to this shortfall by a re-examination of the need context. It is considered wholly appropriate to roll-forward the 2019 proposition for addressing development needs based on a 2014 SHMA – some 8 years on – to produce an alleged 'updated NP' that is in effect not updated at all or reflective of the most recently available evidence.</p>	<p>The CNPs general conformity with national policy as set out in the NPPF and with the strategic policies of the local plan is demonstrated in the Basic Conditions Statement. This shows how the plan will contribute to the achievement of sustainable development.</p> <p>The latest (July 2022) 5 year land supply paper for South Oxfordshire sets out that there is a 5.58 years.</p> <p>Whilst there is an immediate need for affordable housing, the recently adopted local plan makes significant provision to more than meet this need on the allocated sites. Allocations in the local plan should deliver around 11,300 affordable homes against a requirement of around 7845 homes. It also makes provision for housing for the elderly on strategic sites.</p> <p>The affordable homes provided by the CNP allocations (around 75) will meet the needs identified for Cholsey in the community survey (around 63).</p>

<p>Ignoring the above concept is only going to exacerbate the need cases that are now being regularly brought to bear on local appeals, with NP's being a responsive vehicle to be able to positively deal with such matters. Indeed, the SODC Local Plan identifies the positive role that NPs' should make in providing for development needs.</p>	
<p>Summary It is accepted that the tests applied to a Neighbourhood Plan examination may not be quite as rigorous as those applied during the Local Plan process. However, a core principle for policy making, including those found in relation to Neighbourhood Plans is that they must be supported by appropriate and up to date evidence. This view is supported by the PPG, notably Paragraph: 040 Reference ID: 41-040-20160211 which states: 'where neighbourhood plans contain policies relevant to housing supply, these policies should take account of latest and up-to-date evidence of housing need' This sentiment is again reflected in paragraph 084 Reference ID: 41-084-20190509 which identifies: 'To reduce the likelihood of a neighbourhood plan becoming out of date once a new local plan (or spatial development strategy) is adopted, communities preparing a neighbourhood plan should take account of latest and up-to-date evidence of housing need, as set out in guidance'. The utilisation of up-to-date evidence is at the acknowledged centre of plan making and will be key to ensuring that the Cholsey Neighbourhood Plan is a conforming component of the overall Development Plan. We would therefore urge the examination of the CNP ensure that the most recently tested evidence rather than that now heavily dated is the basis on which the plan is formed, and the Neighbourhood Plan be encouraged to sustainable development opportunities accordingly</p>	<p>Please see comments above.</p>

Aaron Twamley Planning – Deanfield Homes

Refer to [Submission Comments Link](#), pages 40 to 45

Although the purpose of this CNP Submission Version is to bring it into line with the South Oxfordshire Local Plan 2035, as well as changes to national policy, a major shortcoming of the CNP is a lack of reference to the emerging South Oxfordshire and Vale of White Horse Joint Local Plan 2041. The Joint Local Plan 2041 was recently subject to a Regulation 18 consultation which ended on 23 June 2022.

The consultation also sought views in respect to the Sustainability Appraisal (SA), Habitats Regulations Assessment (HRA) Scoping Report, Draft Settlement Assessment Methodology and Duty to Cooperate Scoping Document. On the basis the new Joint Local Plan 2041 is expected to be adopted by October 2024, as referenced within the Local Development Scheme (LDS) dated May 2022, it is our view the CNP should be aligned to the new plan and not the Local Plan 2035.

At best once the CNP is 'made' it would only be up to date for 12 -18 months before it would require updating again. As the cost-of-living crisis intensifies and the council's resources are further stretched it would seem a waste of public finances if the CNP is pursued further in its current form.

It is therefore requested the update to the CNP is paused until such time the Joint Local Plan 2041 is further progressed.

Owing to the acute housing needs across the district, as well as Oxford's unmet needs, it is very likely the new Joint Local Plan 2041 would require Cholsey to take additional housing growth because it's only one of twelve larger villages in the district that can take new development sustainably (it is also a local service centre). There is also a high need for affordable and starter homes, as well as elderly accommodation

Work on the joint plan has been abandoned. It is important for Cholsey to have an up-to-date neighbourhood plan. The requirement set out for neighbourhood plans is to be in general conformity with strategic policies of the local plan. The CNP seeks to do this.

Policies and proposals in the Local Plan set out how South Oxfordshire's housing needs will be met, in addition the plan makes provision to meet some of Oxford's needs.

<p>(particularly those wishing to down size but stay within Cholsey) which needs to be addressed. We therefore consider the village Built-up Area Boundary shown within policy CNP H2 should only be an interim measure and reviewed once new housing growth is required in Cholsey by the Joint Local Plan 2041.</p>	
<p>We would like our client's land considered for an allocation for new housing. We can provide full justification of the site's allocation, including any environmental, landscape and technical assessment on request. We do not therefore support policy CNP H2 or Cholsey Proposals Map (Map 8) as shown in figure 1 below.</p>	<p>This is a matter for a future review of the plan.</p>
<p>Although the Cholsey Proposals Map (Map 8) shows allocated housing sites (CHOL 1, CHOL 7, CHOL 9 and CHOL 10) these have already been approved and are either already occupied or under construction.</p>	<p>This is acknowledged, there are still a substantial number of homes to be built and Chol 7 remains an allocated site. The number of homes allocated meets the requirements for Cholsey in the local plan.</p>
<p>We consider Cholsey's sustainability ranking could be boosted further if it were included within the Science Vale area (via an amendment within the Joint Local Plan 2041). Locating Cholsey within Science Vale would bring about important economic, social and environmental benefits, and would also help to satisfy housing need within the village</p>	<p>This is not a matter for a neighbourhood plan.</p>
<p>The made Cholsey Neighbourhood Plan lists a number of community requirements within the village, and these range from a mix of social/community priorities, transport improvements, utility upgrades, housing needs and environmental improvements. It is considered these community needs can only be met through new housing growth within the village (via CIL/s106 contributions). New development would also increase the population size within the village which would help to sustain local shops and services, the local school and public transport provision.</p>	<p>CIL receipts from existing sites are still to be received and spent. Some essential services, for example education and health will be beyond capacity with further development which would be unsustainable. The CNP strikes a balance between enabling further growth and maintain the sustainability of the village.</p>
<p>Site specific comments</p>	<p>These are not relevant at the examination stage of the plan.</p>

<p>Chiltern Conservation Board</p> <p>Refer to Submission Comments Link, pages 58 to 62</p>	
<p>Paragraph 45 and map 2 (AONB landscapes that define and envelope the settlement). We have no strong view, but it may be useful to denote the North Wessex Downs and the Chilterns AONBs, respectively, in this map. An early reference to these two AONB designations would be welcome.</p>	<p>The overall impact of this map shows very clearly how Cholsey is closely surrounded by AONB land. The Chilterns boundary follows the River Thames, it is slightly difficult to follow at the scale of the map, but could be added if it is felt that this would be useful. The two AONBs are referred to at para 45 in the description of the area. Much of the preceding text is procedural.</p>
<p>Paragraph 65 (was 64 in draft) / CNP STRAT 1. Local Strategy. We support the strategy and recommend some minor textual additions, to align this with the status of the surrounding AONB landscapes, and as, <i>ensure all development conserves and enhances the rural nationally protected landscape AONB setting of the village, the setting and views both leading to and from it, the landscape character and biodiversity</i></p>	<p>We are happy to add this text to provide more weight to the strategy in respect of AONBs.</p> <p><i>Add as new bullet 7: ensure all development conserves and enhances the rural nationally protected landscape AONB setting of the village, the setting and views both leading to and from it, the landscape character and biodiversity</i></p>
<p>Paragraph 74. The strategy, as is relevant to landscaping matters. We support this strategy.</p>	
<p>Paragraph 66 (was 67). National & Local Strategic Policy. References to the NPPF. References to the NPPF will be inevitably updated. These are 2021 and the Neighbourhood Plan body may want to add a caveat on this, for example 'as updated' or in similar vein. When outlining compliance with the local policy environment we also recommend reference to the respective AONB Management Plans (The Chilterns AONB Management Plan 2019 – 2024 and the North Wessex Downs AONB Management Plan.</p>	<p>It will be clear that these references are correct at the time the plan was made, however we have no objection to including suitable wording about this.</p> <p>The plan makes reference to the both AONBs at paragraph 163 and to the Chilterns Position Statement on development affecting the setting of the Chilterns AONB at paragraph 166 quoting examples of adverse impacts.</p> <p>We have no objection to making specific reference to the AONB management plans as this will add clarity, this could be achieved by adding to paragraph 166</p>

<p>Planning Practice Guidance provides explanatory comment on the status of such management plans in planning decision-making. This, we hope, will assist the Neighbourhood Planning Body in supporting the inclusion of such references.</p> <p>Do planning policies and decisions need to take account of management plans for National Parks, the Broads and Areas of Outstanding Natural Beauty?</p> <p>3 Management plans for National Parks, the Broads and Areas of Outstanding Natural Beauty do not form part of the statutory development plan, but they help to set out the strategic context for development. They provide evidence of the value and special qualities of these areas, provide a basis for cross-organisational work to support the purposes of their designation and show how management activities contribute to their protection, enhancement and enjoyment. They may contain information which is relevant when preparing plan policies, or which is a material consideration when assessing planning applications.</p> <p>Paragraph: 040 Reference ID: 8-040-20190721, Revision date: 21 07 2019</p>	<p>...The conservation of wildlife and cultural heritage are also important. Both the North Wessex Downs and Chilterns AONB Management Boards have prepared Management Plans for their respective areas. The Chilterns AONB ...</p> <p>I note that the formatting of paragraphs 170 and 171 has gone awry and should be corrected. Paragraph 171 is the vision for the North Wessex Downs AONB and should be in text box to distinguish it. Paragraph 170 is the title for the text box.</p> <p>We could usefully add at this point a following paragraph: The management plans for the North Wessex Downs and Chilterns AONBs should be consulted on any proposals that fall within those areas or affect their settings. These plans provide evidence of the value and special qualities of these areas which may be a material consideration for development proposals.</p>
<p>Paragraph 105 (was 107). We support this approach and would add the legal test in the Countryside and Rights of Way (CROW) Act at its section 85 (the 'duty of regard'). 105. To retain the rural character of the village and the separate identities of Wallingford and Cholsey it is important that the small gap and valued landscape between them is maintained. This area is also important in providing part of the setting for the adjoining AONBs and a visual link between the North Wessex Downs and Chilterns AONBs. Development should only take place in the rural areas beyond the village boundaries where special</p>	<p>Agreed, this will add clarity</p> <p>Add to the end of paragraph 105 ...Framework (where land is within the AONB) and with full regard to the 'duty of regard' to conserve and enhance the AONB in section 85 of the Countryside and Rights of Way Act (CROW Act which applies within the AONB and to land within the setting of the AONB).</p>

<p>circumstances exist as set out in the National Planning Policy Framework (where land is within the AONB) and with full regard to the 'duty of regard' to conserve and enhance the AONB in section 85 of the Countryside and Rights of Way Act (which applies within the AONB and to land within the setting of the AONB)</p>	
<p>Policy CNP H2 Minor additions to this policy, to align with the CROW duty, as above. 109 (was 111). Proposals for development outside the built-up area will not be supported unless they are appropriate to a countryside location and are otherwise consistent with legal duties in the CROW Act, as affects AONBs, development plan policies and national policy</p>	<p>Agreed, this will add clarity</p> <p>Change paragraph 109</p> <p>Proposals for development outside the built-up area will not be supported unless they are appropriate to a countryside location and are otherwise consistent with legal duties in the CROW Act, as affects AONBs, development plan policies and national policy.</p>
<p>Objective E0 2 objective. A minor textual amendment to align with the AONB duties. Objective EO2164 (was 167). To prioritise the protection, conservation and enhancement of:</p>	<p>Agreed this will add clarity</p> <p>Change paragraph 164: To prioritise the protection, conservation and enhancement of:</p>
<p>Policy CNP E1 189 (was 192) Minor textual amendments / additions, to acknowledge the special qualities of the respective AONB's Policy CNP E1 192. Cholsey's landscape, countryside and rural areas will be protected against inappropriate development and where possible enhanced. 193. Within the AONB (as shown on Map 2) great weight will be given to conserving and enhancing the special qualities, including landscape and scenic beauty. Development proposals for major development will not be supported in this area except in exceptional circumstances and where they can be demonstrated to be in the public interest.</p>	<p>Paragraph 188 – we would wish to retain the word biodiversity in the policy as this is important within the parish.</p> <p>Paragraph 193 – we would wish to retain the reference to AONB settings in this policy, it is important that we have a policy reference to the setting of AONBs</p> <p>Note formatting issue in the policy text box. Policy text box to be extended to include all of paragraphs 189 and 190.</p>
<p>SODC recommendations</p>	<p>See separate response</p>

Refer to [Submission Comments Link](#), pages 48 to 51

OCC Estates

Our view remains as before that the built-up area boundary would not prevent the construction of necessary ancillary buildings within the school curtilage. Nevertheless, we have no objection to a small adjustment to the built-up area boundary to include the hard surfaced play areas.

Adjust the built-up area boundary at Cholsey School to include the hard surfaced play areas.