

BRIGHTWELL CUM SOTWELL NEIGHBOURHOOD PLAN

Consultation Statement

Prepared in accordance with Regulation 15(1)(f) of the Neighbourhood Planning (General) Regulations 2012 (as amended) in respect of the Modification Proposal to the made Brightwell-cum-Sotwell Neighbourhood Plan.

NOVEMBER 2022

Brightwell cum Sotwell
Neighbourhood Plan

Submission Version

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I Introduction

This Consultation Report has been prepared with the aim of fulfilling the legal obligations of the Neighbourhood Planning Regulations 2012 in respect of Brightwell-cum-Sotwell (BCS) Parish Council's modification of the 2017 Brightwell-cum-Sotwell Neighbourhood Development Plan.

2 Legal Basis

Section 15(2) of Part 5 of the 2012 Neighbourhood Planning Regulations sets out that, a consultation statement should be a document containing the following: (a) details of the persons and bodies who were consulted about the proposed review of the neighbourhood development plan; (b) explanation of how they were consulted; (c) summary of the main issues and concerns raised by the persons consulted; and (d) description of how these issues and concerns have been considered and, where relevant, addressed in the proposed review of the neighbourhood development plan.

The Consultation Report therefore is an overview and description of the consultation that was undertaken during the modification of the BCS Neighbourhood Plan (BCSNP) starting in December 2021 and finished following the pre submission consultation and subsequent refinement. This report also includes the summary of the consultation carried out for the 2017 Made BCS NP.

The consultation activities undertaken before the production of the draft plan led to the production of the Policies contained within the BCSNP that aim to control and promote sustainable development in the parish over the next plan period.

3 The Modification of the 2017 Brightwell cum Sotwell Neighbourhood Plan

3.1 The Success of the 2017 BCS NP

BCS Parish Council considers that the 2017 NP for the parish has delivered a healthy stock of housing that has had a positive effect on the parish and helped to play its part in delivering South Oxfordshire District Council's (SODC) housing supply.

Although the whole parish was considered for its development potential, it was considered that the main village is the most sustainable place for new housing and as such the spatial strategy focused new housing development in this location. A housing needs survey was carried out in the preparation of the BCSNP to help inform local housing need. The 2017 BCS NP was made during the preparation of the SODC Local Plan. Since the subsequent adoption of the Local Plan, Policy H8 of the adopted Local Plan 2035 ('Housing in Smaller Villages') provides clear guidance for housing development in Smaller Villages – allowing for growth of up to 10% in the housing stock. Its supporting text (§4.37) also makes it clear that Smaller Villages are not required to contribute towards delivering additional housing to meet the Objectively Assessed Need of the District.

The 2017 BCS NP made provision for up to 64 new homes and retains policies and allocations which have not yet been built allowing for growth of roughly 10% of the 612 homes identified at the 2011 census, without taking into account windfall completions in the parish since 2011. Thirty one new homes have been delivered at Little Martins and work is underway to complete the development allocated at Thornes Nursery. In addition, outline permission has been granted for housing at Bosely's Orchard. The BCSMNP therefore continues to contain policies and allocations that meet (in fact exceed) the identified housing requirement for the neighbourhood area.

SODC has retained its five year land supply throughout the period for the BCS NP.

Whilst delivering the allocated houses, the NP has also been an effective tool to support the case against speculative development that has come forward since 2017. SODC has supported the parish council and development has proceeded as planned for. This has been one of the great success stories of the 2017 BCS NP and has helped to ensure that there is still a strong community support for the plan and the parish council.

3.2 Identifying Gaps and the Need for Modification

Despite the success of the 2017 BCS NP, the parish council, in responding to planning applications, had identified several gaps in the 2017 NP. It was considered that through an update of the 2017 these gaps could be filled to provide greater clarity to households and developers. In particular, the parish council considered that the 2017 NP policies regarding design could be clarified and environmental policy regarding both building standards and nature recovery.

4 Timeline of the Brightwell-cum-Sotwell 2017 NP Review

4.1 May – August 2021

Over the spring 2021, the PC discussed whether a review was needed and if so, what matters should be included for review. For example, it had been recommended that an inventory of local heritage assets could help to inform planning applications, particularly the impact that new development has on neighbouring properties (July 20th BCS PC meeting). In addition, the need for a Design Code for the parish had been identified – with a recommendation that this would best be achieved through the modification of the made neighbourhood plan.

4.2 September 2021

BCS PC had informal liaison with SODC to gain advice whether a review of the NP would be appropriate and if so whether the identified changes that had been discussed by the parish council would constitute a material change.

On 21st September 2021, BCS PC agreed to formally review the BCS NP. It was agreed that the Neighbourhood Plan review would produce a Design Code and update its environmental policies that are set out in the NP. It was agreed that a steering group should be formed to take the plan forward to be chaired by a parish council member.

A draft timetable for the project was discussed and it was agreed to commission Neil Homer who worked on the original plan to provide technical planning advice. It was agreed that a funding application would be submitted to Locality.

4.3 October / November 2021

A grant was received from locality. An initial meeting was held with Neil Homer to agree a plan of action. It was agreed that the parish Council should agree the term of reference to enable a Steering group to form and lead on the project, that would feed back to the Parish Council for approval. It was agreed that the chair of the Neighbourhood Plan Steering Group should form a committee and contact the names suggested to be part of this group. Representatives were chosen to reflect different interests from across the parish.

In November, the PC agreed by email with SODC that it had started to review the made neighbourhood plan. The PC also asked for clarification whether the modified neighbourhood plan would continue to engage §14 without allocating further housing sites particularly as BCS continues to exceed its housing target for the plan period and as such would not propose to make further allocations as those sites allocated in the made plan have been, or will be, implemented within the plan period, with little or no prospect of under-delivery.

It was indicated the modification to the 2017 BCS NP would replace or refine some policies (including introducing a design code to refine the District-wide guide and our made design policies) and to add one or two more development management-type policies (e.g. on Local Nature Recovery and the PassivHaus standard), but not to the extent that this would 'change the nature of the plan'.

SODC confirmed that the preparation of the Brightwell cum Sotwell Neighbourhood Plan adopted in 2017 took account of evidence of housing need informing the preparation of the South Oxfordshire Local Plan, which was available at the time. The adopted South Oxfordshire Local Plan 2035 sets out that Smaller Villages, such as Brightwell cum Sotwell, have no defined requirement to contribute towards delivering additional housing (beyond windfall and infill development) to meet the overall housing requirement of South Oxfordshire. However, the Council's strategy allows parishes that wish to proceed with preparing a neighbourhood plan to make allocations for housing to achieve the protection afforded by paragraph 14 of the NPPF, provided that the levels of growth are commensurate to the size of the village. The local plan sets out that the level of growth that is commensurate to the scale and character of smaller villages is expected to be between 5%-10% of the number of dwellings in the settlement as of the 2011 census.

The Brightwell cum Sotwell NDP allocates land for approximately 60 new homes, which is roughly 10% of the 612 homes identified at the 2011 census, without taking into account windfall completions in the parish since 2011. The Brightwell-cum-Sotwell Neighbourhood Plan sets out the village boundary, within which policy BCS1 states infill development will be supported, and this is in accordance with Policy H16 of the South Oxfordshire Local Plan. Policy BCS1 also supports development that is appropriate to a countryside location and consistent with local development plan policies outside the settlement boundary. It is clear that the made Brightwell cum Sotwell Neighbourhood Plan contains policies and allocations that meet (in fact exceed) the identified housing requirement for the neighbourhood area. Provided these policies are carried forward into the modified plan it is my view that this requirement would continue to be met.

SODC noted our intention to introduce a design code and new development management policies and agreed that these would result in material modifications to the plan, which would fall into the circumstances set out in paragraph 099 of the NPPG referred above. This means, subject to other relevant criteria being met, it would be possible for Brightwell cum Sotwell to benefit from the provisions of paragraph 14 of the NPPF without making additional housing allocations.

The parish council was in a position to proceed.

4.4 December 2021

The Terms of Reference that has been drafted for the Neighbourhood planning Sub Committee group were agreed by the PC.

Since the modification was to review and update the previous Neighbourhood Plan (that had been adopted quite recently in 2017), the Steering Group was able to draw on much of the experience and knowledge from that process. The Chair and some of the members of the BCS NP SG were also on the previous Steering Group, but there were also several new members who were able to offer certain new perspectives to the new SG.

The SG also was fortunate in working with the same planning consultant as with the 2017 ANP, Neil Homer, now working for O'Neill Homer Ltd.

The SG agreed that at its first meeting it would review the successes and failures of the 2017 NP, which policies could be deleted and where policy gaps were in order to prepare new policies to address the same and new challenges as needed. Much of this work had already been identified by the parish council when assessing whether there was a need to update the plan. The SG considered that the following measures should be prioritised:

- Retention and strengthening of BCS1 – The Village Envelope linked to revised policies on village gaps and views
- The replacement of Design Policy through the creation of a new Design Code to fill those gaps in policy identified by the PC
- The production of a Key Views Analysis
- The creation of an inventory of local heritage assets
- Investigation as to whether a Passivhaus policy was appropriate to enhance green building standards across the parish
- The strengthening of policy regarding Nature Recovery
- Investigation as to whether a policy to protect dark skies was appropriate.

At the time, cases of Covid 19 were increasing across South Oxfordshire. It was decided by the group that it would be best to meet virtually as some members were considered vulnerable. As such, Zoom was used.

The wider community was informed of the PC's decision to update the plan in the parish newsletter that is delivered to every household. Any representations could be sent to the Chair of the group or through the PC Clerk.

4.5 January 2022

The SG continued to meet via Zoom due to ongoing high levels of Covid-19. The SG agreed which elements of the NP should be reviewed to be fed back to the PC / consultant by the Chair.

A Launch Event was held at the Village Hall on 12th January 2022 that outlined the PC's considerations for review and the need for these. This was a hybrid event, - both via Zoom and in person at the Village Hall. Covid 19 was still very much in the minds of both the Steering Group and parish residents at the beginning of 2022. Case numbers were particularly high across South Oxfordshire. Having consulted with the community it was decided that a hybrid public meeting would be appropriate to launch the review of the neighbourhood plan to allow those people that did not feel comfortable in attending in person to still be informed and have their say. The public meeting was transmitted live and questions asked through the chat forum.

4.6 February 2022

The SG continued to meet and refine policies in consultation with Neil Homer. A draft Modified NP was prepared and submitted to BCS PC to be agreed for Regulation 14 consultation. The draft plan was agreed at the February PC Meeting subject to minor changes

4.7 March 2022

A second public meeting was held via Zoom on the 2nd March to discuss the draft modified plan and to introduce how to comment on it. It was decided that this meeting would be entirely online in light of continued concern from many local residents regarding large indoor gatherings.

4.8 Regulation 14 Consultation

21 March – 4th May 2022

The draft Neighbourhood Plan modifications and supporting documents are available ONLINE at:
www.brightwellcumsotwellpc.co.uk

Paper copies are available to view in the Parish Office, The Red Lion and the Village Stores (please see the parish council website for opening hours). Two public drop in sessions will be held, in the Stewart Room Village Hall: 10-12am Sat 2 April, 6-8pm Tue 5 April

Please include your name and address in your comments (a copy of the Neighbourhood Plan Privacy Statement is available on request). You can send your comments by email or letter to:

bcsparishcouncil@googlemail.com
or by post to
**The Parish Clerk, The Parish Office
The Village Hall, West End
Brightwell cum Sotwell
OX10 0RY**

Please email the Parish Clerk or call 01491 826968 if you need further information on how to comment or where to view a copy of the draft neighbourhood plan

This consultation runs from 21 March – 4th May 2022

THANK YOU





Brightwell cum Sotwell Neighbourhood Plan

PUBLIC CONSULTATION

WE NEED YOUR VIEWS

Notification of formal consultation on the Brightwell cum Sotwell Modified Neighbourhood Plan (Regulation 14 Town and Country Planning, England, Neighbourhood Planning (General) Regulations 2012)



Image courtesy of Anna Dillon

Residents were asked the following:

Brightwell cum Sotwell Parish Council took the decision to update its neighbourhood plan in November 2021 to bring it in line with new legislation and planning practice. The existing neighbourhood plan has been modified by a sub group of the Parish Council with support from SODC and consultants ONeilHomer, alongside a series of public drop in sessions and presentations. The draft modified neighbourhood plan has been written to help inform how future development takes place, based on evidence, to help conserve what is best about the parish of Brightwell cum Sotwell.

This six week public stakeholder consultation is being carried out by the Parish Council and is known as Regulation 14.

Details on how to comment and where to view a copy of the plan are found on the reverse of this page. Once comments have been received, the plan will be reviewed and passed with its supporting documents to South Oxfordshire District Council where it will be checked against legislation (known as Regulation 15). Responsibility will then rest with SODC which will undertake a further formal consultation (known as Regulation 16) before the plan is subject to formal examination by an independent examiner.

Documents for consultation:

- BCS NP Modification Proposals Document 2011 - 35
- Local Green Space Addendum
- Sustainability Appraisal Addendum
- BCS NP Design Code

Appendix A – Brightwell cum Sotwell Conservation Area Appraisal (information only)

Appendix B – Brightwell cum Sotwell Conservation Area Management Plan (information only)

Appendix C – Brightwell cum Sotwell Community Led Parish Plan 2014-24 (information only)

Appendix D – Brightwell cum Sotwell Views Analysis 2022

Appendix E – Inventory of Assets of Local Heritage Value

- Modification Proposal Statement

The Modified Brightwell cum Sotwell Neighbourhood Plan will:

- Reinforce the village envelope adopted in the existing neighbourhood plan
- Agree a series of key views across the parish

- Strengthen the two local gaps that prevent coalescence between Mackney and Brightwell and Slade End with Wallingford
- Bring together existing local policies and guidance (such as the SODC Local Plan, the BCS Conservation Area Appraisal and the 2014 Parish Plan) that informs design in the parish into a single document called a 'Design Code'
- Update our environmental building standards to help tackle climate change
- Strengthen the neighbourhood plan to provide greater protection for dark skies, encourage local nature recovery and tackle increasing flood risk
- Propose an inventory of local heritage assets
- Ensure that the existing housing allocation set out in the made plan is carried forward. No new housing allocation is required in the modified plan.

The draft Neighbourhood Plan modifications and supporting documents are available ONLINE at:
www.brightwellcumsotwellpc.co.uk

Paper copies are available to view in the Parish Office, The Red Lion and the Village Stores (please see the parish council website for opening hours). Two public drop in sessions will be held, in the Stewart Room Village Hall: 10-12am Sat 2 April, 6-8pm Tue 5 April

Please include your name and address in your comments (a copy of the Neighbourhood Plan Privacy Statement is available on request). You can send your comments by email or letter to:

bcsparishcouncil@googlemail.com

or by post to

The Parish Clerk, The Parish Office

The Village Hall, West End

Brightwell cum Sotwell

OX10 0RY

Please email the Parish Clerk or call 01491 826968 if you need further information on how to comment or where to view a copy of the draft neighbourhood plan

This consultation runs from 21 March – 4th May 2022

The following groups, organisations and individuals were formally invited to comment by email and letter: Oxfordshire County Council, South Oxfordshire District Council, Vale of White Horse District Council

Cllr Sudbury, Cllr Jane Murphey, Cllr Anne Marie Simpson ,

Dorchester PC Clerk, Benson PC Clerk, Warborough PC Clerk, North Moreton PC Clerk, Wallingford Town Council Clerk, South Moreton PC Clerk, Little Wittenham PC Clerk

Long Wittenham PC Clerk, Cholsey PC Clerk

The Coal Authority, Homes England, Natural England, Environment Agency

Historic England, Network Rail, Network Rail, Highways England, Marine Management Organisation, BT, EE, Three, EMF Enquiries - Vodafone & O2

Oxfordshire Clinical Commissioning Group, NHS England

National Grid, Cadent, Scottish and Southern Energy Power, UK Power Networks, Thames Water - Developer Services

Earth Trust, Shillingford Hill Hotel, Shillingford Hill Home Park Management, Shillingford Hill Home Park Residents Association, , Sherwood Farm, Highlands Farm, Rush Court Nursing Home

Root One Nursing Home, Sotwell Hill House, Plymouth Bretheren Church, Frogs Island Donkey Sanctuary, CoE

Known landowners and developers

BCS Environment Group, Parish sporting groups, special interest and amenity societies

Developers whose land is allocated within the made NP.

4.9 June – August 2022

Analysis of Regulation 14 Comments

During the summer 2022, the SG met to discuss the findings of the NP Regulation 14 consultation and to make any recommendations following these comments. In addition, the SG took advice from the parish council's planning consultant particularly regarding the more technical feedback provided by local developers and statutory agencies.

The feedback from the Regulation 14 consultation and the SG response is included in sections 6 and 7 of this Consultation Report.

The SG worked with O Neil Homer to update the Modifications proposal accordingly. The SG met in October 2022 to agree its final report before this was handed over to BCS PC for agreement at their September meeting.

A public information event was organised on 4th November at St. Agatha's Church to update the parish and other stakeholders on any changes. The event was advertised on the parish council website, on village telegraph poles and the parish Facebook page.

An update is planned for the Parish magazine in December 2022.

The Submission version of the BCS NP will be submitted to SODC.

5 Assets of Local Heritage Value

It was considered by the SG that all houses to be included on the inventory of local heritage assets should be written to in advance of the public consultation and given the opportunity to object to or comment on their property being included. The following letter was delivered to each house included on the draft inventory. The letter was welcomed by these householders and gave the SG the opportunity to explain what being included would entail.

4th February 2022

Dear Parish Resident

As you may be aware the Parish Council is working on a review of the neighbourhood plan for the parish. A key theme of the neighbourhood plan throughout has been to strengthen the ways that we can conserve and respect the character and setting of the Parish in light of new external pressures and changes to the national planning framework.

As part of the review, we are writing a design code that will enable the parish to better protect what we love most about our community. This will not solve all of our problems but it will considerably strengthen our hand in fighting inappropriate development.

One of the measures that the design code needs to consider is the inclusion of an inventory of buildings and other structures that are not 'listed' but are never-the-less important to our local heritage, in order to provide them with a little extra protection under the plan. These buildings will be known as 'an asset of local heritage value'. The inventory will state briefly why we think each building is important to the parish's heritage and a photograph. An independent consultant has been appointed to make a list of recommendations. Many buildings have been included because the existing Brightwell cum Sotwell conservation area appraisal has already identified them as an asset of local heritage value, the design code is simply rationalising this into an easily understood format. Buildings outside the Brightwell cum Sotwell conservation area in the main village, at Sires Hill and Clapcot have been identified because of their historic, cultural or group value. Mackney, although being designated as a conservation area has no formal appraisal. As such, the design code requires an appraisal to be undertaken for this area. This appraisal would need to suggest buildings that have a historic, cultural or group value and should, through this process, be considered as an asset of local heritage value.

The consultant believes that your building [] should be included in the inventory as an asset of local heritage value which will be included in the design code attached to the modified neighbourhood plan. Having your building on this inventory does not mean you will be required to apply for Listed Building Consent when you wish to make alterations. Any planning applications you make will be determined by SODC using their standard process and your permitted development rights will be unaffected. They will just be made aware that your building is valued locally and will take this into consideration when determining a planning application that may affect your building.

Inclusion on the inventory makes it clear to applicants and SODC where there is local heritage value and, helps the parish council and householders successfully challenge unwanted developments that would affect the setting of a property identified as an asset of local heritage value including measures for inappropriate lighting, telegraph poles, new housing and extensions to nearby dwellings.

If you have any questions about this, please contact the Parish Office by email bcsparishcouncil@googlemail.com or phone 01491 826968 over the next two weeks.

Many thanks

Brightwell cum Sotwell Neighbourhood Plan Team

6 Regulation 14 Community Feedback

The following documents those responses received by the Parish Council during the Reg 14 consultation with the subsequent recommendations made following consideration by the NP Steering Group.

Response 1

As requested my wife ***** and I have reviewed the modification proposals for the Neighbourhood plan.

Two things struck us.

- 1) The farm land south of Sotwell street seems to be the only green land not designated a "First Home Exception Site". This seems out of keeping with the plan to maintain the village boundary and the views accepted for protection across it. (Neighbour hood Plan March 2022 views 18 & 19.)
- 2) In our opinion, there should also be a protected view from the footpath beside Dobsons across these fields.

NP Steering Group Response

The group considered that any first home exception site that came forward for the farmland to the south of Sotwell Street would have a significant harm to the conservation area, designated views and the setting of many listed buildings.

It was agreed that the view beside Dobsons across the fields was a key view, however, was adequately covered by Key View 18 that took into account the views south, across the fields from the Croft Path stretching from Slade End to the White House.

Response 2

Dear sirs , this just to say that I fully agree with the modified Neighbourhood plan , particularly the maintenance of the village boundaries.

NP Steering Group Response

The group agreed and has made provision to support and strengthen the village boundary policy.

Response 3

I have reviewed the updated neighbourhood plan and I am supportive of the new version. I am grateful that people have put a lot of time and effort into keeping the plan up to date such that the interests of people living in the village are balanced with prospective development and the natural environment

NP Steering Group Response

No response

Response 4

I have the following response to make on the Key Views in the Parish. I have added some key views in red to the attached plan to and from Mackney which have been omitted.

The views are as follows...

31. Additional view east towards Mackney, Smalls House and Barn

36 Additional view west towards Mackney settlement showing the rise from the flood plain.

39 Views from the south of the Mackney Lane "loop" towards Cholsey Hill and the Downs beyond.

40. Views from the public footpath back towards the south of Mackney settlement I would be grateful if you could acknowledge receipt of this response and confirm in due course how the changes are being accommodated in the plan.

Thank you

NP Steering Group Response

The group considered these views but were mindful that Key Views 31 and 36 already identified the importance of long views from Mackney to Cholsey Hill. It was also considered that the slight rise in ground level made long views to the south from the position indicated difficult to see. Big sky views across Mackney Fields are already identified.

Response 5

I am writing with regard to the draft Neighbourhood Plan that is currently under consultation through 4th May 2022.

I am writing to offer my support as a local resident for the updates to the BCS Modified Neighbourhood Plan. I am pleased to see the recommendations to reinforce the village envelope adopted in the plan by supporting developments within the village boundary, assuming this extends to the existing settlement boundary, in keeping with the policies in place. It is also valued to propose the strengthening of the two local gaps protecting the village identity.

Following the development of Little Martins as well as the proposed developments in Slade End Green, Thornes Nursery and Bosleys Orchard I would also strongly support the view that the village has provided more than enough additional housing for the community (and SODC requirements) without damaging the size and scope of the village itself. Alongside this the significant development in Wallingford at Highcroft are expected to place significant strain on the A4130 as well as local amenities in close proximity to Brightwell cum Sotwell. To extend the village towards the High Road A4130 or Mackey/Wallingford outside of the existing settlement would severely impact the feel of the village and its current structure along Slade End, Sotwell Street onward through the street. I would also draw particular support on the modification that affordable housing schemes be limited to 9 or less properties to avoid a material impact on the character and design of the village as referred to in various policies. This will also protect the amenities of the village in keeping them at a suitable capacity with a particular focus on the current primary school.

As a final note I am thoroughly supportive of the modifications to ensure dark skies are protected within the village. Having seen the difference the development of Highcroft has had in Wallingford on the local road network (and therefore light pollution) I would support in every way possible protecting Dark Skies over Brightwell-cum-Sotwell

The village of Brightwell-cum-Sotwell in a time of constant development has managed to retain an old world charm that is simply irreplaceable. It is my view that the recommendations made within the consultation support the effort to retain this character whilst also meeting housing allocation targets set to enable our growing population to find suitable homes.

I would add thanks to the Parish Council for the significant effort that has gone into the careful consideration of this modification and the protected views recommended within

NP Steering Group Response

The group agreed and has made provision to support and strengthen the village boundary policy.

Response 6

I would like to express my sincere support of the neighborhood plan, it needs to be adhered to at all costs. In particular I support the protection of the fruit farm and land from being built upon

NP Steering Group Response

The group agreed and has made provision to support and strengthen the village boundary policy and the spatial strategy that does not look towards making the A4130 a new edge of settlement.

Response 7

All in the village owe so much to the hard work, enthusiasm and skills of the local councillors. Thank you.

The made problems of development in the village and in the wider area seem to be with the County Council and Highways . Refusal to address lack of essential services such as roads, sewage treatment, water supply, medical services and education are the problems now and will only increase in time.

NP Steering Group Response

The group considered that the Design Code addressed the issues that have arisen (with the scope of the BCS NP).

Response 8

Thank you for putting together the updated plan. We are supportive of it, especially on no increase in the housing allocation for the village, making housing more environmentally friendly and on the dark skies initiative.

NP Steering Group Response

The group agreed.

Response 9

The following are my main comments but will separately send a list of minor points (mainly typos).

I support the plan which represents much hard work with much of the new information providing a useful record of the village.

NP Steering Group Response

The group agreed and made the necessary typo changes.

Doc 1 Modifications Proposal

P21 - text refers to BcS Village Design Statement (BCS VDS) - I can't find this document, is it an old one?

P25 - Should Designed Estates include Monksmead and Kings Orchard?

P45 - map shows old, incorrect, parish boundary

NP Steering Group Response

The group agreed and has made the necessary changes.

Doc 3 Modification Statement

The summary table is helpful and hopefully will be upfront in the final documentation.

Doc 5 Design Code

P7 - map shows old, incorrect, parish boundary

NP Steering Group Response

The group agreed and has made the necessary changes.

Doc 6 Key Views

Schedule of docs show Key Views as Appendix E, whereas it should be Appx D

Some of the views of street scenes such as in 5,6 and 12 around the War memorial, The Square and The Street show the intrusion of overhead services. It would be good to include in Opportunities & Threats the opportunity to replace overhead with underground services. If this could be linked to a new or modified policy then perhaps it would give scope for objections to the installation of overhead lines such as recently occurred towards Mackney. Opportunities to put services underground may become available should any form of district heating be carried out following the current renewable heat study.

NP Steering Group Response

The group agreed and has made provision to support and strengthen the suggestions within the Key Views report.

Doc 7 Assets

Schedule of docs should show Assets as Appendix E

C6 & C7 Text and photos are identical.

C21 - note that there are two TC markers on this land.

NP Steering Group Response

The group agreed and has made the necessary changes.

Response 9 Additional comments

General

Brightwell cum Sotwell appears with and without hyphenation throughout many of the documents.

Also consistency with St James, St Agathas or St James' St Agatha's

Doc 1 - Modifications Proposals

- P16 BcS5 Various refs to 5XX
P21 BcS7 Also refs to 5XX and Appendix?
P28 BcS12 Refs to 5X and (see Plan X)

Doc 3 NP Modifications Proposals Statement

- P6 BcS10 replace precious with previous in 'They also improve the precious of the policy..'

Doc 5 - Design Code

- P3, 2 2nd para residents' not resident's
P6 1st para principal replaces principle in 'dominant as the principle urban centre'
P8 Economy 1st para – the micro brewery at Highlands Farm has closed.
P9 Poly-focal or polyfocal?
P14 last para unnecessary line change after '..lack of street '
P38 Natural Environment include reference to River of Life project?
P39 Wellsprings photo should be by Environment Group not Group
P85 The Bach Centre not Dr Bach Centre (as on signboard in photo)
P104/5 Reference paras 1.0, 1.1 and 1.2 should be in *italics*
P199 I think caption should read 'copied' not 'carved' (NB All the last few maps here are really interesting)

Doc 6 Key Views

- 3.3 View 2 and 3 Millenium Wood (not Woods)
5 'centres' not 'centers'
10 Neighbourhood
16 Lollingdon (not Lollington)
18 Slade End Nurseries (not Nuseries)
39 Corrallian (not Corrollian)
53 sense not sence

Doc 7 Assets of Community Value

- B4 St Cecilia (in text) not St Celia
B6 Haldane not Haldine

- B13 Swan PH not pH
B23/24 delete 'by' in '...built by...'
S10 wrongly labelled 210
S19 'Town and Country' ('r' missing)
S20 'Storey' (e missing)
SE5? No number given for Sarsen stone
D1 First line of text not needed. Also storey not story

NP Steering Group Response

The group agreed and has made the changes suggested.

Response 10

Comments on Revision of Neighbourhood Plan March 2022

It has been a hard task trying to read and comprehend the entirety of the seven documents which comprise the revision and probably not surprisingly I have only concentrated on some aspects.

Some general comments first.

I note the documents include a new Design Code and while I appreciate that to be accepted this must fall in line with the SODC Design Code and all other relevant legislation and guidance, I do not feel that it does full justice to a small rural village. For example, what may be relevant on a new urban housing estate has little in common with a rural village and in consequence, in my view, the SODC design Code should have had two sections, an urban section and a rural section. To try and combine the two probably does an injustice to both.

I am aware the original Neighbourhood Plan included a Design Guide, and I would like to have seen this updated and strengthened at the same time as the production of a Design Code to reflect the very different design issues that many rural villages are facing. Effectively, the Design Code could have been a high-level overview of Design and an updated Design Guide could have been far more specific and prescriptive as to what will be acceptable in design terms in any planning application.

I am particularly pleased to see that the village boundary as agreed in the original Neighbourhood Plan has been strengthened and further protected. The First-Time Buyers legislation could have meant a free for all on areas outside the Village Boundary and I note that such development has been capped at nine dwellings which given the size of the village is probably about right.

NP Steering Group Response

The group agrees with the respondent that the SODC Design Code is focused on urban rather than rural settlements and has tried to write the design code (within the identified constraints) accordingly. The Design Code updates the previous design guide for the village.

Other comments include the following:-

- I am pleased to see recognition of views, gaps, walls, important trees, and consideration for wildlife.
- Measures around drainage, flooding and ditches are an important issue in this rather wet village and should be prime considerations in any development. I am pleased to note that large areas of tarmac and concrete on driveways in front gardens will not be tolerated.
- Recognition and protection of Heritage Assets is also pleasing. Our heritage assets could easily lose their value if development causes their setting or prominence to be harmed. The village has many important heritage assets, and these must be protected both now and for future generations.
- Limiting of light pollution is a good move
- Guidance on boundary structures is also welcome with natural planting, being far preferable to solid fences.
- It is also vital that verges are preserved both to enhance the rural appearance and to help with water management. I note that a number of recent developments in the village have subsumed the verge in front of the property into their own garden which harms the view and pedestrian safety.
- Country lanes should be maintained in their present state without tarmac, curbs, or road markings otherwise any developments will result in urbanisation. All roads, lanes footpaths and verges must remain informal.
- I am particularly keen that the listed buildings in the village and the conservation areas are protected, and that no development is allowed to cause harm to their setting in any way.
- I would have liked to have seen more requirement for architectural excellence and innovation in new build or major refurbishment design. There are some good examples of excellence in design both in the UK and Europe and I would like to have seen some examples included in the Design Code. Eg Waddesdon Manor, Springfield Meadow Passivhaus and that all new builds have EDGE certification. The climate emergency seems to become more serious by the day and I feel we should be doing everything in our power to ensure that all future builds are sustainable and carbon neutral.
- I support the biodiversity net gain. This is vital with many native species endangered.
- All new builds and refurbishments must be constructed in traditional materials that are entirely in keeping with listed buildings and heritage assets in the locality and should mirror these construction methods, materials and techniques.

Overall this is an impressive piece of work and my congratulations to all contributors. If the Design Guide could be updated at the same time as this is submitted I am more than happy to support the submission.

NP Steering Group Response

The group agreed but believes that the Design Code goes as far as it could to establish the principles of good innovative design, depicting where Passivehaus has positively contributed to a village. The Code also includes many local examples that can be used as guide for developers regarding best practice.

Response 11

Thank you for the extensive consultation on the updated Neighbourhood Plan for Brightwell-Cum-Sotwell.

We are unequivocally in support of all the amendments, which we think are improvements.

In addition, two areas which we hope will move even further forward, and are willing to contribute to are

1: BcS becoming self sustainable/zero-carbon in terms of energy - through the HEATING project.

2. BcS extending it's wildlife ecosystems and biodiversity. (We have planted a wildlife garden - plants beneficial to bees, butterflies birds and insects - garden organically)

Maintaining and connecting green corridors in the PUBLIC spaces are crucial for vulnerable species like hedgehogs to be able to move between food sources and widen (and so strengthen) the gene pool.

NP Steering Group Response

The group agreed and has made suggestions to enhance green corridors in the plan. It was not felt that the NP could support the community heating project directly as there is still some uncertainty as to whether it would proceed or not. Changes have been made however that would allow for it happen by updating the policy regarding solar arrays.

7 REGULATION 14 ANALYSIS: STATUTORY AGENCY AND DEVELOPER FEEDBACK

7.1 Summary OF Responses and Feedback

This note summarises the representations made by the statutory bodies on the modifications proposed to the Brightwell-cum-Sotwell Neighbourhood Plan (BcSNP) during its recent 'Regulation 14' consultation period, WITH recommended amendments to the modifications proposed to the BsCNP so that it may be submitted to the local planning authority, South Oxfordshire District Council (SODC), to arrange for its examination and referendum.

Representations have been received from nine separate statutory agencies and developers. These are set out in detail below.

Other statutory bodies were consulted but none have made representations. The representations from Natural England (c.), Highways England (d.), and the Coal Authority raised no specific issues on the BcSNP Modifications.

The Earth Trust (e.) was generally supportive of the modifications and highlighted that the Trust would be willing and keen to support biodiversity offsetting options, including use of the Trust's land for such measures. **It is recommended that the Parish Council notes this in taking forward any project to identify biodiversity offsetting measures in the Parish.**

The landowner for Slade End Nursery, an allocated housing site in the made BcSNP confirms that the site remains available as such.

The representations, notably those of OCC and SODC include suggested minor modifications to the content of the document, as well as those of more consequence. This note focuses only on those of greater substance as all those of minor consequence can be addressed in finalising the document.

The main observation is that SODC fails to provide any indication on its position in relation to the 'change of nature' test. Planning Practice Guidance¹ that the examiner will make the final decision when considering the statements on the matter made by the qualifying body (the Parish Council) and the local planning authority (SODC). SODC have also not yet provided confirmation that the modified plan will engage §14b without making further allocations and the Parish Council requires this information to fully respond to the representations made by Turley on this matter. **The Parish Council has therefore requested that SODC provides its informal opinion on these matters before changes are made to the Submission report.**

Whilst SODC confirms that the comments are not the formal view on whether the modifications meet the basic conditions, it raises consequential concerns on policies BCS5 House Types and Tenures and BCS6 Building Performance.

For BCS5, SODC has queried the approach in terms of defining proportionality. The approach adopted by the Parish Council is not arbitrary and aligns itself with the spatial strategy for the district. In particular, Policy H8: Housing in the Smaller Villages allows for a level of growth commensurate to the scale and character of the village, expected to be around a 5% to 10% increase in dwellings above the number of dwellings in the village in the 2011 census during the plan period, taking into account their facilities and local environmental constraints. It also recognises the allocations of the made BcSNP totalling 67 net new dwellings, a figure way beyond this expectation and definition of growth for smaller villages. The made BcSNP allocations either have already, or is expected to, deliver new affordable homes in the village.

Given these considerations, and that of the facilities and local environmental constraints it is therefore considered reasonable that 9 additional affordable homes are a reasonable apportion. The approach is also broadly in line with the way in which the NPPF currently defines proportionate in size at paragraph 72b and the corresponding footnote 35². **It is therefore recommended that the supporting text of Policy BCS5 sets out the approach adopted in defining proportionality in more detail.**

For BCS6, SODC, and to an extent raised several concerns on the requirements of the policy. There has also been a continued misunderstanding on the basis upon which policies of this nature is based within the profession, and as such, the Parish Council considers that the matter is better suited to be negotiated through the preparation of the emerging Joint Local Plan or a fuller review of the Neighbourhood Plan at a future date. **As a result, Policy NEW BCS6 will therefore be deleted.**

SODC also raise some concern relating to the consequences of protecting community uses at Policy BCS18 and in restricting new community uses to inside the village boundary. It is recognised that on occasions, some facilities will struggle, and that this will be more related to the economic viability of the use, rather than the limitations of the premises, land or location. However, finding new land for such uses is often difficult, particularly in rural locations. It is therefore important that established land is retained in that use, even if the current occupier is not viable. It should be noted that the policy has been successful at examination in the review of the Arundel Neighbourhood Plan, however the policy made provision for partial changes of use of community facilities if it is intended to secure its longer-term viability. **It is**

¹ Paragraph: 086 Reference ID: 41-086-20190509

² NPPF Para 72b: "...be adjacent to existing settlements, proportionate in size to them³⁵". Footnote 35: "Entry-level exception sites should not be larger than one hectare in size or exceed 5% of the size of the existing settlement."

therefore recommended that this flexibility is incorporated into Policy BCS18 with the following addition to the policy wording:

Proposals to change the use of part of a facility that is shown to be surplus to requirements will be supported, provided the change will not undermine the viability of the primary community use.

In adding this additional test and flexibility it is not considered necessary to extend further flexibility in supporting development in a countryside location as the BcSNP already makes provision for the retention and development of accessible local services and community facilities in line with the provisions of §84 of the NPPF. The retention of such uses in accessible locations avoids a need to make provision for further expansion adjacent to the village or out into the open countryside.

OCC suggests that there is little to no consideration of above or below ground archaeological remains in the proposed modifications and recommends the inclusion of a policy repeating national policy provisions on the historic environment. The response also indicates that consideration should be given to the provision of digital infrastructure in the construction of any new homes or commercial premises.

Policy BCS7 gives effect to the Brightwell-cum-Sotwell Design Code (BcSDC). Section 4, page 31 of the BcSDC recognises the extensive amount of archaeology that has been identified in the parish and confirms that OCC will be consulted as per SODC's Design Guide.

The adopted South Oxfordshire Local Plan 2035 contains provisions in all these respects, notably Policy ENV6: Historic Environment, which includes recognition of archaeological interest in conserving and enhancing the historic environment, and Policies INF1: Infrastructure Provision and INF2: Electronic Communications. §16 of the National Planning Policy Framework (NPPF) is clear that plans should avoid unnecessary duplication of policies and it is therefore not considered necessary to duplicate a policy of this nature in the BcSNP.

**** raises the issue that a consolidated version of the Policies Map was not published alongside the Modification Proposal, in particular to support Policy BCS10 on Local Gaps. The Neighbourhood Planning (General) Regulations 2012 (as amended) require a Modification Proposal to be published at the Regulation 14 stage. No modifications are proposed to the Policies Map of the made BcSNP in relation to local gaps and therefore no amended mapping was included in the Modification Proposal in relation to Local Gaps. The modifications that are proposed to be made to the Policies Maps, namely the addition of assets of local heritage value, two proposed local green spaces, important views and community facilities, are included in the Modification Proposal. Nonetheless, the Policies Maps which define the local gaps in the made BcSNP are publicly available and in fact published alongside the Modification Proposal on the Parish Council's website as well as SODC's website as part of the development plan.

**** raises concern that Policy BCS10 on Local Gaps seek to reduce the scope of development which may come forward within the defined Local Gaps. The response also wrongly compares the Green Belt openness test with the provisions of Policy BCS10 on Local Gaps. The modifications to the existing Policy BCS10 on Local Gaps are limited to wording changes to remove some confusion in how the policy operates with Policy BCS1 on the Village Boundary which relates to the effects of the use of land. Policy BCS10 on Local Gaps relates to the appearance of development that may otherwise be a suitable use of land. Policy BC10 on Local Gaps therefore does not seek to prevent any development but it seeks to ensure that the scale, massing and height of proposals do not result in the integrity of a gap being undermined.

The representations are generally supportive of the modifications to the BcSNP and once further clarification has been sought from SODC, and the proposed modifications from this report are made, it is considered that it can proceed to the submission stage without further consultations.

7.2 The following comments were received from statutory agencies and land developers during the Regulation 14 consultation period.

Response DI –

Dear Councillors

Overall we support, and thank everyone involved, for the excellent work in producing the draft BCS NHP Modifications.

However we believe the draft contains significant policy clashes within the BCS NHP and inconsistencies with the Local Plan and Joint Design Guide. We believe it is necessary for these to be addressed before the Modifications can be adopted.

BCSI

5.8: refers to ‘...redeveloped housing plots’ how is this term defined?

The recent parish opposed application regarding Applecroft was made under an ‘extension’ planning application when it is clearly a redeveloped housing plot and almost entirely new build.

It would be helpful if 5.8 defined the type of planning application expected for ‘...redeveloped housing plots’ ie not an extension. It could say: ‘The alteration and extension of buildings within the village boundary should not result in a disproportionate addition over and above the size of the original building’.

NP Steering Group Response

The group considered this comment carefully as it has been a problem within the parish since the NP was published. Having consulted with its planning consultant however, it was considered that the BCS NP could not go beyond its current form without potentially placing it in conflict with other planning legislation.

New Policy BCS6 conflicts with Policy BCS4, BCS7 and probably BCS12

i) The inspector who examined the BNP in July 2017 stated in his report that BCS4 Slade End Green: ‘...is precisely the type of innovative proposal that neighbourhood plans are best placed to address. It is to the credit of the Parish Council that it has pressed ahead with this proposed development.’

The landowners of BCS4 have been working in consultation with the Parish Council since 2019 to establish an agreed masterplan.

BCS4 contains beneficial objectives that go beyond purely building new houses, eg establishing Slade End Green on Green Lane, respecting the historical layout/nature of Slade End Farm and nearby listed buildings, removing asbestos roofed farm buildings (including a dilapidated shed), improvements to Green Lane (mainly at the junction with Slade End road), siting power cables underground, suitable landscaping, using previously developed land, opening up watercourses – all of which are positive benefits for Slade End but already add significant additional development costs.

However, the three separate sites are sensitive in that they are at the edge of settlement; in or adjacent to the Conservation Area; very close to five Grade 2 listed buildings. As a result there are significant constraints on their design that do not meet the BCS6 Passivhaus inflexible requirements.

This is likely to result in fewer houses being built than stated in BCS4 owing to the site layout and 2 bed houses not being viable; together with multiple conflicts with BCS7, see below.

ii) BCS4: Slade End Green states *'The development will need to respect the setting of the nearby listed buildings and to preserve or enhance the conservation area. This may best be achieved by buildings of a more traditional appearance and form.'*

'...replacement with new buildings will need to enhance the listed buildings, conservation area and their settings. The scheme should be designed in a way that its layout, building massing and orientation and materials are appropriate in order to achieve this.'

This is not consistent with Passivhaus two-storey, box structures.

If achieving zero carbon is the dominant objective then you would not build to local character, traditional layouts, 1.5 storey, dormer windows, building forms or design as required in BCS7. For example, to achieve air tightness corners need to be minimised and thermal bridging will occur where dormer cheeks meet the roofline; the thickness of dormer sides would need to be significantly increased making them look incongruous.

Sufficient roof space facing between SE and SW to take 12-16 pv standard panels to generate 3-4KW will be required but this will not be possible, particularly on smaller houses.

SE1.1.2 emphasises the importance *'...of the village is hidden in its landscape.'*

SE1.9.3 *'...use of a variety of architectural styles and traditional building materials'*

SE1.9.4 *'...take into account common use of red brick...ridge mounted chimney stacks'*

SE1.9.5 *'...maintain and avoid introducing buildings and extensions which would harm the blending of the edge of the village with open countryside...'*

SE5.0 *'complements/responds positively to the character and local vernacular...'*

All of the above are difficult/not possible to achieve with typical Passivhaus forms.

iii) BCS7 states: SE5.56 *'Over-intensive housing development should be avoided'* yet BCS6 encourages apartments and terraces. A further issue in such cases, where will cars be parked?

iv) No exceptions are identified in BCS6 (in conflict with DES10), for example the conversion of existing Grade 2 listed heritage barns. By preventing a viable use, policy BCS6 is condemning such buildings. They already exist, may not face south, are restricted in terms of forming windows, need to breathe to avoid moisture build up, cannot take PV panels on the roof etc.

v) BCS6 requires a Passivhaus approach which requires large areas of south facing glass, yet BCS12 promotes Dark Skies. How will this work in practice?

NP Steering Group Response

The group has had an extensive and on-going discussion regarding Passivhaus policies. It has also taken advice from other NP areas and relevant inspector reports and examinations in public. In addition, SODC has recently revised their guidance / policies regarding environmental building standards. Whilst the Steering Group would want to encourage the highest possible environmental standards within new build, it was agreed that the Passivhaus policy contained within the Reg. 14 report would become guidance in the Submission report to reflect local concern regarding the appearance of the conservation area and current best practice and planning advice. The policy has been amended accordingly both within the modified plan and Design Code.

New Policy BCS6: This goes significantly beyond the requirements of local and national policy. The additional 'red-tape' and uncertainty required is unreasonable for the incremental benefit versus the district planned changes. We fully support the need to use building positioning (where the site allows), an optimum fabric-first approach and renewable energy sources (although paradoxically a Passivhaus can use natural gas as an energy source). The so-called 'mean-lean-green' approach but the energy hierarchy cannot be applied in isolation to other policies that serve to protect the historic environment which residents also value.

We agree the importance of builders of new homes doing what they say they will do in their planning applications but the introduction of a post occupancy evaluation report in isolation in Brightwell vs the district or nationally is not proportionate policy making.

The lead legislation on energy efficiency is the Building Regulations, regulated through SAP testing. Central government has already stated it is implementing the Future Homes standard in 2025 that requires 'carbon zero ready' buildings but this is not Passivhaus.

Ideally a certification process would be brought in as part of Building Control prior to a second fix in order to verify the build has been completed to the energy efficiency standard as stated in the approved planning application. It is totally impractical to correct construction elements post occupancy and then up to five years post occupancy.

i) The BNP needs to be in general conformity with the Local Plan and this policy reaches beyond its boundaries. BCS6 states that it is updating Policy DES10 of the SOLP as '...it is expected that a new Local Plan...will make such provisions across the District.' The outcome is not guaranteed, as acknowledged later in the policy justification.

The NHP's purpose is not to speculate on what may happen causing policy conflict in the interim. The Local Plan policy is a strategic policy and the supporting text seems to misunderstand the position by suggesting that the proposed policy BCS6 is not strategic. That turns on its head the requirements for the NP to generally conform to it.

ii) In addition, the Planning Practice guide and the NPPF requires that LPAs take into account the Government's policies on climate change and to take account of the Housing Standards Review, which has been undertaken and has different targets than suggested by the policy in the changes to the Building Regulations. Whilst LPAs can have different targets to the B.Reg. by virtue of the Planning and Energy Act 2008, the NP still has to be in general conformity with the Local Plan and its policies have to be justified.

iii) In this case, the justification is based on other Councils and NPs ; there is reference to other authorities, some broad references to values of property but no analysis of the need for the increased requirements, no viability appraisal as to its effect on new development coming forward, and no analysis of the effect of the required post permission, post occupation monitoring and possible changes required to meet targets: how is this to be implemented when once sold the developer will have no particular interest and the occupier/purchaser won't want the house pulled apart. Simply suggesting a condition be imposed misunderstands the position.

iv) Overall, the policy should be reduced to one of a community policy (i.e. a desired result sought by the community but not one which would be used to determine the fate of new development). If a community policy is included, we would suggest it should add some commentary on how small developments can assist, and how existing houses could be adapted which is a far greater issue in terms of zero carbon objectives.

v) Passivhaus is laudable but not suitable or possible in many situations. The requirements are too stringent and restrictive to seek a blanket approach on an historic village like Brightwell cum Sotwell where there are also considerable planning constraints due to the Conservation Area, nearby listed buildings, local character/vernacular. Policy BCS6 fails to acknowledge this fact and the conflict with BCS7 Design Code in

a semi-rural Oxfordshire village that has an established vernacular that village residents have clearly stated they want to maintain.

Historic England promote a site-specific 'whole building approach' when it comes to traditional situations where there are no 'one size fits all' low carbon energy solutions appropriate. *'...an approach that uses an understanding of a building in its context to find a balanced solution that saves energy, sustains heritage significance and maintains a comfortable, healthy indoor environment.'*

We disagree with the sustainability objectives analysis in the context of our parish.

vi) Very few architects are trained or have experience of designing Passivhaus and as a proportion even fewer contractors. On the Passivhaus Trust website in Oxfordshire there are listed Passivhaus Institute qualified:

- i) Designers: 2
- ii) Architects: 2
- iii) Contractors: 1

Not a workable solution to deliver the NHP allocated houses.

vii) BHC6.2.1 provides a 'selection of Passivhaus schemes to demonstrate that there is no need to compromise on appearance' (although it transpires that three of the schemes are EnerPHIT which is less stringent than Passivhaus). We have read the case studies on the Passivhaus Trust website and agree they are all laudable examples but are concerned that if people dig into these projects they may be put off rather than encouraged to consider passive housing. We observed:

- All five are essentially rectangular boxes of two storeys (this is a good form for passive standards as it is easier to insulate to the required levels and to seal joints between planes to ensure airtightness) with ample roof or other space to house the MVHR plant required for passive structures.
- Brightwell buildings are not on the whole plain rectangular boxes. Many are 1.5 storey buildings with dormer windows and no loft, multiple gables, more varied footprints. To remain 'hidden in the landscape' and/or not dominate in the curtilage of listed buildings or conservation areas 1.5 storey buildings are key to Brightwell's vernacular for example. Passive house principles rule out the likes of dormer windows and more varied footprints.
- Three of the five examples are not residential buildings so they are not that helpful for design inspiration for village housing as they are commercial in design (one is a village hall, one is an open plan architects' office, one is a youth hostel). River Studio and Wereham Village Hall benefit from having large plots in open country side with an orientation that permits solar gain through large areas of fenestration - which also then requires a variety of shading techniques to prevent overheating in summer. Brise soleil shades for example would look out of place in Brightwell even if a plot was lucky enough to be oriented towards the south. River Studio and the Barrel Store also use gas boilers for heat rather than a heat pump (in conflict with DES10 where renewable low carbon energy technology should be incorporated) - because these are retrofit refurbishments they meet EnerPHIT standards of energy efficiency rather than the more onerous Passivhaus standards for new builds. Wereham Village Hall came close to £900,000 to build and was 9 years in the planning, which is a sobering thought for anyone contemplating development. From a building services point of view River Studio was able to group the limited kitchen and bathroom requirements together in one corner to minimise energy loss - in a residential setting the services are wider spread through the building. Additionally, whilst the large boxy radiators in the bedrooms of the Barrel Store might be acceptable in a youth hostel they are not really the sort of thing you would expect to see jutting off walls in a residential setting.
- The Barrel Store had very thick walls and deep reveals to start with and the benefit of a big step down from the external level to put a suitably insulated floor raft in so it did not lose a great deal of internal space to the build, whilst the case study admits the roof was huge challenge and financial

constraints limited ambitions. The remaining four projects had the luxury of space to allow for the 500mm to 600 mm thickness of walls required to get to passive insulation standards, this is going to be harder to incorporate on village sites and still maintain reasonable sized residential rooms. The nature of floor slab required also has height or excavation implications.

- Steel Farm in Northumberland, is in open countryside on a farm where the land owners had ample space and choice of orientation to meet their passive objective - there are large south facing windows with deep reveals due to the thickness of walls required. It stands tall in open countryside with ample roof space for insulation and services, it's definitely not invisible in the landscape. This project required the chosen contractor and his employees to be sent on a passive house certification course as part of the build as no suitably qualified contractors could be identified. It uses propane gas to heat and has a reed bed filtration system for waste water, it's not really a site comparable with a South Oxfordshire village residential setting, especially in a conservation area.
- The Burnham Overy Strai the Norfolk fisherman's cottages are perhaps closest to the kind of building you'd expect in a South Oxfordshire village. Again these have 500+ mm thick walls and deep floor raft to accommodate insulation and thermal bridging requirements and are essentially two storey rectangular boxes that benefit from insulation economies of scale by virtue of being a terrace of three. They are two beds at 77m². A relevant concern with terrace houses is car parking provision – an aspiration of the BNHP is to not have cars parked on the street. We have taken great care to hide cars in the draft layout designs for BCS4.
- BCS6 states that flats are a good model for Passivhaus – hardly appropriate in the context of BCS4. With flats comes the unintended consequence of increased density of cars per square metre and how to park them.

NP Steering Group Response

The group has had an extensive and on-going discussion regarding Passivhaus policies. It has also taken advice from other NP areas and relevant inspector reports and examinations in public. In addition, SODC has recently revised their guidance / policies regarding environmental building standards. Whilst the Steering Group would want to encourage the highest possible environmental standards within new build, it was agreed that the Passivhaus policy contained within the Reg. 14 report would become guidance in the Submission report to reflect local concern regarding the appearance of the conservation area and current best practice and planning advice. The policy has been amended accordingly both within the modified plan and Design Code.

BCS7 suggested amendments – see code analysis

i) We emphatically support the retention of the Slade End sarsen stone SE1.3.11. However, the policy needs to acknowledge that it may be required to move a small distance to allow modifications of the junction of Green Lane with Slade End to widen the junction entrance to 4.8m to allow two cars to pass and so enable the deliverability of BCS4.

NP Steering Group Response

The group would support this to ensure its long term survival. It is noted that in its current position

ii) SE1.9.1: by stating 8m from the ground, the NHP is setting this as a benchmark when in actual fact 6.8m or 7.5m might be a more appropriate height to fit in with the street scene or hierarchy of nearby buildings or integrate into the existing context.

iii) Given the drive towards Air Source Heat Pumps, can BCS7 provide guidance on positioning of such equipment to avoid being seen from the road and heard by neighbours?

iv) The code states many excellent broad contextual requirements for analysis in future applications. However it relies on the Joint Design Guide for quantitative distances between properties that are set more for a densely populated urban setting rather than rural Oxfordshire village eg gaps between buildings that define overlooking. Should BCS7 not fill this void?

Or at least provide guidance about the need for development to be harmonious and well integrated. Ensure the size and position of new building does not bear down upon neighbouring properties. Overbearing can occur when a building is positioned too close to a property boundary and has sufficient height and mass to dominate its neighbour.

Side extensions and new development should give consideration to the impact this will have on the character of the gap between yours and neighbouring buildings and boundaries, including the visual impact of change.

v) SE1.9.2 'Proposals should include either detached or bungalows built form only. Short terraces will only be acceptable where the proposal...' The masterplan for BCS4 uses a rural terrace/semi-detached arrangement of a 3 bed and a 2 bed to deliver 2 bed houses on plots BCS4A and BCS4B. If this is not permitted it will be difficult to deliver 2 bed houses on these plots

vi) Within Movement & Connectivity SE3.9.3 and Space and Layout add '...and discourage on street parking.'

vii) SE6.2.1 this policy needs amending to create exceptions where traditional designs are required for sensitive sites close to listed buildings and within Conservation areas.

viii) 6.13 Fully support 'all development aspires to go beyond Part L Assessment...' but BCS6 needs to be changed for the reasons outlined above for SE6.13.1 to enable BCS4 to be deliverable.

Will the NHP, prevent future 'Applecrofts'?

i) this was classed as a householder extension, yet to any observer it is clearly a new build house. Can the policy define what is an extension and what is a replacement dwelling in terms of the planning application that should be made?

ii) the planning officer assessing the Applecroft application cited atypical architectural examples of existing nearby properties as reasons to support the design/scale in the application, and ignored 'good examples of the village vernacular' of nearby properties despite many neighbours drawing these to his attention.

iii) the Design Code contains many excellent principles/requirements. Some will help eg SE1.9.6; 5.0, 5.1, 5.2, 5.25 but would they be sufficient? The owner of Applecroft during construction significantly broke the terms of the planning permission given but as yet SODC have taken no action.

NP Steering Group Response

The group considered this comment carefully as it has been a problem within the parish since the NP was published. Having consulted with its planning consultant however, it was considered that the BCS NP could not go beyond its current form without potentially placing it in conflict with other planning legislation. It is not in the gift of a NP to define what constitutes extension, infill or replacement dwelling. This is established in planning policy and determined by national case law. Our design code has

specific policies that attempt to define what is appropriate in term of scale, density and mass to guide the size and position of new development within the parish. This is written to follow the national guidance regarding NPs that clearly states NP's have to be positive towards development.

Typos/factual corrections

i) Design Code, Page 107: photograph of Slade End Farm

- remove the text 'Abbotts House and Middle Farm'

- change 'Slade End Green is characterised by former agricultural barns set around a central courtyard' to 'Slade End Farm is...'

- 'Slade End Green' has yet to be created through BCS4. The garden south of Triangle Cottage and the footpath is part of the garden of Slade End House

ii) SODC Local Plan 2035 states that the net allocation of new houses for BCS is 67 not 60.

We hope you will find our feedback helpful.

Response D2

Note: the comments submitted below have been made against two principle documents, and are hopefully useful notes and suggestions for the Parish Council. It is important to note that the ***** has not been able to read and comment on much of the Plan documentation, due to time and resource constraints, but intends for these comments to be applied or considered in general reference to the Plan.

Sustainability Appraisal Report Page 6: 1.8 – ***** agrees with this point, and would reiterate the need for any impact assessments to be conducted once the full details of the Plan are known.

Offsetting – keen to know and understand further how this is being assessed and undertaken. Is there a role for the ***** here to support the offsetting locally?

Page 17-18: notes on the contribution of ***** to biodiversity locally. Great to see mention of the River of Life project, but think it is important and worth noting that all of the work ***** carries out across the farm (i.e. the Clumps, woodland, banks of the Thames and surrounding agricultural land) combine to make a significant contribution to the habitat and breadth of biodiversity that has very fluid boundaries with the Parish. General comment about the planned additional housing – opportunities for developers and planners to be 'building nature in' as a principle of best practice. Is the design and consideration of new housing being approached with nature at the centre; for example providing green spaces that maximise biodiversity, growing spaces for all residents (regardless of housing type), communal spaces provide high proportion of ecosystem services, verges and other margins are maximising habitat for biodiversity, including the soil/deposition areas, drainage/SUDS and so on. One particular area of opportunity for this is the renaissance of currently redundant horticultural land, as mentioned in the Plan; this has excellent potential for community-based development of sustainable food production, with nature at the centre of it.

Page 27: Point 8.7 – ***** supports the assessment that Sires Hill and Shillingford Hill hamlets should remain considered as part of the countryside and therefore not selected for new housing developments; additionally any significant building development and the associated traffic would further complicate the access and parking restrictions currently experienced with local footfall to the Clumps and surrounding landscape.

Point 8.8 – similarly support the definition of where the additional 50-65 houses are planned to be built, within the core footprint of the developed village, so as not to further encroach on the greenspaces that currently provide ecosystem services to the residents.

Page 28: Point 8.12 – as previously mentioned, ***** will be very willing and keen to support biodiversity offsetting options, if relevant and of interest to the Parish Council. We may be able to ‘absorb’ some of the offsetting measures within ***** land, which significantly supports the transitory biodiversity in question, and/or provide the potential to mobilise and implement offsetting through collaboration. One area we’ve not managed to have time to look into and comment on is around the Trust’s ‘preferred’ option for location of developments, based on the overall ‘least negative impact’ on biodiversity and landscape. – i.e. for us to do this, we would need to physically visit and view the sites to have a conclusive opinion, but we do not have the capacity/resource to be able to provide this currently.

BCS Neighbourhood Plan; Modification Proposal Regulation 14 March 2022 Page 8: relating to Policy BCS9 – ***** wholly supports the policy that no developments should be undertaken on the existing valued community greenspaces. Any change to this consideration should be a last resort, revert to consultation and be fully impact assessed for biodiversity, wellbeing, climate impacts and other ecosystem services.

Page 10-11: Policy BCS14 – Great to see the reference to Nature Recovery Network. It may be useful to reference any actions being shaped by or in line with the Oxfordshire Local Nature Partnership, which has just formed. Also, ***** has the potential to support nature recovery plans that the village Environment Group is leading on, in relation to the Trust’s land and habitats forming a major part of the wider nature corridor and landscape scale of nature recovery.

NP Steering Group Response

The group will take forward these suggestions in the Submission Report that will be amended accordingly.

Response D3 – Natural England

Thank you for your consultation request on the above dated and received by Natural England on 21st March 2022.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

Natural England does not have any specific comments on this draft neighbourhood plan. However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan.

Response D4 – South Oxfordshire District Council

Brightwell cum Sotwell Review Neighbourhood Development Plan – Comments under Regulation 14 of the Neighbourhood Planning (General) Regulations 2012 (As Amended)

Thank you for giving the South Oxfordshire District Council the opportunity to offer formal comments on your modification proposal.

Having seen the modification proposal, along with the supporting evidence documents we are able to offer further advice under our duty to support neighbourhood plans. Our response focuses on helping the plan meet the basic conditions as specified by the regulations.

We are committed to helping this plan succeed. To achieve this, we offer constructive comments on issues that are considered to require further consideration. To communicate these in a simple and positive manner; we produced a table containing an identification number for each comment, a description of the relevant section/policy of the NDP, our comments and, where possible, a recommendation.

Our comments at this stage are merely a constructive contribution to the process and should not be interpreted as the Council's formal view on whether the modification proposal meets the basic conditions.

1	<p>Policy BCS1- Brightwell cum Sotwell Village Boundary</p> <p>'Proposals for development within the boundary will be supported, provided they are of a use that is suited to the village and they accord with the design code of Policy BCS7 and other relevant policies of the development plan including this Modified Neighbourhood Plan.'</p>	<p>By modifying this policy to include 'are of a use that is suited to the village' it creates a lack of clarity and precision that national policy requires as this adds a very subjective approach.</p> <p>We recommend including some guidance within the supporting text to clarify the uses the NDP sees as appropriate for the village or how this judgement should be made (For example considering the impact to amenity of residential properties or local character).</p>
2	<p>General comment</p>	<p>Several modified and new polices require development proposals to accord with the design code of Policy BCS7 and other relevant policies of the development plan'</p> <p>As currently worded this gives the impression that development must accord to the design code. Policy BCS7 does not require accordance. It requires development to 'have full regard to the essential design considerations and general design principles'. This is consistent with national policy which states that 'significant weight will be given to development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents which use visual tools such as design guides and codes (paragraph 134 of the National Planning Policy Framework).'</p> <p>We therefore recommend updating the wording to require development to take account of the local design code.</p>
3	<p>Policy BCS10 – Local Gaps</p>	<p>We note the changes to the policy make it more restrictive however this approach has been endorsed by the examiner of the Shrivenham NDP.</p>
4	<p>Policy BCS14 – Local Nature Recovery</p>	<p>The first sentence of the policy appears to be missing the word 'regard' from the sentence. :'</p>

It is also important to note that it may not be possible or appropriate to expect all forms of development to contribute to nature recovery. Therefore we recommend replacing the first part of the policy with the following:

‘As appropriate to their scale, nature and location, development proposals should contribute to the recovery of local nature in the Parish and respond positively to the following matters:’

Point iii states that ‘Wherever possible developments should seek to have a biodiversity net gain for the parish as part of a validated approach to local nature recovery;’

The approach here appears slightly less restrictive than the approach in Policy ENV3 which only accepts Development proposals which would result in a net loss of biodiversity if it can be demonstrated that alternatives which avoid impacts on biodiversity have been fully explored in accordance with the mitigation hierarchy.

It is also not clear what is meant by ‘validated approach to local nature recovery’ and what it would involve as one does not appear to be in place yet.

The council’s Countryside Officer raised concerns about NDPs requiring net gain delivery within the parish area as it can be too restrictive. However, I note that this this says ‘wherever possible’ so it does add some flexibility. To require local gains you would need a clear strategy for delivering this – where would it be located? (Could you identify willing landowners to provide land for off-site delivery of biodiversity net gain in the parish?) Are there particular habitat types that they would want to see delivered? (i.e. what is important locally? What needs to be improved restored?).

We would also recommend revising the wording so that ‘wherever possible’ applies solely to the delivery of biodiversity net gains in the parish as opposed to the delivery of biodiversity net gains in general.

Point v. states that ‘For new or replacement lighting schemes, ensure no negative impact upon wildlife habitats’, migration and feeding behaviour;’

We recommend replacing ‘negative’ with unacceptable.

5	<p>Policy BCS17 – Renewable Energy</p> <p>‘Proposals for a solar energy array or other forms of renewal energy generation will be supported in principle. Provided’</p>	<p>The use of ‘renewal’ appears to be a typo and should be ‘renewable’.</p>
6	<p>Policy BCS18- Community Facilities</p> <p>‘(ii) it has been demonstrated by appropriate, detailed and robust evidence that not only existing facility no longer needed or economically viable but also that the land is no longer suited to any other type of community facility use.’</p> <p>‘Proposals to create new community facilities, as well as new business, commercial and service uses will be supported, provided they are located within the Village Boundary, defined by policy BCS1;’</p>	<p>The policy is adding a new test that land/building ‘is no longer suited to any other type of community facility use’. We are concerned that this test may not be achievable as land may be suitable but it may not be viable and this could result in the building/land being left vacant.</p> <p>The final paragraph of the policy states that new community facilities, as well as new business, commercial and service uses will be supported ‘provided they are located within the Village Boundary’ this makes the policy overly restrictive as there are some community facilities, new business, commercial and services uses that may be supported outside the village boundary, for example a sports pavilion. We recommend amending the wording to:</p> <p>‘Proposals to create new community facilities, as well as new business, commercial and service uses will be supported, provided they are located within the Village Boundary, defined by policy BCS1 or are in a suitable location’</p>
7	<p>Policy BCS5 NEW: House Types and Tenures</p>	<p>The Written Ministerial Statement (WMS) made on 24 May 2021 on Affordable Homes introduced First Homes Exception sites. It states: <i>‘Local authorities should support the development of these First Homes exception sites, suitable for first-time buyers, unless the need for such homes is already being met within the local authority’s area. Local connection criteria may be set where these can be supported by evidence of necessity and will not compromise site viability. First Homes exception sites should be on land which is not already allocated for housing and should:</i></p> <p><i>a) comprise First Homes (as defined in this Written Ministerial Statement)</i></p> <p><i>b) be adjacent to existing settlements, proportionate in size to them, not compromise the protection given to areas or assets of particular importance in the National Planning Policy Framework[3], and comply with any local design policies and standards.’</i></p> <p>We understand the purpose of Policy BCS5 is to guide the element of proportionality required by point b) above.</p> <p>National Planning Practice Guidance encourages neighbourhood planning groups to set policies which specify their approach to determining the proportionality of First Homes exception site</p>

		<p>proposals, and the sorts of evidence that they might need in order to properly assess this.</p> <p>Policy BCS5 appears to seek to impose arbitrary restrictions with points i,ii, iii and iv instead of setting out an approach and what evidence may be necessary to assess the proportionality of a scheme.</p> <p>Policy H10 of the Local Plan is aligned with NPPF paragraph 72 which defines proportionality in footnote 35.</p> <p>It may be counterproductive to set overly restrictive ceilings where this may prevent sites coming forward to meet local needs.</p> <p>Part B sets out: ‘ Proposals for Specialist Accommodation for Older People will not be supported.’</p> <p>Part B. appears to conflict with the approach for this type of housing in the Local Plan.</p> <p>Both H1 and H13 of the Local Plan support this type of development in locations that are well connected to public transport and local facilities.</p> <p>Part B of policy BCS5 implies Specialist Accommodation for Older people will not be supported in any circumstance and this may be inappropriate. Our equalities officer highlighted that: <i>‘It is disappointing to see proposals for specialist accommodation for older people will not be supported. Does this mean that as existing residents age and have more specific needs they will have to move away from the village?’.</i></p> <p>We recommend the approach in part B should be reconsidered.</p>
8	Policy BCS6 NEW: Building Performance	<p>We fully support the objectives of promoting zero carbon through your neighbourhood plan, the climate and ecological crises are the greatest challenges facing our society. Our corporate plan addresses these challenges through the plan’s themes of ‘protect and restore our natural world’ and ‘action on climate emergency’. We are also developing a climate action plan which will set out how we will achieve our carbon neutral targets in our own operations and across the district.</p> <p>However, as currently worded this policy does not have regard to national planning policy and guidance. The language used in the policy and the supporting text appears to be setting out a requirement by stating ‘should be ‘zero carbon ready’ and that ‘wherever feasible all buildings should be certified to a Passivhaus or equivalent standard’. The power to set energy efficiency standards come from Planning and Energy Act 2008. The legislation pre-dates</p>

neighbourhood planning. Notably it has not been updated to address neighbourhood planning and Government references to it in response to Future Homes Standard consultation refer specifically to local planning authorities and Local Plans (see paragraph 2.40 available here:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/956094/Government_response_to_Future_Homes_Standard_consultation.pdf)

Planning Practice Guidance on Climate change states at paragraph 9 that the NPPF expects “Local Planning Authorities when setting and local requirement for buildings sustainability to do so in a way consistent with the government zero carbon buildings policy and adopted nationally described standards. Local requirements should form part of a Local Plan following engagement with appropriate partners and will need to be based on robust and credible evidence and pay careful attention to viability. In this respect, planning authorities will need to take account of government decisions on the Housing Standards Review when considering a local requirement relating to new homes.”

The council has had experience with similar policies which have been modified by examiners, so that they would offer support and/or encouragement instead of setting standards. Following a similar approach to that taken by the examiner of the North Hinksey Neighbourhood Plan we recommend amending parts A and B of the policy wording to:

- A. All standalone new-build development are encouraged to be ‘zero carbon ready’ by design to minimise the amount of energy needed to heat and cool buildings through landform, layout, building orientation, massing and landscape.
- B. All buildings are particularly encouraged to be certified to a Passivhaus or equivalent standard with a space heating demand of less than 15KWh/m²/year. Where schemes that maximise their potential to meet these standards by proposing the use of terraced and/or apartment building forms of plot size, plot coverage and layout that are different to those of the character area within which the proposal is located, this will be supported, provided it can be demonstrated that the scheme will not have a significant harmful effect on the character area.

As regards parts C to E, we believe it is important that you work more closely with Policy DES10: Carbon Reduction of the South Oxfordshire Local Plan. We have also produced a guidance note on the

		<p><u>implementation of Policy DES10</u> to ensure there is sufficient clarity on what is expected from development proposals.</p> <p>Policy DES10 is at the vanguard in taking meaningful action to tackle climate change. It sets constructions standards above and beyond those currently set by Building Regulations when it comes to reducing carbon emissions.</p> <p>Our approach is however appropriately flexible, allowing applicants to identify the most effective way to meet the carbon reduction requirements. Policy DES10 in the Local Plan sets clear carbon reduction requirements for new housing, but allows developers to select the appropriate technology or fabric first solution to achieve this. This recognises that there are many ways to achieve carbon reductions and the precise package is likely to be a site-specific solution which takes into account local constraints.</p> <p>We have concerns about the potential implications of setting stringent requirements (parts C to E of Policy BCS6) which may discourage applicants from applying the higher standards this policy is seeking to achieve. Policy DES10 requires an energy statement to be submitted containing details about how the standards set in the local plan will be complied with and monitored.</p> <p>The conservation team has also reviewed the noted policies (BCS6 and BCS7) and agree with the wording. Clause B of BCS6 notes: "Where schemes that maximise their potential to meet this standard by proposing the use of terraced and/or apartment building forms of plot size, plot coverage and layout that are different to those of the character area within which the proposal is located, this will be supported, provided it can be demonstrated that the scheme will not have a significant harmful effect on the character area." We feel that this wording with regards to harm should align with the NPPF's definitions of harm in the context of listed buildings and conservation areas. Our responses to future proposals which cite related NPPF and local plan policies will benefit from the added support given here in the neighbourhood plan. We also are glad to see the inclusion of the appended conservation area appraisal and management plan.</p>
9	<p>Supporting text:</p> <p>Page 20- Notes: This new policy is based on a template that is becoming increasingly common in neighbourhood</p>	<p>As explained in Policy BCS6 the power to set energy efficiency standards come from Planning and Energy Act 2008. The legislation pre-dates neighbourhood planning. Notably it has not been updated to address neighbourhood planning and Government references</p>

	<p>plans and some of the most recent Local Plans in England. It responds to the Government decision in 2020 to allow local communities discretion in how they wish to tackle climate change at the very local level, in the interim whilst the Government decides on a national standard for the performance of new building stock.</p> <p>Page 33- In January 2021, the Government in their response to the Future Homes Standard (FHS) consultation, acknowledged the legislative framework had moved on since the publication of the Written Ministerial Statement (WMS) in March 2015 (HCWS488). The response confirmed that to provide certainty in the immediate term, the Government would allow local energy efficiency standards for new homes to be set locally. This is further supported by the legal opinion supplied by the Environmental Law Foundation in relation to the North Hinksey Neighbourhood Plan which confirms that the WMS from March 2015 appears to have been superseded by subsequent events and should not be read in isolation. To all intents and purposes the WMS is no longer relevant to plan making.</p>	<p>to it in response to Future Homes Standard consultation refer specifically to local planning authorities and local Plans (see paragraph.</p> <p>2.40 available here:</p> <p>https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/956094/Government_response_to_Future_Homes_Standard_consultation.pdf</p> <p>Planning Practice Guidance on Climate change states at paragraph 9 that the NPPF expects “Local Planning Authorities when setting and local requirement for buildings sustainability to do so in a way consistent with the government zero carbon buildings policy and adopted nationally described standards. Local requirements should form part of a Local Plan following engagement with appropriate partners and will need to be based on robust and credible evidence and pay careful attention to viability. In this respect, planning authorities will need to take account of government decisions on the Housing Standards Review when considering a local requirement relating to new homes.”</p>
10	<p>Our Equalities Officer has provided the following comments:</p>	<p>Brightwell-cum-Sotwell Parish Plan comments:</p> <ul style="list-style-type: none"> • On 10 Bcs parish plan information 13.7 the lettering on the right-hand side above the picture of Wellsprings Pond has incorrect spacing compared to the rest of the page. • I note that point BCS 6a mentions better use of modern technologies which is encouraging, however, would just like to remind people that not everyone is technology minded and we will still need to have alternative methods of contact even if it's still by paper, or telephone. <p>Modification Proposal Document comments:</p> <p>The font on several pages isn't consistent can this be amended. Also, font should be at point 12 and in Arial. Words that are strike out can be confusing for people with visual impairments.</p>
11	<p>Design Code</p>	<p>The maps on page 35-37 show a number of features including 'Important Trees' and 'Important Open</p>

Space'. It would be useful if these maps could be made available separately, or even online if possible, as it may be hard for those using the design guide to view the relevant information (trees for example) on such a small map.

It might be useful when stating '(identified in this Code Analysis)' to provide a link that redirects back to the relevant page of the guide.

On p57 the guide explains the Joint Design Guide requirement of a contextual analysis then has the NDP Design Code requirements below this. We assume when you state 'Proposals should acknowledge...' that this is an acknowledgement in the contextual analysis process? If so, maybe this should be made clearer as it is not immediately obvious how an applicant would 'acknowledge' an 'Important Tree'. You could do this for example by stating 'in the contextual analysis, proposals should acknowledge...'

It would also be helpful to add 'where relevant' to 'proposals should' to some requirements. This is because some proposals won't need to 'acknowledge', for example, certain views or buildings, where these won't be affected by the it due to location or other relevant factors.

BHC1.9.1 – 'the ridgeline should be no higher than 8 meters from the ground' – it is not clear how was this figure was established.

BH1.9.3 – it would be helpful to reconsider the reference to 'recent development' as over time this reference will become out of date.

BHC2.2.1 – 'all development should contribute to the maintenance and delivery of' – It is not clear how this requirement will be achieved. We assume your intention is that this is achieved through the provision of green infrastructure. We recommend adding more information.

SCH3.9.3 – It would be useful to have a picture example of this included.

Italics to differentiate the Joint Design Guide requirements has been missed in the Slade End section.

SE1.9.2 – We are concerned that this requirement is overly restrictive, and it could make the NPPF requirement to make efficient use of land hard to achieve. There is a balance to be had between being sympathetic to local character and ensuring there is an efficient use of land, and detached housing/bungalows

		<p>are often not an efficient use of land. It is still possible to create sympathetic development that can mimic local character, i.e. buildings that look like they are detached/bungalow in style but are in fact terraces. We understand you have included an exception for short rural terraces, but this currently does not include semi-detached buildings. This section could be reworded to state: 'any development should mimic/be reflective of/be sympathetic to this style of building, or similar'.</p> <p>GH3.9.1 – 'without using road markings' – We understand why this is added, but we are concerned it may not be possible for this to always be prevented. In highways terms these are most likely necessary in certain circumstances. We recommend you discuss this issue with the Local Highways Authority (Oxfordshire County Council).</p> <p>PCI.9.2 –It is not clear what this section is meant to achieve. If the goal is to avoid apartment buildings/flatted accommodation it is important to bear in mind these can be delivered sympathetically (i.e. looking like a house).</p> <p>Map on p188 – this is quite blurry; we recommend replacing it with a clearer map.</p>
12	<p>Our Conservation Officer has provided the following comments on design code:</p>	<p>The appended Design Code referenced in policy BCS7 is extensive, approaching comprehensive, and provides an unbiased historical, material, and aesthetic context by which the character area may be judged. The extensive documentary evidence in the form of photographs is especially welcome.</p> <p>From a conservation perspective, we feel the proposed design codes themselves are appropriate and in line with our understanding of the area and expectations for future development. Design Codes which reference specific properties and their relationships will be especially useful to support responses in their respective areas.</p> <p>We therefore support the wording of these policies and appended materials.</p>
13	<p>Our Urban Design Officer has provided the following comments:</p>	<p>Where the design code references to the JDG's design principle, these references will need updating once the guide has been adopted; and in some sections principles may change significantly.</p> <p>Whilst the NP design code itself is well structured and clearly follows the JDG, the code at 190 pages is very lengthy, this is larger than most design codes that cover major development sites. We therefore recommend the information needs to be represented more succinctly.</p> <p>Some of the detail that the design code adds to the draft joint design guide principles, would be difficult to</p>

		<p>follow through on and add additional detail beyond policy.</p> <p>We would welcome further engagement with the neighbourhood plan group in more detail to advise on wording and editing of the code to achieve an acceptable level for adoption.</p>
14	Our Landscape Officer has provided the following comments:	The Design Code acknowledges the historic importance of orchards which surrounded the village until the 1950's. It would be helpful if more encouragement could be given to replanting orchards in relevant character areas.

NP Steering Group Response

The NP S Group liaised with the parish council's planning consultant regarding its response and changes were made in the plan accordingly.

Response D5 – Highways England

Thank you for inviting Highways England to comment on the above Consultation.

Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such National Highways works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

We will therefore be concerned with proposals that have the potential to impact the safe and efficient operation of the SRN, in this case the A34.

We have reviewed the above consultation and have 'No Comments'

Response D6 – The Coal Authority

Thank you for your notification below regarding the Brightwell Cum Sotwell Modified Neighbourhood Plan 2011-35 Consultation.

The Coal Authority is only a statutory consultee for coalfield Local Authorities. As South Oxfordshire District Council lies outside the coalfield, there is no requirement for you to consult us and / or notify us of any emerging neighbourhood plans.

This email can be used as evidence for the legal and procedural consultation requirements at examination, if necessary.

Response D7

I write with comments regarding the proposed modifications to the Neighbourhood Plan. Specifically, I write with comments regarding the proposed modifications to the policy BCS6 Local Gaps.

The made Neighbourhood Plan supports certain types of development where it 'would preserve the separation between the settlements concerned and retain their individual identities'.

These limited types of development are:

- the re-use of rural buildings
- agricultural development
- forestry development
- playing fields
- other open land uses
- minor extensions to existing dwellings

These acceptable uses are comparable with development which 'is not inappropriate development' in Green Belts, the national designation which prevents 'urban sprawl by keeping land permanently open'. As with any planning application scale, design, layout, access etc. of new buildings or uses of land in the Local Gaps, as in the Green Belt, remain key considerations.

The proposed modification of Local Gaps policy BCS10 seeks to significantly reduce the scope of development within the Local Gaps. The list of development which may be acceptable (subject to usual planning considerations) is reduced to:

- extension of agricultural buildings
- extension of forestry buildings
- minor extensions to existing dwellings

If adopted, revised Local Gaps policy BCS10 would be contrary to national and local planning policy for the reasons set out below. i. Agricultural Development The made Neighbourhood Plan and the proposed modifications both seek to protect the essential countryside character of the identified Local Gaps, retaining the fields 'preferably as working farmland in order to keep a clear 'rural' buffer between settlements.'

The Landscape and Green Spaces Study (2017) identifies the Local Gaps as 'working farmland'. Agriculture is therefore recognised as a key land use in the Local Gaps. Agricultural permitted development rights will still apply within the specified criteria set out in Part 6 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. In all other cases, full planning permission is required.

To restrict agricultural development in the Local Gaps for which planning permission is required to 'the extension of agricultural buildings' imposes a burden on agricultural businesses which is contrary to National Planning Policy Framework paragraphs:

- 84(a & b) – the rural economy
- 149(a) - Green Belt The modification is also more restrictive than South Oxfordshire District Council Local Plan policies:
- STRAT6(1) – Green Belt

- EMP10(ii) - employment in rural areas ii.

The Re-Use of Existing Rural Buildings The proposed modification removes the made Neighbourhood Plan's current policy for the re-use of existing rural buildings in the Local Gaps for non-agricultural or non-forestry purposes. Permitted development rights may apply in certain circumstances, however the proposed modification to the Local Gaps policy is contrary to the following National Planning Policy Framework paragraphs and South Oxfordshire District Council Local Plan policies: NPPF

- 80(c) - rural housing
- 84(a) – the rural economy
- 150(d) - Green Belt
- 152 - the re-use of existing resources and the conversion of existing buildings is a key element of sustainable development and the move to a low carbon future SODC
- STRAT6(1) – Green Belt
- EMP10(i) - employment in rural areas
- DES7 – efficient use of resources
- HI – delivering new homes

The modified Neighbourhood Plan is silent on what should happen to existing buildings in the Local Gaps if they are no longer required for their approved purpose. The conclusion I reach from the modified policy is that they should be removed (adding an extra burden which is not in line with national or local planning policy regarding building re-use or the sustainable re-use of existing resources) or simply left to deteriorate. iii. Other land uses

The made Neighbourhood Plan allows for the change of use of land provided the new use is 'open'. This is consistent with National Planning Policy Framework and South Oxfordshire District Council's aims of preserving the openness of the nationally designated Green Belt. Such development could include, for example, the erection of a suitably scaled stables building and use of land for the keeping of horses. Equestrian use of land would be entirely in keeping with the Parish's rural setting and the openness of the Local Gaps.

This proposed modification of the Neighbourhood Plan Local Gaps policy imposes a further burden on the use of the locally-designated land. If agriculture (or forestry, should the 'working farmland' become used for such purpose) ceases in due course, other uses of land in the Local Gaps would be restricted where they would otherwise be appropriate in national and District planning policies. iv. Summary As stated above, any development within the Local Gaps would be assessed in light of 'normal' planning policies regarding scale, siting, design and access etc.

These controls, in combination with Local Gap land uses which are consistent with national and District policies regarding openness (as per the made Neighbourhood Plan), should be sufficient to 'ensure the retention of the open character of the Local Gaps' (made version of BCS6) and / or 'retain the physical extent of defined Local Gaps and the visual separation of the settlements concerned' (proposed modification under BCS10).

I trust the Parish Council will review these representations and adjust the Local Gap policy accordingly.

Thank you and I look forward to reviewing the results of the consultation in due course.

NP Steering Group Response

The group will liaise with the parish council's planning consultant regarding its response.

Response D8

I finally had a chance to review the revised NHP draft for Brightwell-cum-Sotwell and wanted to share a comment. Thanks to 'Katie' for her email reminding me to review the revised plan.

On page 32 of the 'CACA' document I noticed the the Slade End Nursery site is described as 'overgrown'. I think an accurate description of its current state would be 'derelict' and not overgrown anymore:

"The former nursery site, now derelict contributes an..."

Could we look at changing this description please?

Response D8a

I wanted to add another comment for the record please. I am happy for my plot (Slade End Nursery) to remain as an allocated housing site in the neighbourhood plan.

Response D9 – Oxfordshire County Council

Overall View of OCC supports the parish in its ambition to prepare a neighbourhood plan. We hope you find our comments in the attached Annex helpful as you make amendments prior to submitting the plan. We would also advise that you review OCC's Neighbourhood Planning Guide (updated March 2021) which is available here. Officer's Name: ***** Officer's Title: Planner Date: 04 May 2022 2 ANNEX 1 OFFICER ADVICE 3 District: South Oxfordshire Consultation: Brightwell cum Sotwell Neighbourhood Plan Team: Oxfordshire County Council Estates & Strategy Officer's Name: ***** Title: Head of Estates Date: 14th April 2022 ***** (OCC) Estates is grateful for the opportunity to comment on the Brightwell cum Sotwell Neighbourhood Plan (Pre- Submission Document). *** Estates had previously commented on the Draft neighbourhood plan in a submission dated 30 January 2017. At that time the comments were raised with reference to the proposed draft policy BCS17 which related to community facilities. The ***** the school playing field, and this was listed as one the community facilities. In our comments it was suggested some changes could be made to the wording of the draft policy. The comments were: "Firstly there appears to be a degree of duplication of saved Local Plan policy CFI in the first part of draft policy BCS17, and therefore it is questionable whether the first part of the policy is necessary.

Second, draft policy BCS17 more generally is very similar to guidance in the NPPF at paragraphs 69-70 and Core Strategy policy CSR3, and therefore again there are elements of duplication which suggest that the policy may not be necessary.

Third, draft policy BCS17 (first bullet point) is more restrictive than saved Local Plan policy CFI. CFI introduces three scenarios (either / or options) where loss of a facility will be permitted, whereas BCS17 only envisages one scenario – financial viability. That is overly restrictive and inconsistent with the strategic policy in the Local Plan as it does not contemplate facilities being reprovided elsewhere in the locality, nor indeed does it contemplate the demand for facilities disappearing. Additionally whereas CFI refers to economic viability, BCS17 refers to financial viability. These two words may be argued to be similar in meaning, but the terminology is inconsistent. As a consequence it is recommended that the first bullet point be either removed completely (as it duplicates elements of local and national planning policy) or it be reworded to be consistent with the strategic policy (policy CFI).

Fourth and finally, the last bullet point of BCS17 does not recognise the fact that such facilities may be able to change use without requiring planning permission, via the permitted development route. It might be sensible to reflect that point in the wording of the policy.” The County still own the school playing field and it remains listed as a community facility on the Neighbourhood plan modification proposals map, listed as site no. 2. 4 Policy BCS 15 of the made plan (community facilities) is now being proposed to be re numbered to BCS 18 and the proposed replacement policy is completely reworded. Policy BCS 18 does now takes account of the adoption of Local Plan policy CFI, so avoids the previous duplication with the requirements of that policy. The policy now states proposals must show that they are ‘no longer economically viable’ and the previous reference to financial viability has gone, therefore this ties in with adopted policy CFI also and avoids confusion. It also allows for the re provision of a facility within the village elsewhere. The proposed modified policy takes into account the previous comments from OCC and is now a clearer policy in relation to the listed community facilities. However, there is still no reference or recognition of the fact some facilities may be able to change use without planning permission, via the permitted development route. It is still considered this could be reflected in the policy in some way.

5 District: ***** Consultation: Brightwell cum Sotwell Neighbourhood Plan Team: Access to Learning Officer’s Name: ***** Officer’s Title: Information Analyst Date: 25/04/2022 Education Comments It is worth noting that Brightwell-cum-Sotwell CE Primary School has a funding agreement capacity of 140 places, and based on current numbers may not have sufficient spare places to accommodate pupils generated by in-catchment development. However, there are currently significant numbers of pupils attending the primary school who live outside the school’s designated catchment area, and the school is also considered to have potential to expand on its current site if deemed necessary at a later stage.

6 District: ***** Consultation: Brightwell cum Sotwell Neighbourhood Plan Team: Oxfordshire County Archaeological Service Officer’s Name: ***** Officer’s Title: Planning Archaeologist Date: 21/04/2022 Archaeology Comments Although the neighbourhood plan highlights the heritage of Brightwell cum Sotwell there is no specific policy relating to the historic environment and preservation and enhancement of the parishes heritage assets. Proposed modified policies BCS7 and BCS8 primarily focus on the built historic environment and its setting and provides little to no consideration of above or below ground archaeological remains. This is a general theme that appears to run through the plan and its consideration of heritage assets in policies. We would therefore recommend that the Neighbourhood Plan is amended to include or incorporate a specific policy on the historic environment that would serve to achieve the goal of conserving and enhancing the historic environment as set out in, and to accord with, the NPPF, this along the following lines: Policy - Historic Environment The parish’s designated historic heritage assets and their settings, both above and below ground including listed buildings, scheduled monuments and conservation areas will be conserved and enhanced for their historic significance and their important contribution to local distinctiveness, character and sense of place. Proposals for development that affect non-designated historic assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset as set out in the National Planning Policy Framework (NPPF 2021).

7 District: ***** Consultation: Brightwell cum Sotwell Neighbourhood Plan Team: Digital Infrastructure Team Officer’s Name: ***** Officer’s Title: Programme Manager Date: 28/04/22 Digital Infrastructure Comments Broadband Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being (NPPF para 114). Consideration should be given to the fact that any new homes or commercial premises planned to be built have 21st digital infrastructure installed at the build phase. Developers should be required to engage with a telecommunications network provider to provide a full fibre connection to each residential/business premise. This will significantly mitigate environmental impacts of any proposed development. People will be able to work from home, reducing unnecessary journeys. Moreover, digital infrastructure provides the backbone for digital technologies’ role in building a low carbon economy.

8 Brightwell Cum Sotwell Parish Council Neighbourhood Plan Steering Group

Terms of Reference

1. Purpose

To oversee and co-ordinate the production of a Neighbourhood Plan (NP) covering the entire Brightwell Cum Sotwell Parish, the “designated neighbourhood area”, working with members of the community and the Parish Council to achieve this aim.

The NP will define the planning policy priorities identified by the community taking into account all representations made during the plan-making process. The NP will include and be supported by evidence and have an appropriate delivery plan setting out, where relevant, the means by which the policy priorities may be implemented.

The Steering Group will be a sub-committee of the Parish Council, ultimately governed by its rules, and will be able to use such resources provided by the Parish Council as may be available.

2. Principles

The Steering Group will:

- a) Undertake the process in a democratic and transparent fashion.
- b) Give and encourage those who live in the area the opportunity to inform and shape the process.
- c) Make the creation of the NP a positive, constructive and forward-looking process.
- d) Aim, through the NP, to improve quality of local life and strengthen the community.

3. Tasks and Activities

The Steering Group will:

- a) Regularly report to the Parish Council, ensuring that it is informed throughout the process, and to refer appropriate issues to it as applicable and in a timely manner.
- b) Mutually agree key decisions with the Parish Council, ensuring there is a minimum of delay in that process.
- c) Prepare a project plan, in association with appointed Consultants, that sets out how the NP will be progressed through to its submission, to include a fee budget and timeframe.
- d) Publicise the intention to produce a NP, to inform and engage the community, and promote all subsequent activities and progress.
- e) Meet regularly to agree actions and discuss issues that arise.
- f) Establish and understand the needs of residents and what are their long-term aspirations.
- g) Decide upon and, if required, set up Task Teams to assist with specific areas of the NP.
- h) Liaise with residents, partners and stakeholders throughout the development of the NP.
- i) Consult as widely and thoroughly as possible to ensure that the draft and final NP is representative of the views of residents.
- j) Produce minutes from its meetings and to quickly circulate them to the Parish Council and to all Steering Group members (and others as agreed to be appropriate).

- k) Set up a mechanism to inform interested residents of progress e.g. monthly updates by email, website, and physically on Notice Boards and by leaflet as appropriate. Encourage residents to sign up to these.
- l) Agree financial arrangements and budget with the Parish Council.

4. Reporting and Communication

- a) The Steering Group has delegated authority from Brightwell Cum Sotwell Parish Council to deliver its plan-making functions up to and including publication of the Submission Neighbourhood Plan. However, the final decision to publish the Pre-Submission and Submission versions of the NP will remain with the Parish Council, which may request that the documents are amended before publication.
- b) The plan-making process will be under the auspices of the Parish Council as the Qualifying Body defined by the Neighbourhood Planning (General) Regulations 2012 (as amended). All publications, consultation and community engagement exercises will be undertaken on behalf of the Parish Council and will make it clear in all communications that it is the Qualifying Body.

5. Membership and responsible persons

- a) There will be a maximum of 12 members of the Steering Group, to include the Chair of Brightwell Cum Sotwell Parish Council, 4 Councillors of Brightwell Cum Sotwell Parish Council and the balance being representatives from residents and relevant organisations in the Neighbourhood Area.
- b) Members must reside in the Neighbourhood Area. A person living outside the Area but running an established local business may be invited to join, subject to there being no conflict of interest.
- c) The Steering Group should seek to secure a total membership that reflects the profile of the Area in terms of age, gender and ethnicity, and the geography of the Area in terms of having representation from across that Area.
- d) The Steering Group shall be quorate when more than half of the members are in attendance and decisions can be made by simple majority, the Steering Group Chair to have a casting vote if required.
- e) Interim decisions can be made by members via email/telephone communications and reported at the subsequent meeting.
- f) If Task Teams are formed then each will be chaired by a member of the Steering Group, who will be responsible for reporting the progress of the Task Team to the Steering Group and for raising any matters of interest.
- g) The Steering Group may elect a 'Lead Team' of 3 of its members to represent it at meetings with other parties. The Steering Group may provide the Lead Team with a mandate for such meetings and the Lead Team will be responsible for reporting back to the Steering Group on all its meetings. The Lead Team may only make decisions on matters on which it has been given a mandate by the Steering Group.
- h) The Steering Group will elect a Chairman at the first meeting after the adoption by Brightwell Cum Sotwell Parish Council of the Terms of Reference and will define how the secretariat and administration roles will be carried out. The role of the Chairman will be to oversee and chair meetings, to agree meeting agendas and to ensure actions are followed up as necessary. The Chairman will ensure that all Steering Group members' interests are registered and any conflict of interest recognised and noted.
- i) People who wish to be involved in the NP but do not wish to become Steering Group members may be invited to join a Task Team appropriate to their expertise and/or interest.

- j) [LPA] officers or councillors, as well as other agencies appointed by the Parish Council to support the process may be invited to attend meetings and contribute, under the direction of the Chairman, to the discussions as appropriate, but cannot be voting members.

6. Roles within the Steering Group

- a) The Steering Group shall elect a Chairman and Secretary. If the Chairman is unable to attend a meeting then a temporary Chair (selected from the Steering Group members only) will be elected for that meeting. When required, the Steering Group shall appoint Vice Chair(s).
- b) The Secretary will take notes/minutes from the meeting so recording main decisions and action points and make these available to the public as appropriate. Minutes of each meeting of the Steering Group to be forwarded to the Parish Clerk for inclusion in the next Parish Council meeting.

7. Steering Group Meeting Arrangements

- a) The Steering Group shall meet in the Village Hall. When necessary, additional meetings and/or alternative dates may be organised.
- b) The Steering Group meetings will be closed to the public but all its reports to the Parish Council will be published.
- c) From time to time other stakeholders or interested parties may be invited to attend a specific Steering Group meeting to give a presentation and/or discuss their interest in the proposed NP.
- d) A list of Steering Group members and contact details shall be maintained.
- e) Details of, and any changes to, the Steering Group membership will be notified to the Parish Council.
- f) Details of all meetings to be circulated to all Steering Group members and Parish Councillors at least one week before the meeting unless otherwise agreed by the Chairman.

8. Finance

- a) The Steering Group will not hold its own funds but may manage the budget allocated to the NP by the Parish Clerk. All expenditure incurred on the project will be invoiced to Brightwell Cum Sotwell Parish Council in accordance with the terms and conditions of the appointment.
- b) If the Steering Group considers that additional expenditure is necessary, then it make a recommendation to the Parish Council for its prior approval.

9. Changes to the Terms of Reference

Amendments to the terms of reference may be proposed at a Steering Group meeting and agreed by the majority of its members. Proposed amendments must be presented to the Parish Council for prior approval.

**SIGNED FOR Brightwell Cum Sotwell Parish Council
STEERING GROUP**

SIGNED FOR

[DATE]

9 Brightwell cum Sotwell Regulation 14 Modifications Proposal



Modification Proposal

Prepared for pre-submission consultation in accordance with Regulation 14 of the Neighbourhood Planning (General) Regulations 2012 (as amended) in respect of the made Brightwell cum Sotwell Neighbourhood Plan.

March 2022

MODIFICATION PROPOSAL: SCHEDULE OF PROPOSED MODIFICATIONS TO THE MADE BRIGHTWELL CUM SOTWELL NEIGHBOURHOOD PLAN

Set out in the schedule below are the proposed material modifications to the made Brightwell cum Sotwell Neighbourhood Plan alongside the original text. These modifications will be made to the Modified Neighbourhood Plan at the submission stage in due course. The Modified Plan may also contain other, non-material modifications to bring the new document fully up to date. It is not necessary for such modifications to be included in this Schedule.

2017 Made Neighbourhood Plan		Proposed Modified Plan	
Policy BCS1	Brightwell cum Sotwell Village Boundary	Policy BCS1	<p><u>Brightwell cum Sotwell Village Boundary</u></p> <p>Modify as follows:</p> <p>The Neighbourhood Plan defines the Brightwell cum Sotwell Village Boundary, as shown on the Policies Map.</p> <p>Proposals for infill development within the boundary will be supported, provided they are of a use that is suited to the village and they accord with the design code of Policy BCS7 and development management policies of the development plan and other relevant policies of the development plan including this Modified Neighbourhood Plan. Neighbourhood Plan.</p> <p>Proposals for development outside the boundary, including within the settlement of Mackney, will only be supported if they are appropriate to a countryside location and they are consistent with other relevant policies of the local development plan including Policies BCS10 and BCS11 of this Modified Neighbourhood Plan.</p> <p>5.7 This policy is intended to distinguish between the built up area of the main village and its surrounding countryside in order to manage development proposals accordingly. In defining the boundary on the Policies Map, applicants and the local planning authority will have certainty when preparing and determining planning applications respectively. This is consistent with a number of Core Strategy and Local Plan policies to encourage sustainable forms of development in the rural areas. It operates in conjunction with Policy BCS7 which relates to the appearance of development; this policy relates to the effects of the use of land to that may otherwise be suitable in its appearance.</p> <p>5.8 Most new development will be acceptable in principle within the defined Boundary, subject to it being appropriate in terms of its design and access arrangements. This may be on infill or redeveloped housing plots, as well as new shops, businesses and other commercial or community uses activities that are appropriate in scale to a small village with a limited road network and public transport services. The proposed design will be primarily judged using the new Design Code of Policy BCS7. policies of the Neighbourhood Plan, notably policies BCS6 and BCS7. The suitability of proposed access will be judged by the planning and highways authorities in the normal way.</p> <p>5.9 The policy requires that development proposals outside the defined Boundary are appropriate to a countryside location and are consistent with relevant policies of the Local Plan and Neighbourhood Plan in respect of retaining the physical extent of the defined Local Gaps and protecting the local landscape and character of the natural environment character, most notably Policy CSEN1 of the Core Strategy Policy EMP10 Development in Rural Areas of the Local Plan, Policy C4 of the Local Plan and policies BCS9 and BCS10. BCS10: Local Gaps and BCS11: Landscape Character of the Villages of the this Modified Neighbourhood Plan. This recognises the valued function of the countryside and working farmland in shaping rural character and its contribution to the identity of the main village settlement. In some places, there are paddocks, fruit farms, recreational facilities, agricultural units and dwellings in open countryside or on the edge of village extending into the countryside beyond. The policy does not seek to prevent the improvement and extension of such uses. It requires that such proposals can demonstrate that they have acknowledged the provisions of Policies BCS10 and BCS11 and other relevant development plan policies in the design of their schemes.</p>

2017 Made Neighbourhood Plan		Proposed Modified Plan	
Policy BCS1	Brightwell cum Sotwell Village Boundary	Policy BCS1	<p>In addition, the third paragraph of the policy provides flexibility for new commercial and recreational development sustainable economic growth to be supported where that development would be in accordance with development plan policies. These may include Policies EMP10 Development in Rural Areas of the Local Plan where proposals avoids conflict with the provisions of Policies BCS10 and BCS11 of this Modified Neighbourhood Plan. Core Strategy policies CSEM4 (Supporting economic development), CSR2 (Employment in Rural Areas) and CSR3 (Community facilities and rural transport). The Plan's spatial strategy is reflected in paragraph 5.11. It is on this basis that housing proposals are planned to be delivered expected to come forward within or adjacent to the defined Boundary existing extent of the built up area and without needing to take up land in the surrounding countryside.</p> <p>Notes:</p> <p>These modifications remove some confusion in how this policy and Policy BCS10 on Local Gaps and BCS11 on Key Views and local landscape character operate together.</p>

Policy BCS2	Land at Bosley's Orchard	Policy BCS2	<p><u>Land at Bosley's Orchard</u></p> <p>No modifications proposed.</p>
Policy BCS3	Land at Little Martins & Home Farm Barns	-	To be deleted – a scheme has been approved and built.
Policy BCS4	Land at Thorne's Nursery	Policy BCS3	<p><u>Land at Thorne's Nursery</u></p> <p>No modifications proposed.</p>
Policy BCS5	Slade End	Policy BCS4	<p><u>Slade End</u></p> <p>No modifications proposed.</p>

2017 Made Neighbourhood Plan		Proposed Modified Plan	
Policy BCS6	Local Gaps	Policy BCS10	<p>Local Gaps</p> <p>Modify as follows:</p> <p>The Neighbourhood Plan identifies the following Local Gaps on the Policies Map:</p> <ol style="list-style-type: none"> i. Brightwell cum Sotwell - Mackney Local Gap; and ii. The Slade End Local Gap. <p>Development proposals should ensure the retention of the open character <u>retain the physical extent of defined Local Gaps and the visual separation of the settlements concerned</u>. Proposals for the <u>extension re-use of rural buildings, agricultural and forestry-related buildings development, playing fields, other open land uses</u> and minor extensions to existing dwellings will be supported where they would <u>accord with the design code of Policy BCS7, avoid unnecessary harm to the key views of Policy BCS101 accord with Policy BCS12 on avoiding night-time coalescence through light pollution, preserve the separation between the settlements concerned and retain their individual identities</u>.</p> <p>5.38 This policy seeks to protect the essential countryside character of two key areas between the settlements of Brightwell cum Sotwell and Mackney and between Brightwell cum Sotwell and Wallingford ('the Slade End Gap'), in order to prevent coalescence between these separate settlements and to protect their distinctive individual character and setting <u>both during daylight and at night</u>. In doing so, it will conserve the way that the main settlement sits invisibly in the landscape, retaining the fields between Slade End and the bypass and between Mackney and the main settlement preferably as working farmland in order to keep a clear 'rural' buffer between settlements. <u>It operates in conjunction with Policy BCS1 which relates to the effects of the use of land; this policy relates to the appearance of development that may otherwise be a suitable use of land.</u></p> <p>5.39 The gaps are shown on the Policies Map and have been drawn to include only the minimum essential area to achieve the policy objective. They each make a significant contribution to maintaining the individual character of their adjoining settlements. The Evidence Base includes the Landscape & Green Spaces Study which describes each gap in greater detail and the particular contribution that it makes. This policy does not seek to prevent <u>any development that may otherwise be suited to a countryside location</u> but <u>to ensure</u> that the scale, massing and height of proposals do not result in the integrity of a gap being undermined. <u>Development that is consistent with this policy might include minor extensions to existing buildings, the creation of playing fields, or other open land uses.</u></p> <p>Notes: These modifications remove some confusion in how this policy and Policy BCS1 on the Village Boundary operate together. They also improve the precision of the policy wording.</p>

2017 Made Neighbourhood Plan		Proposed Modified Plan	
Policy BCS7	Landscape Character and the Villages	Policy BCS11	<p>Landscape Character and the Villages</p> <p>Modify as follows:</p> <p>Development proposals within and around the villages of Brightwell cum Sotwell and Mackney should demonstrate:</p> <ol style="list-style-type: none"> i. <u>how they have taken account of the contribution made to the character of the villages by the North Wessex Area of Outstanding Natural Beauty and especially the Sinodun Hills;</u> ii. <u>that they do not obstruct or have an unacceptable adverse impact on a Key View shown on the Policies Map;</u> iii. <u>they accord with Policy BCS12 on minimising light pollution to preserve the dark night skies which contribute to the landscape character of the Parish; and</u> iv. <u>they accord with the design code of Policy BCS7 and Policy BCS12 in minimising the occurrence of light pollution.</u> <p>5.40 This policy seeks to ensure that all development proposals have understood and responded to the special landscape character of the Parish, and how that character, <u>often best enjoyed in a number of key views and/or alongside the dark night sky</u>, plays such an important role in shaping the character of Brightwell cum Sotwell and Mackney especially. The policy does not seek to impose a blanket restriction on development around or inside the villages but requires design statements to show that proposals, <u>including the impact of street lighting that could affect the night time character of the parish</u>, will not harm this character.</p> <p>5.41 The topography of the main village is important in maintaining the landscape character in that the shape of the village is hidden in its landscape as set out in the Landscape and Green Spaces Study. Development in that part of the Parish within the AONB is already managed by policies of the NPPF and development plan. This policy aims to complement those policies by identifying as special the ridge of the Sinodun Hills sweeping up from the flat valley floor, rising through open countryside to the tree capped hilltop at Brightwell Barrow. This is the defining landscape feature of Brightwell cum Sotwell and together with the River Thames landscape is special to the local community with its open character, recreational value, flood storage capacity and wildlife potential. <u>The policy also identifies a small number of key views on the Policies Map, and directs applicants to policies protecting the dark night skies, that are integral to defining that special character.</u></p>

2017 Made Neighbourhood Plan		Proposed Modified Plan	
Policy BCS7	Landscape Character and the Villages	Policy BCS11	Notes: These modifications add a small number of specific key views that are integral to the enjoyment of the landscape and the village setting within it. They are shown on the modified Policies Map and are derived from a new evidence report prepared and published as part of the review of the Made Plan.
Policy BCS8	The Green Heart	Policy BCS13	<p>The Green Heart</p> <p>Modify as follows:</p> <p>The Neighbourhood Plan identifies a Green Heart formed by a connected sequence of open spaces within the village, as shown on the Policies Map.</p> <p>Development proposals on land that lies within the Green Heart will be supported where they:</p> <ol style="list-style-type: none"> i. demonstrate how they sustain or enhance the visual characteristics, the function and biodiversity of the land; and ii. have regard to how their landscape schemes, layouts, access and public open space provision and other amenity requirements may contribute to the maintenance and improvement of the Network; and iii. demonstrate that they will not cause unacceptable harm to identified Key Views <p>5.42 The main village of Brightwell cum Sotwell is an inward looking settlement with few opportunities to view open countryside. At the core of the village however is a network of green infrastructure assets, including informal open space and Local Green Spaces, allotments, private gardens, playing fields, a school playing field, assets of biodiversity value, children's play areas, footpaths, bridleways and cycleways. Although much of this network is enclosed, being situated within the settlement boundary, it provides a different function to the rest of the built area in giving a countryside feel to a large proportion of the village due to its open nature and rural character, recognised <u>since at least 1971 in the Village Plan</u>. Views from lanes and footpaths across public and private open spaces are particularly important, whilst the open spaces help to define and reinforce the separate identity of the historic twin villages of Brightwell and Sotwell. This policy does not prevent development, rather it sets out to ensure that any development does not cause harm to the Green Heart.</p> <p>Notes: These modifications seek to ensure that the now identified Key Views are protected.</p>

2017 Made Neighbourhood Plan		Proposed Modified Plan	
Policy BCS9	Design Principles in the Parish	-	To be replaced by NEW Policy BCS7 (see below)
Policy BCS10	Design Principles of the Conservation Areas and their Settings	-	To be replaced by NEW Policy BCS7 (see below)
Policy BCS11	Local Green Spaces	Policy BCS9	<p>Local Green Spaces</p> <p>Modify as follows:</p> <p>5.62 This policy proposes six <u>eight</u> important green spaces in and on the edge of the village are protected from development by their designation as Local Green Spaces in accordance with §76 101 and §77 102 of the NPPF. The policy has the effect of managing development proposals in line with the NPPF provisions in the Green Belt.</p> <p>In each case, the green spaces play an integral part in the enjoyment of the Parish and are therefore special to the local community. A fuller description of each site, and the justification for its designation, is provided in the Landscape & Local Green Space Study report, <u>and addendum</u>, in the Evidence Base.</p> <p>The Neighbourhood Plan designates the following locations as Local Green Space, as shown on the Policies Map:</p> <ol style="list-style-type: none"> i. Millennium Wood ii. Kings Meadow Playing Field iii. Wellsprings Footpath and stream iv. The Recreation Ground v. Swan Allotments vi. Swan Wilderness and Community Orchard vii. Little Martins Meadow viii. Little Martins Green <p>New development will not be permitted on land designated as Local Green Space except in very special circumstances.</p>

2017 Made Neighbourhood Plan	Proposed Modified Plan
	<p>Policy BCS9</p> <p>Notes: The modifications designate two new Local Green Spaces which have been delivered as part of the allocation at Policy BCS3. The scheme has now been approved and completed on site. They are shown on the modified Policies Map and have been assessed against the NPPF tests in an addendum to the Landscape & Local Green Space Study report prepared and published as part of the review of the Made Plan.</p>

2017 Made Neighbourhood Plan	Proposed Modified Plan
<p>Policy BCS12 Biodiversity, Trees, Hedgerows and Wildlife Corridors</p>	<p>Policy BCS14 RETITLED: Local Nature Recovery</p> <p>Modify as follows:</p> <p>Development proposals will be supported if they contribute to the recovery of local nature in the Parish and to the following biodiversity principles:</p> <ol style="list-style-type: none"> i. Avoid the unnecessary loss of mature trees, hedgerows or other form of wildlife corridor, either as part of a landscape scheme and layout or as part of the construction works of a development scheme; ii. Where the loss of a mature tree or hedgerow is unavoidable, the proposals must make provision on site for replacements that are of a similar type to those lost and preferably native species in accordance with the design code of Policy BCS7; iii. Wherever possible developments should seek to have a biodiversity net gain for the parish as part of a validated approach to local nature recovery; iv. Where the loss of scrubland is unavoidable, the proposals must retain one or more wildlife strips of scrub linked to adjacent areas of open space wherever possible; v. For new or replacement lighting schemes, ensure no negative impact upon wildlife habitats, migration and feeding behaviour; vi. For new homes, an owl box, bat box and/or bird boxes (particularly suited to their use by swifts, swallows and house martins) should be installed as an integral part of any house design; vii. Wherever possible, piped water courses should be re-opened in new developments linked to wetland creation; and viii. Proposals that result in run off of surface water into the stream network of the village should ensure the water flows through an appropriate sustainable drainage system. <p>5.54 Brightwell cum Sotwell is rich with wildlife with a variety of different habitats that support a diverse range of species. To the north of the parish on the floodplain of the Thames the Earth Trust has recently created a large area of wetland through its River of Life project and a Site of Special Scientific Interest at Wittenham Clumps is located immediately to the west of the parish. <u>Of particular importance are streams, wetlands, scrub, hedgerows and orchards. The policy supports, and refines, the provisions of SODC Local Plan Policies ENV1 – ENV5 on the natural environment. This variety of habitats should not be considered as a 'natural shield' to lighting. Linear lighting can be a barrier for commuting to feeding grounds, for example, the impact of street lighting on main roads, particularly the</u></p>

2017 Made Neighbourhood Plan		Proposed Modified Plan	
Policy BCS12	Biodiversity, Trees, Hedgerows and Wildlife Corridors	Policy BCS14	<p><u>Wallingford bypass, has had a negative effect in terms of light spill. Consideration should be made to shield or remove lighting that spill into sensitive habitats, particularly if nocturnal species are present which include bats and stag beetles in the Parish. The policy therefore refines SODC Local Plan Policy ENV11 to highlight the impact of light pollution on the natural environment in the Parish.</u></p> <p><u>5. X More generally, recent data analysis by the Bucks Berk & Oxon Wildlife Trust to inform local nature recovery initiatives in its area has indicated the potential of land in the Parish to deliver such initiatives. As the provisions of the Environment Act 2021 are enacted so this policy may enable the Parish to contribute to wider strategies in the future.</u></p> <p>5. X The Oxfordshire Treescape Project is also a useful data source which has informed the modifications in this Plan. The project involved extensive research in finding ways in which landowners can increase tree cover on their land. The output is an accessible online map which provides an overview of the opportunities available. A more detailed report can be requested for free or at a low cost.</p> <p>5.X The Environment Group, working with the Parish Council intends to prepare a Local Nature Recovery Plan for the Parish identifying existing green infrastructure assets and opportunities for improvement drawing on these resources and local knowledge and expertise.</p> <p>Notes:</p> <p>These modifications reflect the advent of the principles of local nature recovery alongside biodiversity net gain in the Environment Act 2021.</p>

2017 Made Neighbourhood Plan		Proposed Modified Plan	
Policy BCS13	Footpaths and Bridleways	Policy BCS16	<p>Footpaths and Bridleways</p> <p>No modifications proposed.</p>
Policy BCS14	Renewable Energy	Policy BCS17	<p>Renewable Energy</p> <p>Modify as follows:</p> <p>Proposals for a solar energy array or other forms of renewal energy generation will be supported in principle, provided:</p> <ol style="list-style-type: none"> i. they are located and designed to suit the character of the local landscape; ii. it is effectively screened and does not cause significant harm to the visual enjoyment of the local landscape; iii. it will not cause significant harmful noise or light pollution; iv. it will not cause substantial harm to a designated heritage asset; v. it will not cause unacceptable harm to an identified Key View. <p>5. 65 This policy supports in principle the development of renewable energy for the Parish to contribute to global measures to tackle climate change. However, it acknowledges that there are parts of the Parish <u>where the scale and the visual impact of such development would need to be appropriate to any nationally and locally designated landscapes.</u> Elsewhere, a solar array <u>or other types of renewable energy generation</u> may be suitable provided the potential for negative landscape and amenity effects can be satisfactorily mitigated.</p> <p>Notes:</p> <p>These modifications extend the scope of support of the policy to other forms of renewable energy generation that may be suitable to this location, as well as a solar array, and seeks to ensure that the now identified Key Views are protected.</p>

2017 Made Neighbourhood Plan		Proposed Modified Plan	
Policy BCS15	Community Facilities	Policy BCS18	<p>Community Facilities</p> <p>Replace as follows:</p> <p>Policy BCS15: Community Facilities</p> <p>The Neighbourhood Plan defines the following buildings and their ancillary land, as shown on the Policies Map, as essential community facilities:</p> <ul style="list-style-type: none"> • The Churches (St. James and St. Agatha's) • The Village School (and Pre School) • The Village Stores • The Post Office • The Red Lion public house • The Village Hall and parish car park • The Recreation ground and Pavilion • Kings Meadow <p>Proposals that result in the loss, or harm to the viability, of an essential community facility, through change of use or redevelopment, will not be permitted unless:</p> <p>i) it would lead to the significant improvement of an existing facility or the replacement of an existing facility within the defined Village Boundary of Policy BCS1 and with equivalent or improved facilities; or</p> <p>ii) it has been demonstrated by appropriate, detailed and robust evidence that not only is the existing facility no longer needed or economically viable but also that the land is no longer suited to any other type of community facility use.</p> <p>Proposals to create new community facilities, as well as new business, commercial and service uses will be supported, provided they are located within the Village Boundary defined by Policy BCS1; they accord with the Design Code of Policy BCS7; and the nature and scale of their use are of a character that will maintain the residential amenity of the immediate area.</p>

2017 Made Neighbourhood Plan		Proposed Modified Plan	
Policy BCS15	Community Facilities	Policy BCS18	<p>5.67 This policy seeks to prevent the unnecessary loss of valued local community facilities. In doing so, it refines Policy CFI of the adopted Local Plan Core Strategy Policy CSR3 and saved 2011 Local Plan Policy CFI as it applies to this Parish. Policy CFI shares. Those policies share the same purpose by defining 'essential community facilities' in relation to the 2021 Use Class Order but allows for facilities to be lost without considering the ongoing community value of the established use of the land, and without requiring their re-provision close by. This policy identifies 'essential community facilities' in this village and addresses that those weakness by ensuring that those making proposals provide clear evidence that the location, as well as the current facility operations, is no longer viable for a community use before its change of use and redevelopment are supported. However, it does allow for the relocation of established uses without this test being passed, provided the relocation proposal benefits local people by being within or adjoining the village, and is not lost to other parishes. The fourth component of the policy also seeks to encourage proposals for new facilities, including new business, commercial or service (Class E) uses that like the Village Stores, Post Office and Red Lion pub have a strong community as well as commercial purpose, safeguard the scarce number of shops, pubs and other commercial uses by not supporting proposals to change their uses. This approach will need to take account of permitted development rights. In 2015, additional flexibility was introduced into these procedures. They may continue to change within the Plan period.</p> <p>Meadow</p> <p>Notes:</p> <p>This replacement policy improves the clarity of the policy by bringing the buildings and land to which it applies into the policy itself and showing them on the Policies Map. It also reflects the adoption of Policy CFI in the Local Plan and changes to the Use Class Order (notably new Class E). Rather than attempt to modify the existing wording, it is replaced with entirely new wording.</p>

Policy BCS16	Tourism Facilities	Policy BCS18	<p>Tourism Facilities</p> <p>No modifications proposed.</p>
Policy BCS17	Natural Burial Ground	Policy BCS19	<p>Natural Burial Ground</p> <p>No modifications proposed.</p>

2017 Made Neighbourhood Plan	Proposed Modified Plan
	<p>Policy BCS5 NEW: House Types and Tenures</p> <p>Add as follows:</p> <p>A. Proposals for First Homes Exception Sites will be deemed appropriate if:</p> <ul style="list-style-type: none"> i. At least one of the site boundaries entirely adjoins the defined Village Boundary of Policy BCS1 and does not lie within the Green Heart of Policy BCS13; ii. No other proposal for a First Homes Exception Site has been approved or implemented in the plan period; iii. The scheme makes provision for no more than 9 homes; iv. It can be demonstrated that the scheme: <ul style="list-style-type: none"> - Respects the historic envelope of the village, its relationship with the open countryside, and the way in which the edge of the settlement does not extend to the A4130; - Will not diminish the physical extent of a defined Local Gap, and/or the visual separation of settlements; - Access is fully integrated within the village settlement through direct connections to existing streets and paths avoiding a single point of access away from the village settlement; - Will not cause unacceptable harm to identified Key Views; and - Accords with the Design Code of Policy BCS7. <p>B. Proposals for Specialist Accommodation for Older People will not be supported.</p> <p>5.XX This policy serves two housing purposes in respect of managing proposals for First Homes and for Specialist Accommodation for Older People. Planning Practice Guidance allows for First Homes Exception Sites to come forward on unallocated land outside of a built up area. A First Home is defined as discounted market housing for first time buyers that must be discounted by a minimum of 30% against the market value in perpetuity and its first sale must be at a price no higher than £250,000. Clause A therefore sets out the criteria to guide First Homes Exception Site proposals in the Parish as provided for by the Guidance. The policy directs First Homes Exception Site proposals to Brightwell cum Sotwell as Mackney is not a defined settlement.</p>

2017 Made Neighbourhood Plan	Proposed Modified Plan
	<p>Policy BCS5 5.XX In essence the policy reflects the spirit and intention of SOLP Policy H10 for Rural Exception Sites which allows for small-scale "affordable" housing schemes to meet local rural needs in the parish and will continue to operate in the parish alongside this policy. It also accords with the Parish Council's desire to promote future developments that will address the imbalance of affordable housing in the parish. A minimum 30% discount on market value homes, capped at £250,000 on its first sale, ought to allow smaller and more affordable homes to start to rebalance the housing mix in the Parish. Given the high rate of owner-occupier dwellings in the Parish, proposals may be supported which deliver other types of affordable housing for rent which meet local need as provided for by Planning Practice Guidance.</p> <p>5.XX Clause B responds to the prompt in SOLP Policy H13 for neighbourhood plans to consider if they are appropriate locations to plan for this specific type of housing development. The Parish Council does not think that the village is suitable as it is too small and remote from local services and there are many other, well located, larger villages and towns in this part of the District that are far better suited.</p> <p>Notes:</p> <p>This new policy responds to the First Homes policy initiative introduced by Government in 2021 by establishing criteria for Exception Schemes as prompted by the Written Ministerial Statement. It also responds to the new SOLP in respect of older persons accommodation schemes.</p>

2017 Made Neighbourhood Plan	Proposed Modified Plan
	<p>Policy BCS6 NEW: Building Performance</p> <p>Add as follows:</p> <p>A. All standalone new-build development should be 'zero carbon ready' by design to minimise the amount of energy needed to heat and cool buildings through landform, layout, building orientation, massing and landscaping. Consideration should be given to resource efficiency at the outset and whether existing buildings can be re-used as part of the scheme to capture their embodied carbon.</p> <p>B. Wherever feasible, all buildings should be certified to a Passivhaus or equivalent standard with a space heating demand of less than 15KWh/m2/year. Where schemes that maximise their potential to meet this standard by proposing the use of terraced and/or apartment building forms of plot size, plot coverage and layout that are different to those of the character area within which the proposal is located, this will be supported, provided it can be demonstrated that the scheme will not have a significant harmful effect on the character area.</p> <p>C. All planning permissions granted for new and refurbished buildings should demonstrate that they have been tested to ensure the buildings will perform as predicted and will include a planning condition to require the provision of a Post Occupancy Evaluation Report to the Local Planning Authority within a specified period, unless exempted by Clause B. Where the Report identifies poor energy performance and makes recommendations for reasonable corrective action, the applicant must demonstrate that those actions have been implemented before the condition will be discharged.</p> <p>D. All planning applications for major development are also required to be accompanied by a Whole Life-Cycle Carbon Emission Assessment, using a recognised methodology, to demonstrate actions taken to reduce embodied carbon resulting from the construction and use of the building over its entire life.</p>

2017 Made Neighbourhood Plan	Proposed Modified Plan
	<p>Policy BCS6 E. An Energy Statement will be submitted to demonstrate compliance with the policy (except for householder applications). The statement will include a passive design capacity assessment to demonstrate how opportunities to reduce the energy use intensity (EUI) of buildings over the plan period have been maximised in accordance with the energy hierarchy. Designers shall evaluate the operational energy use using realistic information on the intended use, occupancy and operation of the building to minimise any performance gap.</p> <p>5.XX This policy updates Policy DES10 of the SOLP, elements of which are already out of date. The policy context for the setting of energy efficiency standards at the Local Plan or Neighbourhood Plan scale is complex. Background information has therefore been set out in Appendix X. The policy may also appear rather technical, but it is a temporary measure as in due course, it is expected that a new Local Plan, if not national policy itself, will make such provisions across the District.</p> <p>The policy is in five parts, the combination of which is intended to deliver a step change in the energy performance of all new developments in the Parish and, in doing so, encourage and incentivise the use of the Passivhaus or equivalent standard of building design. Along with the passive design capacity assessment, it is anticipated that designers will demonstrate compliance using a design for performance methodology such as the Passivhaus Planning package or CIBSE TM54 Evaluating operational energy performance at the design stage (Link). Achieving this level of performance will make a significant contribution to mitigating climate change that the Neighbourhood Plan can deliver.</p> <p>5.XX Clause A of the policy requires developers to ensure they address the Government's climate change targets and energy performance at the very initial stages of design. 'Zero Carbon Ready' by design means making spatial decisions on layout and orientation of buildings at the outset to maximise the passive design benefits ('free heat') of a site and avoids leaving this to technical choices and assessment at the Building Regulation stage, by which time the opportunity may have been lost. In the absence of supplementary guidance from SODC, applicants are directed to the Net-Zero Carbon Toolkit created by Cotswold District Council and two partner councils, West Oxfordshire District Council and Forest of Dean District Council. The toolkit is available as a resource for private and public sector organisations to use and adopt. (Link)</p>

2017 Made Neighbourhood Plan	Proposed Modified Plan
	<p>Policy BCS6</p> <p>5.XX Its Clause B requires all schemes, no matter what their intended use or size other than householder extensions and buildings with no heating or cooling requirement, to use the Passivhaus Planning Package (PHPP) or equivalent design methodology for all buildings where it is feasible to do so. This means that the applicant must demonstrate those factors that make its use unfeasible, for example, the topography and orientation of the site.</p> <p>5.XX In respect of scheme viability, any extra-over cost of building to the 'zero carbon ready' Passivhaus or equivalent standard will diminish to zero well within the period of this Plan, as the Governments Regulatory Impact Assessments, research by the Passivhaus Trust and the viability assessment of various housing typologies published by Cornwall Council now demonstrates. The policy will also ensure that expensive and unnecessary retrofit costs are not passed down to building occupiers in the future, particularly in an area which has relatively high property values. Scheme viability will not therefore be acceptable as a reason for not using the Standard, unless the applicant can demonstrate the scheme has abnormal costs to accommodate.</p> <p>5.XX The policy requires that the scheme density (measured by dwelling units/Ha) is assessed against that of the Design Code of Policy BCS7 in the Design & Access Statement. Outside of such areas, the applicant may define the 'character area' that is relevant for the purpose of this exercise.</p> <p>5.XX Proposals seeking to apply the PHPP must be able to demonstrate that the Passivhaus standard can be achieved. Prior to commencement a 'pre-construction compliance check' completed by a Passivhaus Designer accredited by the Passive House Institute (PHI) will be required and secured by condition. Upon completion a Quality Approved Passivhaus certificate for each building will be required prior to occupation, again secured by condition.</p> <p>5.XX Clause C requires the developer of a consented housing development scheme of any size to carry out a Post-Occupancy Evaluation (POE) including actual metered energy use, and to submit the report to the local planning authority. It will be implemented by attaching a planning condition, which will only be discharged once the report has been submitted and any recommended actions to rectify any performance gap with the design stage assessment are carried out by the developer. Passivhaus certified schemes will not fail in this way and they are therefore exempted from this policy requirement. In the absence of supplementary guidance from SODC on POE, guidance has been included in Appendix X.</p>

2017 Made Neighbourhood Plan	Proposed Modified Plan
	<p>Policy BCS6</p> <p>5.XX Clause D requires all development proposals that are not householder applications to be accompanied by a Whole Life-Cycle Carbon Emissions Statement. RICS (Link) methodology must be followed as per the Joint Design Guide of SODC. The assessment will enable the design team to understand and respond to the lifetime consequences of their design decisions and to design for adaptability, longevity and disassembly; contributing to resource efficiency (Clause A) and contributing to the 'circular economy' (Link). This requirement will be added to SODC's Validation Checklist for outline and full planning applications applying to proposals in the neighbourhood area until such a time that there is a district-wide requirement.</p> <p>5. Clause E requires an Energy Statement to be submitted to cover the following: an assessment of the proposal to minimise regulated and unregulated emissions, the embodied emissions and the emissions associated with maintenance, repair and replacement of the new building(s), as well as its dismantling, demolition and eventual material disposal</p> <ul style="list-style-type: none"> o a calculation of the energy and carbon emissions covered by the Future Homes Standard and Building Regulations and, separately, the energy demand and carbon emissions from any other part of the development that are not covered by the Future Homes Standard or Building Regulations o the proposal to reduce carbon emissions beyond the Future Homes Standard and Building Regulations through the energy efficient design of the site, buildings and services o the proposal to further reduce carbon emissions through the use of zero or low emission decentralised energy where feasible o the proposal to further reduce carbon emissions by maximising opportunities to produce and use renewable energy on-site, utilising storage technologies where appropriate o the proposal for a demand-side response, specifically through installation of smart meters, minimising peak energy demand and promoting short-term energy storage o an analysis of the expected cost to occupants associated with the proposed energy strategy <p>5.XX Every new build or redevelopment project in the Neighbourhood Plan area provides an opportunity to make a difference and a contribution towards meeting our climate change targets for 2050. This new information requirement need not be an unreasonable expectation of even the smallest schemes for new buildings. Land values in this area are high relative to build costs and ought to be sufficient to ensure requirements to tackle improving energy and carbon performance are viable.</p> <p>Notes: This new policy is based on a template that is becoming increasingly common in neighbourhood plans and some of the most recent Local Plans in England. It responds to the Government decision in 2020 to allow local communities discretion in how they wish to tackle climate change at the very local level, in the interim whilst the Government decides on a national standard for the performance of new building stock.</p>

2017 Made Neighbourhood Plan		Proposed Modified Plan	
		Policy BCS7	<p>NEW: Design Code</p> <p>Add as follows:</p> <p>Development proposals in the Parish will be supported provided they have full regard to the essential design considerations and general design principles set out in the Brightwell cum Sotwell Design Code attached as Appendix ?.</p> <p>5.XX There are distinctive features of Brightwell cum Sotwell that shape its character. In the main village this does not just include the buildings. Mature trees; the absence of street lighting, hedgerows, gardens, open spaces and country lanes all make a significant contribution to the unique and special character. These assets are set out in the new Brightwell cum Sotwell Design Code, which has been derived from the Conservation Area Character Appraisal (BCS CACA) and in the BCS Village Design Statement (BCS VDS). The Code encapsulates the key design principles within the Conservation Area, its setting and beyond and is set out in a format that integrates with the South Oxfordshire Design Guide and is consistent with the National Model Design Code of 2021.</p> <p>Notes:</p> <p>This new policy replaces Policies BCS9 and BCS10 of the Made Plan. This enables the Modified Plan to better reflect the new approach to design management that the Government wishes the planning system to adopt. The new Design Code is cross referenced in the policy as the amalgamation of the design guidance content of both the Conservation Area Appraisal and Village Design Statement. It is structured to fit neatly with the South Oxfordshire Design Guide to aid applicants to acknowledge, understand and respond to that Guide articulated for this Parish within the Code. This will also help SODC to consider and determine the design elements of proposals more easily.</p>

2017 Made Neighbourhood Plan		Proposed Modified Plan	
		Policy BCS8	<p>NEW: Assets of Local Heritage Value</p> <p>Add as follows:</p> <p>A. The Neighbourhood Plan identifies the following buildings and structures, as shown on the Policies Map, as Assets of Local Heritage Value by way of their local architectural or historic interest:</p> <p>BRIGHTWELL HISTORIC CORE</p> <p>B1 School House B2 Brick outbuildings at Purbrook B3 Stranger's Place B4 St Cecilia B5 Fairlight House and wall B6 Stewart Village Hall B7 1-2 Fairthorne Memorial B8 Lilicot B9 Thistledown B10 2-3 The Square B11 Old Forge B12 Woods Cottage B13 Swan Cottage B14 The Old Rectory B15 1-2 Meadow View B16 High Barn Cottage B17 1-2 The Almshouses B18 Stewarts Memorial B19 Japonica Cottage B20 Chestnut Cottage B21 Allnuts B22 Stores Cottage B23 The Croft</p>

2017 Made Neighbourhood Plan	Proposed Modified Plan
	<p>Policy BCS8</p> <p>B24 Homewood B25 The Telephone Box (The Red Box Gallery) B26 The Post Box B27 Brightwell/Sotwell Joining Stone B28 The Vine House Orchard</p> <p>SOTWELL HISTORIC CORE</p> <p>S1 Mount Vernon S2 North Barn S3 South Barn S4 Old Woodlands House S5 Blackstone House S6 1-2 Sotwell Manor S7 Little Barn S8 New Barn Court S9 Hazel Cottage S10 Old Barn S11 The Granary Barn S12 Rose Cottage S13 White Cottage S14 South Cottage S15 Meadowcroft S16 Barncroft S17 Pleasant Cottage S18 Honeysuckle Barn S19 Red House (West, Centre, East) including wall S20 Brightwell Free Church S21 St James's House S22 Post Box S23 Rainbow House</p>

2017 Made Neighbourhood Plan	Proposed Modified Plan
	<p>Policy BCS8</p> <p>SLADE END SE1 Elmleigh SE2 Cappaaside Cottage SE3 Coombe House SE4 Slade End Cottage SE5 Slade End Sarcen Stone</p> <p>GREEN HEART G1 Spring Cottage G2 1, 3,4 Wellsprings G3 Paddock behind Sotwell House</p> <p>PREDOMINENTLY CONTEMPORARY P1 Woodbine Cottage P2 Little Thatch P3 Pound Cottage P4 1-7 High Road</p> <p>DESIGNED ESTATES D1 Datchet Green D2 Greenmere The Greens</p> <p>MACKNEY M1 The White House M2 Granary Barn at White House M3 Outbuilding at Ashley M4 Sherwood Farm Wall M5 Mackney Post Box</p>

2017 Made Neighbourhood Plan	Proposed Modified Plan
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		<p>Policy BCS8</p> <p>M6 Black Barn at Sherwood Farm M7 Elm Cottage M8 1 Sherwood Cottage M9 3,4 Sherwood Cottages M10 Sherwood House inc. wall M11 Malthouse Cottages M12 Mackney Court Farm Barn M13 Granary Barn Sherwood Farm</p> <p>COUNTRYSIDE</p> <p>C1 Workmans Cottage Mackney Lane C2 Wilkins Cottage Mackney Lane C3 Hope Cottage Mackney Lane C4 Shillingford Bridge Hotel C5 The Lodge Clapcot C6 Barn Cottage Clapcot C7 Rush Barn C8 Severalls Farm House C9 Saxon Barn C10 Meadow View Barn C11 The Bothy C12 Severall Farm Hay Barn C13 The Stables C14 Severalls Farm Cottages C15 Pillbox FW2/28A west of Benson Lock C16 Haddon Close C17 North Farm C18 North Farm Barn</p>
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		<p>Policy BCS8</p> <p>C19 1-2 North Farm Cottages C20 The Highlands C21 Thames Conservancy Marker Shillingford Point</p> <p>B. Proposals that will result in harm to, or unnecessary loss of, an Asset of Local Heritage Value will be resisted, unless it can be demonstrated that there is a public benefit that outweighs the harm or loss.</p> <p>5.XX This policy identifies buildings and structures highlighted in the Conservation Area Appraisal and Village Design Statement as having some local architectural and/or historic interest to the extent that they can be defined as 'non-designated heritage assets'. The NPPF (§203) gives weight to such 'assets' in decision making in accordance with the nature of their interest, as does Policy ENV6(3) of the adopted Local Plan.</p>
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2017 Made Neighbourhood Plan	Proposed Modified Plan	
		<p>Policy BCS8 Notes:</p> <p>It is now common for neighbourhood plans to draw out of their evidence base those buildings and structures that have some local heritage value, rather than leave that information in the evidence documents. This helps draw them to the attention of applicants so they may give early consideration to how they may conserve and enhance that interest in their proposals.</p>
		<p>Policy BCS12 NEW: Dark Skies</p> <p>Add as follows:</p> <p>A. All development proposals should be designed to reduce the occurrence of light pollution wherever possible, or as a minimum, kept to current levels. New or replacement external lighting, and other externally projected lighting, should:</p> <ol style="list-style-type: none"> 1. Demonstrate a need for new external lighting for its intended purpose through clear evidence or significant community demand, permanent street lighting will not be supported; 2. Maintain or enhance the measured pre-development dark sky quality of the surrounding area; 3. Meet or exceed the current guidelines established for rural areas by the Institute of Lighting Professionals (ILP); and 4. Employ energy-efficient forms of lighting that also reduce light scatter. <p>B. Proposals for all development will be expected to demonstrate how it is intended to prevent light pollution. Information on these measures must be submitted with applications, and where a development would potentially impact on light levels in the area, an appropriate lighting scheme will be secured by planning condition.</p>

2017 Made Neighbourhood Plan	Proposed Modified Plan	
		<p>Policy BCS12 5.X There is continued concern of night time coalescence between Brightwell and Wallingford and Didcot. The strategic allocations and transport schemes in and adjacent to the parish has already had a major impact on existing lighting levels. The brightest levels can already be seen to be straying into the village's night sky (see Plan X). Many councils across England support measures to protect and enhance the dark night sky. The policy reflects the purpose and objectives of policies ENVI1 and ENVI2 on Pollution of the SODCLP. To help achieve these objectives the policy is designed to guide decisions on new and replacement lighting and help private householders and businesses make the right lighting choices. For all proposed developments, factors that will be considered when deciding the appropriateness of artificial lighting, include the location, the hours of operation, the quantity of lights proposed, brightness and control, and direction of the beam. Appropriate mitigation and control measures secured by planning conditions to prevent unnecessary light pollution include:</p> <ol style="list-style-type: none"> a. The use of 'curfew hours' (12pm – 6am) through automatic timers, and night-time dimming; b. The use of proximity infrared motion sensors, timers or any additional shielding or coving, including angling the front surface of lights to below the horizontal; c. The use of different surface types to reduce the amount of reflectivity; d. Screening or shielding to reduce the impact of reflectivity; and e. Reflect the latest best practise guidance on light types in terms of lumens, wattage, angle, height, colour warmth, etc. <p>Notes:</p> <p>This new policy captures the importance of dark night skies in the village, as identified in the Design Code, as an integral part of the special character of the landscape and the significance and character of the Conservation Areas.</p>



Source: Light Pollution Map Info VIIRS 2021 [\(Link\)](#)

Radiance information – Brightwell cum Sotwell Conservation Area (Brightwell)

Radiance information – Brightwell cum Sotwell Conservation Area (Sotwell)

Radiance information – Brightwell cum Sotwell Conservation Area (Slade End)

Radiance information – Mackley Conservation Area



2017 Made Neighbourhood Plan	Proposed Modified Plan
	<p>Policy BCS15 <u>NEW: Natural Flood Management</u></p> <p>Add as follows:</p> <p>5.X Brightwell cum Sotwell lies on a springline and thus is at the head of a small catchment that feeds the Millbrook prior to its confluence with the Thames at Wallingford. As such there are likely to be opportunities to carry out improvements to the channels, including the creation of reedbed treatment areas on the streams flowing from the village. These would likely form part of a catchment-wide strategy giving further opportunity for Local Nature recovery and Sustainable Drainage Systems (SuDS) which would be supported by this Plan. Natural flood management (NFM) helps manage flood risk. It does this by protecting, restoring and emulating the natural processes of catchments, rivers, floodplains and coasts.</p> <p>Development proposals should have regard to existing natural flood management processes and should include measures relevant to the nature, scale and location of the proposals including:</p> <ol style="list-style-type: none"> a. planting trees, wetlands and hedges to absorb more water, catch rainfall, slow the flow of water on the ground surface when there is excess rainwater and filter out diffused pollution, historic nitrates and phosphates; b. covering the ground with plants to reduce water pollution and surface water run-off; c. diverting high water flows and creating areas to store water; d. creating leaky barriers to slow water flow in streams and ditches. <p>Notes: This new policy captures the importance of natural flood management measures in reducing flood risk as well as wider ecosystem benefits they may deliver.</p>

Building Performance Policy Context

Add as follows:

The UK Parliament declared an environment and climate emergency in May 2019, after South Oxfordshire District Council which did so in February 2019. The Climate Change Act 2008 is the basis for the UK's approach to tackling and responding to climate change. It requires that emissions of carbon dioxide and other greenhouse gases are reduced and that climate change risks are prepared for. The Act also establishes the framework to deliver on these requirements and commits the UK government by law to reducing greenhouse gas emissions to 'net zero' by 2050.

SODC Local Plan Policy DES10 was developed prior to Government committing the UK in law to 'net zero' by 2050 as per the Climate Change Act 2008 (as amended) and emission cuts of 78% by 2035 to bring UK Law in line with the recommendations of the Committee on Climate Change (CCC) Sixth Carbon Budget Report, and the Paris Agreement commitments. The Tyndall Centre for Climate Research Carbon Budget Tool confirms that South Oxfordshire District Council to make its fair contribution to delivering the Paris Agreement's commitment, an immediate and rapid programme of decarbonisation is needed. At 2017 CO₂ emission levels South Oxfordshire will exceed the recommended carbon budget available until 2050 in 7 years (by 2027).

The Energy White Paper published in December 2020 sets out the government's Vision and 10-point transition plan for how the UK will reach the UK target of 'net zero' carbon emissions by 2050. The White Paper confirms the government's intention to ensure significant strides are made to improve building energy performance to meet this target. This means that by 2030 all new buildings must operate at 'net zero', the means by which this can be achieved is described in the diagram overleaf.

Planning plays an important role in minimising our contribution to and increasing resilience to the effects of climate change. It can provide a positive and encouraging framework for change and can resist harmful development. The CCC highlights that we need to build new buildings with 'ultra-low' levels of energy use. The CCC also makes a specific reference to space heating demand and recommends a maximum of 15-20 kWh/m²/yr for new dwellings.

A 'net zero' carbon building is therefore first and foremost an energy efficient building in which the amount and cost of energy used for heating or cooling is minimised, as is the demand on the energy supply network.

This approach unequivocally focuses on the Energy Hierarchy – BE LEAN, BE CLEAN, BE GREEN, BE SEEN – the latter requiring comprehensive post occupancy monitoring, verification and rectification (if necessary) to ensure buildings perform in the way approved at design stage, ensure planning commitments are delivered and any 'performance gap' issues are resolved.

There is a significant weight of evidence that buildings rarely live up to their designers expectations when completed and occupied, and depart significantly from the standards against which they were certified at design stage. This is known as the 'performance gap' and is a widely acknowledged problem. Research indicates this gap in in-use energy consumption can be anything from 2 to 5 times higher than designed for.

Net Zero Operational Carbon

Ten key requirements for new buildings

By 2030 all new buildings must operate at net zero to meet our climate change targets. This means that by 2025 all new buildings will need to be designed to meet these targets. This page sets out the approach to operational carbon that will be necessary to deliver zero carbon buildings. For more information about any of these requirements and how to meet them, please refer to the: UKGBC - Net Zero Carbon Buildings Framework: BBP - Design for Performance Initiative; RIBA - 2030 Climate Challenge: GHA - Net Zero Housing Project Map; CIBSE - Climate Action Plan; and, LETI - Climate Emergency Design Guide.

Low energy use

- Total Energy Use Intensity (EUI) - Energy use measured at the meter should be equal to or less than:
 - 35 kWh/m²/yr (GIA) for residential¹
 For non-domestic buildings a minimum DEC B (40) rating should be achieved and/or an EUI equal or less than:
 - 65 kWh/m²/yr (GIA) for schools¹
 - 70 kWh/m²/yr (NLA) or 55 kWh/m²/yr (GIA) for commercial offices^{1,2}

- Building fabric is very important therefore space heating demand should be less than 15 kWh/m²/yr for all building types.

Measurement and verification

- Annual energy use and renewable energy generation on-site must be reported and independently verified in-use each year for the first 5 years. This can be done on an aggregated and anonymised basis for residential buildings.

Reducing construction impacts

- Embodied carbon should be assessed, reduced and verified post-construction.³



Low carbon energy supply

- Heating and hot water should not be generated using fossil fuels.
- The average annual carbon content of the heat supplied (gCO₂/kWh) should be reported.
- On-site renewable electricity should be maximised.
- Energy demand response and storage measures should be incorporated and the building annual peak energy demand should be reported.

Zero carbon balance

- A carbon balance calculation (on an annual basis) should be undertaken and it should be demonstrated that the building achieves a net zero carbon balance.
- Any energy use not met by on-site renewables should be met by an investment into additional renewable energy capacity off-site OR a minimum 15 year renewable energy power purchase agreement (PPA). A green tariff is not robust enough and does not provide 'additional' renewables.

Notes:

Note 1 - Energy use intensity (EUI) targets

The above targets include an energy rate in the building. Reported and unreported is measured at the meter and exclude on-site generation. They have been derived from typical hot energy use modelling for best practice; a review of the best performing buildings in the UK; and a preliminary assessment of the renewable energy capacity for UK buildings. They are likely to be revised as more knowledge is available in these three areas. As heating and hot water is not generated by fossil fuels, this accounts for all electric building with other zero carbon fuels and, zero targets are the same as kWh/m²/yr. Once other zero carbon heating fuels are available the metric will be adapted.

Note 2 - Commercial offices

With a typical net to gross ratio, 70 kWh/m²/yr is equivalent to 33 kWh/m²/yr. Building owners and developers are recommended to target to base building rating of a star using the BIPV Design for Performance process based on PAS203.

Note 3 - Whole life carbon

It is recognised that operational emissions represent only one aspect of net zero carbon in new buildings. Reducing whole life carbon is essential and will be covered in separate guidance.

Note 4 - Adaptation to climate change

Net zero carbon buildings should also be adapted to climate change. It is essential that the role of weathering is managed and that cooling is minimised.

Developed in collaboration with:



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The consultation on the 'Future Buildings Standard' announced in January 2021 aims to 'radically improve' the energy performance of new homes ensuring they are 'zero carbon ready' by 2025. This means having high levels of energy efficiency and fabric performance that produce 75 to 80 per cent lower carbon emissions than houses built to current standards.

By 'Zero Carbon Ready' the Government has confirmed this means that no further retrofit work for energy efficiency will be necessary to enable them to become zero carbon homes. To do otherwise, as the Consultation Impact Assessment (CIA) confirms, would create homes which are not fit for purpose and would pass on a significant financial liability to future building occupiers or homeowners, many of whom may be struggling to meet the purchase price or rental costs of their new home in the first place. It could also unnecessarily push householders into fuel poverty. A Climate Change Committee Report in 2019 confirmed the costs of achieving higher energy performance standards via retrofit can be five times the cost (about £25000 per home) compared to designing these requirements into new buildings from the outset.

SODC Local Plan Policy DES10 will require retrofit which will result in disturbance to future occupiers and may contribute to pushing householders into fuel poverty. A recent appeal decision notes "It seems to me folly to build new houses now that will commit owners to potentially expensive and disruptive alterations as the UK moves to decarbonise heating of its housing stock". East Hampshire District Council have also confirmed that it will demand zero-carbon homes in its new Local Plan with the Leader of the Council echoing the Planning Inspector's position: "It is ridiculous that homes being built now will need to be retro-fitted with energy-saving measures in 10 or 15 years' time. Today's homes should be built to meet tomorrow's challenges".

In January 2021, the Government in their response to the Future Homes Standard (FHS) consultation, acknowledged the legislative framework had moved on since the publication of the Written Ministerial Statement (WMS) in March 2015 (HCWS488). The response confirmed that to provide certainty in the immediate term, the Government would allow local energy efficiency standards for new homes to be set locally. This is further supported by the legal opinion supplied by the Environmental Law Foundation in relation to the North Hinksey Neighbourhood Plan which confirms that the WMS from March 2015 appears to have been superseded by subsequent events and should not be read in isolation. To all intents and purposes the WMS is no longer relevant to plan making.

The NPPF states at paragraph 148 that: "The planning system should support the transition to a low carbon future in a changing climate...it should help to shape places in ways that contribute to **radical** reductions in greenhouse gas emissions..." (Plan emphasis)

The NPPF also makes clear that 'landform, layout, building orientation, massing and landscaping' all contribute to well-designed places which are both efficient and resilient to climate change. The Government's Net Zero Strategy: Build Back Greener - October 2021 confirms a commitment to review the NPPF to make sure it contributes to climate change mitigation and adaptation as fully as possible.

There are therefore a number of ways in which climate change may be mitigated in a local area using land use and development management policies. Neighbourhood plans are well suited to providing this policy framework in the interim, where there is an absence of up to date strategic policies at the Local Plan level. Aside from ensuring sustainable patterns of land uses in settlements, policies can be used to minimise the energy demand of buildings, to store carbon and to generate renewable energy. National planning policy encourages each of them but does not specify precisely how a local area should go about realising opportunities.

There are practical ways that each can be delivered in a local area. The Passivhaus standard has been shown to be an effective means of designing for significantly improved energy performance of new and existing buildings. The more buildings, of all uses, that meet this standard, the better. And storing emitted carbon in plant life can reduce atmospheric carbon dioxide that is increasing global temperatures. The more that storage capacity in the local area is increased, the greater the contribution to reducing the pace of temperature increases.

The Government's Heat and Building's Strategy highlights the need for a local, as well as national, response to achieve 'Net Zero' and refers specifically to the 'Local Climate Action' chapter in the Net Zero Strategy. A key commitment of that Strategy being to promote best practice...and share successful net zero system solutions. Policy [no.] is therefore intended as an interim measure until SODC review and update their current policy.

Policy BCS6 will ensure the updated legal framework will apply in the Parish, whereas in the intervening period since its adoption, SODC Local Plan Policy DES10 has become inconsistent with this framework and hence falls short of the Local Planning Authority's duty to act under Section 19(1A) of the Planning and Compulsory Purchase Act 2004, and reflected in NPPF (2021) paragraphs 152 and 153 and footnote 53 ("Plans should take a proactive approach to mitigating and adapting to climate change", "in line with the objectives and provisions of the Climate Change Act 2008"). As such, the Parish Council will willingly offer this policy to SODC to help frame a District-wide policy in the new Local Plan.

Furthermore, Policy BCS6 also applies the 'precautionary principle' which provides the basis to anticipate, avoid and mitigate threats to the environment. Hence, the policy acknowledges the CCC's Sixth Carbon Budget recommendation that delaying action or a failure to follow the critical dates in the 'balanced pathway' will require costly corrective action in the future.

The Government addressed the CCC's recommendation head on in their response to the Future Homes Standard consultation. Confirming that 'it is significantly cheaper and easier to install energy efficiency and low carbon heating measures when homes are built, rather than retrofitting them afterwards'. Failure to implement Policy BCS6 on new development will add to the existing and costly retrofit burden that will be required of the existing housing stock in the Parish; only adding to the costs across the area as a whole.

In respect of the impact of Policy BCS6 on scheme viability, any extra-over cost of building to the 'zero carbon ready' Passivhaus or similar Standard is becoming marginal as skills and supply chains begin to mature. Recent viability evidence for residential development prepared for Cornwall Council by Three Dragons concludes that the additional costs associated with building new dwellings to the standards required in their Sustainable Energy and Construction policy (SEC1) which sets stretching energy use targets similar to Policy BCS6 can be met without jeopardising viability in most cases. This compares favourably with earlier evidence which indicated that costs associated with building to Passivhaus levels are already less than 5% and will fall to zero well within the period of this Neighbourhood Plan, as per both the Government's and CCC's impact assessments and research by the Passivhaus Trust. The policy will ensure that expensive and unnecessary retrofit costs are not passed down to building occupiers in the future, particularly in an area which has relatively high property values. Scheme viability will not therefore be acceptable as a reason for not using the Standard, unless the applicant can demonstrate the scheme has abnormal development costs to accommodate.

Policy BCS6 only applies to the parish of Brightwell-cum-Sotwell and therefore, by definition, is non-strategic (NPPF §28) nor is it considered to undermine SODC Local Plan Policy DES10 (NPPF §29). The NPPF confirms "all plans should" mitigate climate change (NPPF §11a). The policy has both 'regard to' the NPPF and advice issued by the Secretary of State, including the Government's response to the FHS consultation, while also supporting and upholding the general principle that [Local Plan and LP policy number] in particular are concerned with, while providing "a distinct local approach" (PPG ID:41-074). It supports the Local Plan 'as a whole' including its vision and objectives which require the delivery of high environmental standards and mitigating climate change.

In the Parish Council's judgement, the approach taken in Policy BCS6 and the neighbourhood plan 'as a whole' is consistent with the law as it currently stands and its interpretation of paragraphs 8(2)(a)&(e) of Schedule 4B of the TCPA 1990.

'Emergency' – "a sudden serious and dangerous event or situation which needs immediate action to deal with it"

Amended by Climate Change Act 2008 (2050 Target Amendment) Order – SI 2019/1056 - 26 June 2019

The Climate Change Act established a long-term legally binding framework to reduce emissions, initially committing the UK to reducing emissions by at least 80% below 1990/95 baselines by 2050. In June 2019, following the IPCC's Special Report on Global Warming of 1.5°C and advice from the independent Committee on Climate Change, the CCA was amended to commit the UK to achieving a 100% reduction in emissions (to net zero) by 2050. 2019 UK Greenhouse Gas Emissions: BEIS Feb 2021 ([Link](#))

The Govt communicated to the UN the UK's contribution to the agreement on 12 Dec 2020

The Tyndall Carbon Budget Tool: Quantifying the Implications of the Paris Agreement for Local Authorities. Dec 2021 ([Link](#))

LETI Climate Emergency Design Guide ([Link](#))

The UK housing: Fit for the future? report published by the Committee on Climate Change in February 2019 recommends ultra-low levels of energy use and a space heating demand of less than 15-20 kWh/m²/yr. ([Link](#))

The costs and benefits of tighter standards for new buildings report, produced by Currie & Brown and AECOM for the Committee on Climate Change's UK housing: Fit for the future? Report ([Link](#))

Section 3.3. The Future Buildings Standard consultation, Jan 2021 ([Link](#))

UK Green Building Council response to Future Buildings Standards consultation, April 2021 ([Link](#))

Government response to Recommendation 4 of HCLG Select Committee, 13 January 2022 ([Link](#))

Paragraph 1.7 The Future Buildings Standard consultation impact assessment, Jan 2021 ([Link](#))

The Costs and Benefits of tighter standards for new buildings; Final Report for Climate Change Committee 2019 ([Link](#))

APP/K1128/W/20/3252623 paragraphs 59 and 60: 15 November 2021 ([Link](#))

Council calls for zero-carbon homes, November 2021 ([Link](#))

The Future Homes Standard : 2019 Consultation on changes to Part L (conservation of fuel and power) and Part F (ventilation) of the Building Regulations for new dwellings.

Summary of response received and Government response; MHCLG. Exec Summary Page 4. ([Link](#))

Appendix 1 Evidence and arguments for binding Energy Efficiency policies in neighbourhood plans ([Link](#))

The Sixth Carbon Budget: The UK's Path to Net Zero; Committee on Climate Change, December 2020. Table 3.2a page 112. ([Link](#))

ibid (vi): Paragraph 5.3 'Retrofit Costs'.

ibid (vii): Paragraph 1.4 'Net zero emissions and climate change.'

Cornwall Council Climate Emergency Development Plan Viability Assessment Update: Three Dragons November 2021 ([Link](#))

Ibid Footnote 17

BDW Trading Limited vs Cheshire West and Chester Borough Council and Tattenhall Neighbourhood Plan (2014 - EWHC 1470 - Paragraph 82)

Crownhall Estates Ltd vs Chichester DC and Loxwood PC (2016 EWHC 73 - Paragraph 29ii)

²⁴ Amended by Climate Change Act 2008 (2050 Target Amendment) Order – SI 2019/1056 - 26 June 2019

²⁵ The Climate Change Act established a long-term legally binding framework to reduce emissions, initially committing the UK to reducing emissions by at least 80% below 1990/95 baselines by 2050. In June 2019, following the IPCC's Special Report on Global Warming of 1.5°C and advice from the independent Committee on Climate Change, the CCA was amended to commit the UK to achieving a 100% reduction in emissions (to net zero) by 2050. 2019 UK Greenhouse Gas Emissions: BEIS Feb 2021 ([Link](#))

²⁷ The Govt communicated to the UN the UK's contribution to the agreement on 12 Dec 2020

²⁸ The Tyndall Carbon Budget Tool: Quantifying the Implications of the Paris Agreement for Local Authorities. Dec 2021 ([Link](#))

²⁹ LETI Climate Emergency Design Guide ([Link](#))

³⁰ The UK housing: Fit for the future? report published by the Committee on Climate Change in February 2019 recommends ultra-low levels of energy use and a space heating demand of less than 15-20 kWh/m²/yr. ([Link](#))

³¹ The costs and benefits of tighter standards for new buildings report, produced by Currie & Brown and AECOM for the Committee on Climate Change's UK housing: Fit for the future? Report ([Link](#))

³² Section 3.3. The Future Buildings Standard consultation, Jan 2021 ([Link](#))

³³ UK Green Building Council response to Future Buildings Standards consultation, April 2021 ([Link](#))

³⁴ Government response to Recommendation 4 of HCLG Select Committee, 13 January 2022 ([Link](#))

³⁵ Paragraph 1.7 The Future Buildings Standard consultation impact assessment, Jan 2021 ([Link](#))

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³⁷ APP/K1128/W/20/3252623 paragraphs 59 and 60: 15 November 2021 ([Link](#))

³⁸ Council calls for zero-carbon homes, November 2021 ([Link](#))

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⁴⁰ Appendix 1 Evidence and arguments for binding Energy Efficiency policies in neighbourhood plans ([Link](#))

⁴¹ The Sixth Carbon Budget: The UK's Path to Net Zero; Committee on Climate Change, December 2020. Table 3.2a page 112. ([Link](#))

⁴² ibid (vi): Paragraph 5.3 'Retrofit Costs'.

⁴³ ibid (vii): Paragraph 1.4 'Net zero emissions and climate change.'

⁴⁴ Cornwall Council Climate Emergency Development Plan Viability Assessment Update: Three Dragons November 2021 ([Link](#))

Add as follows:

Pulling on latest guidance and best practice, this guidance note sets out how Post-Occupancy Evaluation (POE) should be undertaken.

1.01 Post-Occupancy Evaluation (POE) is the method of obtaining feedback on a building's energy performance 'in use', to ensure it measures up to the commitments made by the team that designed and built it. It offers significant potential to address the performance gap and occupant satisfaction.

1.02 Where a monitoring regime to ensure the 'as designed' building performance targets are achieved in practice for all new and refurbished buildings is required, it is important that data is collected robustly, following good practice POE principles. It is therefore recommended that for residential development the POE methodology in section 11.4 of the Home Quality Mark ONE: Technical Manual: England, Scotland & Wales SD239 (2018)58, or as updated, is used as a guide for meeting this requirement. For non-residential buildings the BSRIA Soft Landings and Design for Performance framework (BG 76/2019), or as updated, may be used.

1.03 Applicants are required to set out in their Energy Statement how their monitoring regime, based on the HQM, BISRIA or similar methodology, will work in practice and be independently verified by a third party. The Energy Statement to be submitted with the planning application.

1.04 As each new or refurbished building comes into use, the developer must ensure performance monitoring and data collection for all relevant parameters for one whole year is carried out once the building is substantially occupied, in line with good POE practice for residential or non-residential uses. This verification process should entail, after appropriate commissioning has taken place, comparison of the 'as designed' parameters (energy, carbon, air quality and overheating risk) to monitoring data under the same categories, to assess and compare actual performance.

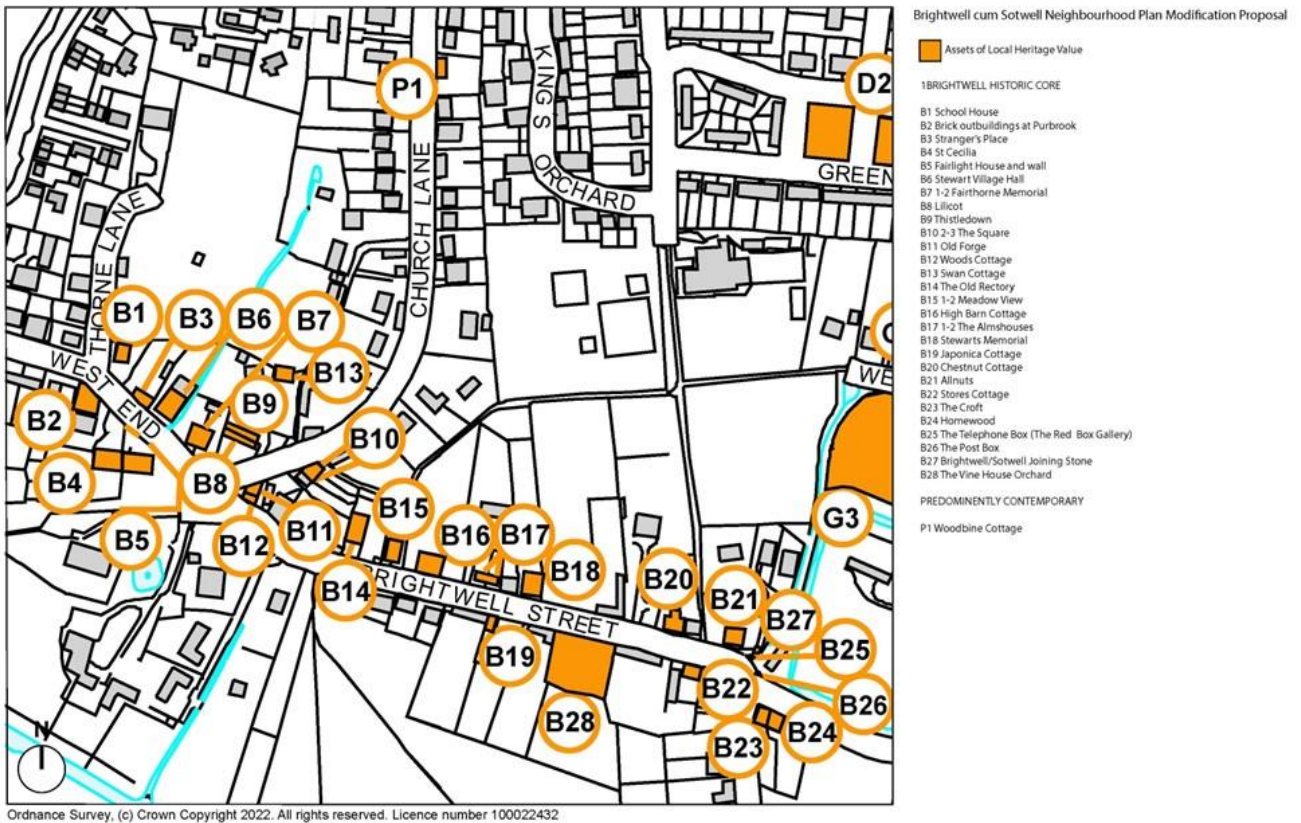
1.05 In order to account for seasonality, a minimum of 12 months monitoring data is required. On the other hand, to account for actual weather, the modelling results can be adjusted with degree days for the relevant year.

1.06 A 'performance gap metric', which will compare designed and actual performance (e.g. a percentage difference) for each of the 4 required parameters (energy, carbon, air quality and overheating risk) should be issued at POE stage. This needs to be issued for both the 'central' scenario and the 'lowest acceptable performance /reasonable worst-case scenario' as a minimum, with multiple scenarios considered if at all possible.

1.07 The process and reporting methodology used for the POE will need to be repeatable, so that performance can be monitored for at least 2 annual space heating cycles.

1.07 A report will then be required to be submitted to both building owners/occupiers and to South Oxford District Council, which states the performance gap metric and identifies any reasons for deviation from predicted energy usage, carbon emissions, indoor air quality and overheating performance, as well as recommendations for reasonable corrective action that will be taken to reduce or eliminate the performance gap.

1.08 The submission of the monitoring report to owners/occupiers and the council must be secured by planning condition, to be determined at the time of application based on case-specific factors. The applicant must demonstrate that the reasonable corrective actions committed to in the monitoring report, and subsequently agreed by South Oxfordshire District Council, have been implemented through another annual heat cycle before the condition will be discharged.





Brightwell cum Sotwell Neighbourhood Plan Modification Proposal

Assets of Local Heritage Value

SOTWELL HISTORIC CORE

- S1 Mount Vernon
- S2 North Barn
- S3 South Barn
- S4 Old Woodlands House
- S5 Blackstone House
- S6 1-2 Sotwell Manor
- S7 Little Barn
- S8 New Barn Court
- S9 Hazel Cottage
- S10 Old Barn
- S11 The Granary Barn
- S12 Rose Cottage
- S13 White Cottage
- S14 South Cottage
- S15 Meadowcroft
- S16 Barncroft
- S17 Pleasant Cottage
- S18 Honeysuckle Barn
- S19 Red House (West, Centre, East) inc wall
- S20 Brightwell Free Church
- S21 St James's House
- S22 Post Box
- S23 Rainbow House

GREEN HEART

- G1 Spring Cottage
- G2 1, 3, 4 Wellsprings
- G3 Paddock behind Sotwell House

DESIGNED ESTATES

- D1 Datchet Green
- D2 Greenmere The Greens

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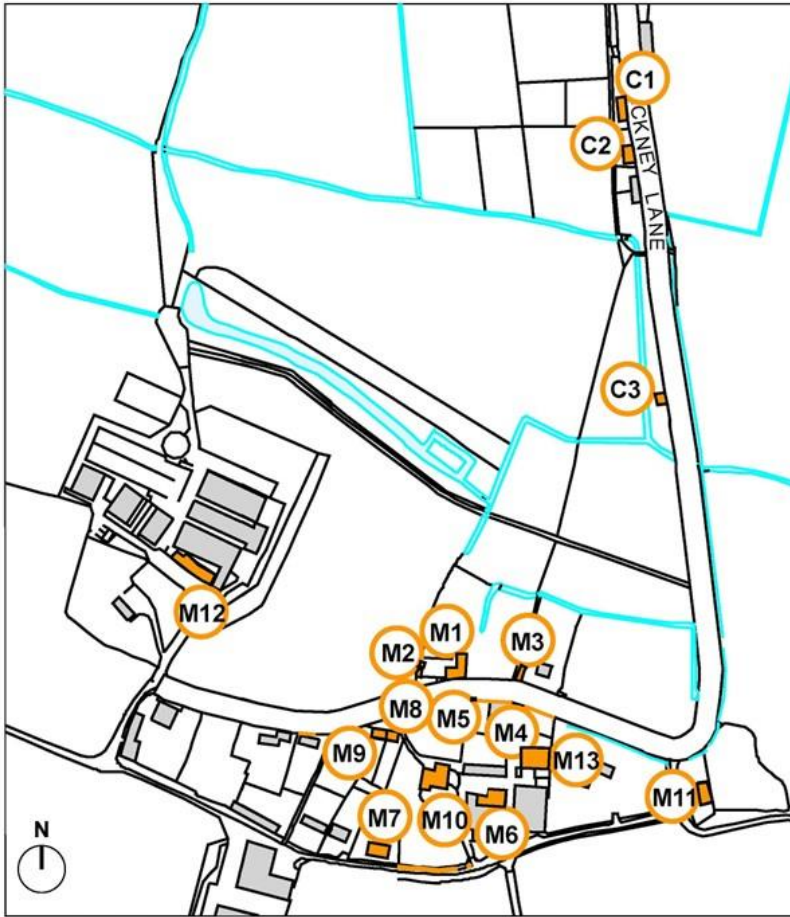
Brightwell cum Sotwell Neighbourhood Plan Modification Proposal

Assets of Local Heritage Value

SLADE END

- SE1 Elmleigh
- SE2 Cappalside Cottage
- SE3 Coombe House
- SE4 Slade End Cottage
- SE5 Slade End Sarcen Stone

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Assets of Local Heritage Value

MACKNEY

- M1 The White House
- M2 Granary Barn at White House
- M3 Outbuilding at Ashley
- M4 Sherwood Farm Wall
- M5 Mackney Post Box
- M6 Black Barn at Sherwood Farm
- M7 Elm Cottage
- M8 1 Sherwood Cottage
- M9 3,4 Sherwood Cottages
- M10 Sherwood House inc. wall
- M11 Malthouse Cottages
- M12 Mackney Court Farm Barn
- M13 Granary Barn Sherwood Farm

COUNTRYSIDE

- C1 Workmans Cottage Mackney Lane
- C2 Wilkins Cottage Mackney Lane
- C3 Hope Cottage Mackney Lane

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Assets of Local Heritage Value

PREDOMINANTLY CONTEMPORARY

- P2 Little Thatch
- P3 Pound Cottage
- P4 1-7 High Road

COUNTRYSIDE

- C15 Pillbox FW2/28A west of Benson Lock
- C16 Haddon Close
- C20 The Highlands

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Brightwell cum Sotwell
Neighbourhood Plan
Modification Proposal

Assets of Local Heritage Value

COUNTRYSIDE

- C4 Shillingford Bridge Hotel
- C5 The Lodge Clapcot
- C6 Barn Cottage Clapcot
- C7 Rush Barn
- C8 Severalls Farm House
- C9 Saxon Barn
- C10 Meadow View Barn
- C11 The Bothy
- C12 Severalls Farm Hay Barn
- C13 The Stables
- C14 Severalls Farm Cottages
- C17 North Farm
- C18 North Farm Barn
- C19 1-2 North Farm Cottages
- C21 Thames Conservancy Marker
- Shillingford Point

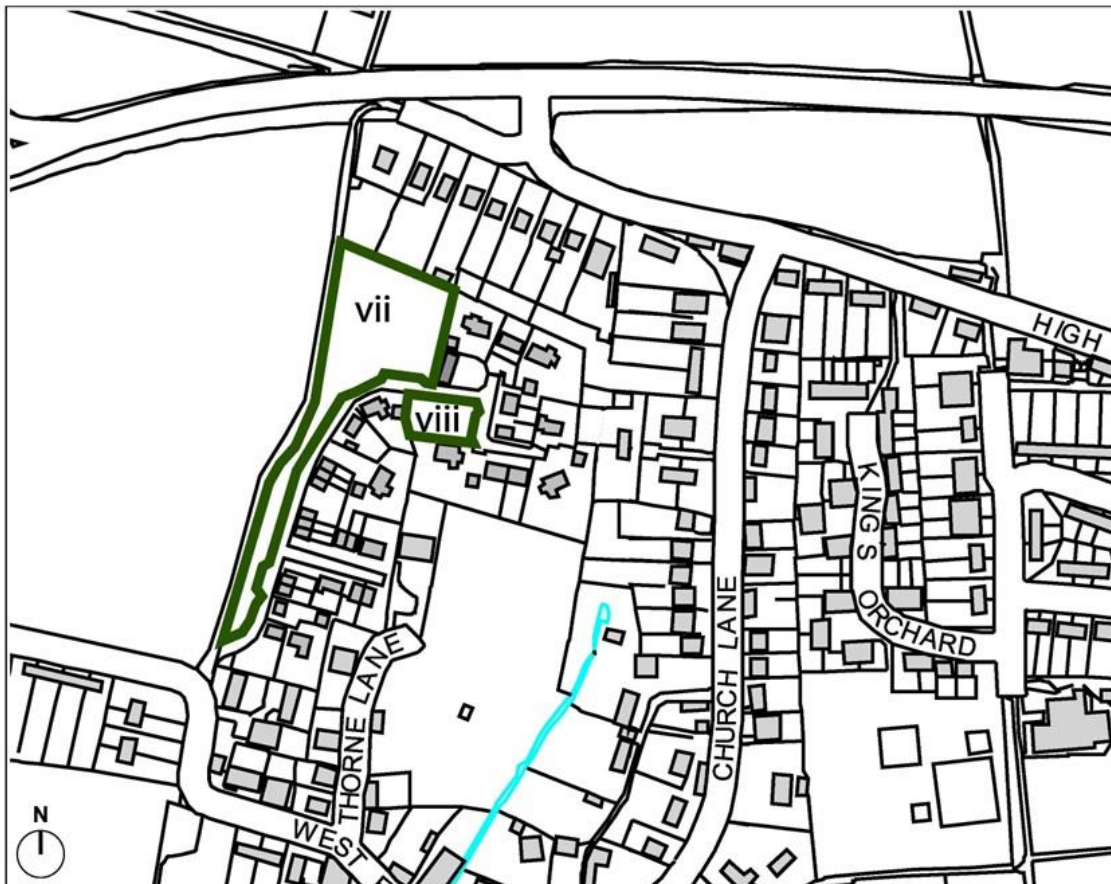


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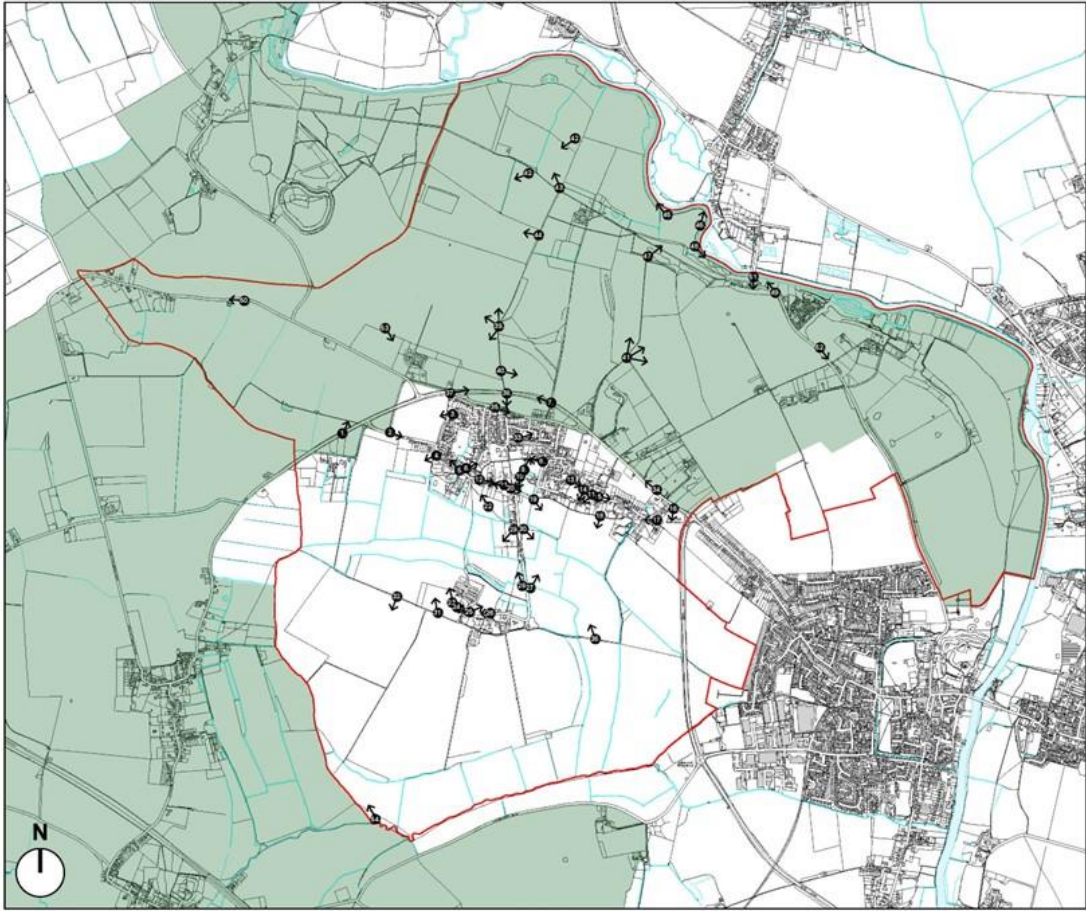
Brightwell cum Sotwell
Neighbourhood Plan
Modification Proposal

Proposed Local Green Spaces

- vii Little Martins Meadow
- viii Little Martins Green

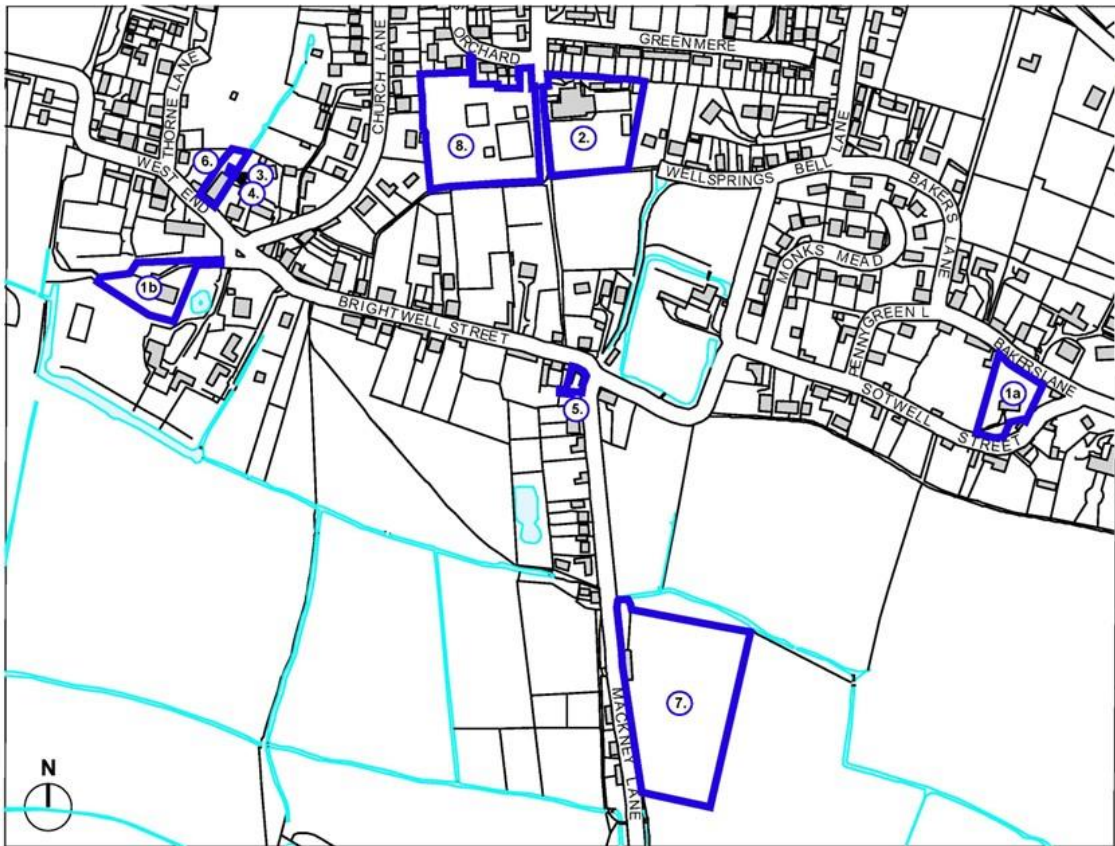


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- Brightwell cum Sotwell
Modified Neighbourhood Plan
Policies Map February 2022**
- Parish Boundary
 - Key Views
 - North Wessex Downs AONB

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- Brightwell cum Sotwell
Neighbourhood Plan
Modification Proposal**
- Community Facilities
 1. The Churches
 - a. St. James
 - b. St. Agatha's
 2. The Village School (and Pre School)
 3. The Village Stores
 4. The Post Office
 5. The Red Lion public house
 6. The Village Hall and parish car park
 7. The Recreation ground and Pavilion
 8. Kings Meadow

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Brightwell cum Sotwell
Neighbourhood Plan

The Clerk

Brightwell Cum Sotwell Parish Council

Stewart Village Hall

West End

Brightwell cum Sotwell