

Brightwell cum Sotwell Neighbourhood Plan Review - publicity period

Response 1

Respondent Details

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Q1. Are you completing this form as an:
Organisation

Your comments

<p>Q2. You can provide your comments on the Brightwell cum Sotwell Neighbourhood Plan Review below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.</p>
<p>South Oxfordshire District Council has worked to support Brightwell cum Sotwell Parish Council in the preparation of their neighbourhood plan review and compliments them on a thoughtful, comprehensive and well produced plan.</p> <p>In order to fulfil our duty to guide and assist, required by paragraph 3 of Schedule 4B to the Town and Country Planning Act 1990 (as amended), the council commented on the emerging Brightwell cum Sotwell Neighbourhood Development Plan (NDP) review during the pre-submission consultation.</p> <p>We are committed to helping this plan succeed. To achieve this, we offer constructive comments on issues that require further consideration. To communicate these in a simple and positive manner; we have 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.</p> <p>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 draft plan review meets the basic conditions.</p> <p>Yours faithfully ██████████ Senior Planning Policy Officer (Neighbourhood Planning)</p>

Q3. You can upload supporting evidence here.

- File: 2023-04-12 Reg 16 Response Brightwell cum Sotwell Review.docx [REDACTED]

Public examination

Q6. Most neighbourhood plans are examined without the need for a public hearing. If you think the neighbourhood plan requires a public hearing, you can state this below, but the examiner will make the final decision. Please indicate below whether you think there should be a public hearing on the Brightwell cum Sotwell Neighbourhood Plan Review:

No, I do not request a public examination

Your details and future contact preferences

Q8. After the publicity period ends, your comments, name, email and postal address will be sent to an independent examiner to consider. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

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Q9. How did you find out about the Brightwell cum Sotwell Neighbourhood Plan Review consultation?

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Policy and Programmes

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Listening Learning Leading

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12 April 2023

Brightwell cum Sotwell Neighbourhood Development Plan Review – Comments under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (As Amended)

South Oxfordshire District Council has worked to support Brightwell cum Sotwell Parish Council in the preparation of their neighbourhood plan review and compliments them on a thoughtful, comprehensive and well produced plan.

In order to fulfil our duty to guide and assist, required by paragraph 3 of Schedule 4B to the Town and Country Planning Act 1990 (as amended), the council commented on the emerging Brightwell cum Sotwell Neighbourhood Development Plan (NDP) review during the pre-submission consultation.

We are committed to helping this plan succeed. To achieve this, we offer constructive comments on issues that require further consideration. To communicate these in a simple and positive manner; we have 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 draft plan review meets the basic conditions.

Yours faithfully

[REDACTED]

[REDACTED]

Senior Planning Policy Officer (Neighbourhood Planning)

Neighbourhood Plan Comments		
Ref.	Section/Policy	Comment/Recommendation
1.	General comments - Equalities	<p>Our Equalities Officer has highlighted that the use of strikethrough can be confusing for people with visual impairments. We recommend removal of these.</p> <p>We also recommend changing bold italic text to bold-only, as bold italic text is also difficult for people with visual impairments to read. We would consequently recommend the following amendment on page 17:</p> <p style="text-align: center;">the policy itself is written in bold italics for ease of reference.</p>
2.	Page 4	<p>We recommend the following amendments to provide the most up-to-date information:</p> <p style="text-align: center;">This report forms the Brightwell-cum-Sotwell Parish Modified Neighbourhood Plan Review 2011 – 20325.</p>
3.	Page 14 4.6	<p>We recommend amendments to this sentence for clarity:</p> <p style="text-align: center;">4.6 A qualified planning consultant was appointed to guide the neighbourhood plan subcommittee and to ensure that the draft neighbourhood plan met the basic conditions.</p>
4.	<p>Page 18 Policy BCS1- Brightwell cum Sotwell Village Boundary</p> <p>(linked with Policies BCS9, BCS10 and BCS17)</p>	<p>This policy and several other modified/new polices require development proposals to 'accord with the design code of Policy BCS6', however Policy BCS6 does not require accordance. It asks development to 'have full regard to the essential design considerations and general design principles' contained in the design code. 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 of relevant policies as follows:</p>

		<p>'have full regard accord with to the local design code of Policy BCS6'. (This recommendation would also apply to Policies BCS5, BCS9, BCS10, BCS13 and BCS17).</p> <p>We also recommend the following typographical amendment to the policy:</p> <p>...and they are consistent with l other relevant policies of the development plan</p>
5.	Page 19	<p>We recommend the following amendments to these sentences, as the first is not precise – this infers detail in Local Plan policies that is not stated.</p> <p>However, as the Local Plan 2035 Policies STRAT1 and EMP10 make clear, small villages are not sustainable locations for the release of green field land for schemes of this type of development. In which case, The focus of this policy is on supporting the improvement of the existing business locations in the Parish and enabling new infill development within the Boundary if it is suitable in all other respects.</p>
6.	Page 21 Policy BCS3	Some of the policy numbering has moved out of place in text editing; we therefore recommend reinstatement of the policy criteria at vi-viii.
7.	Page 24 Policy BCS4A: Slade End Farm	Some of the policy numbering has moved out of place in text editing; we therefore recommend reinstatement of the policy criteria at vi-ix.
8.	Page 25 BCS4B: Strange's (Slade End) Nursery	Some of the policy numbering has moved out of place in text editing; we therefore recommend reinstatement of the policy criteria from vi onwards.
9.	Page 27 Policy BCS5	Though the approach taken in Policy BCS5 sets out to guide the element of proportionality required by the Written Ministerial Statement (2021) on First Homes, it imposes arbitrary restrictions on the size and yield of any such schemes, rather proposing an approach on the evidence necessary to assess the proportionality of a scheme. We recommend amendments that emphasise the need for evidence to ensure that sites

		<p>coming forward meet local needs. Please see the examiner's report, paragraph 7.40, regarding the Tiddington with Albury NDP for further analysis of a similarly-drafted policy.</p> <p>We therefore recommend replacement of the policy with the following wording:</p> <p style="text-align: center;">Proposals for a First Homes Exception Site will be supported subject to the following criteria:</p> <ul style="list-style-type: none"> • the scheme is supported by robust evidence of demonstrable local needs and does not exceed 5% of the size of the existing settlement; • at least one of the boundaries of the site entirely adjoins the defined Village Boundary of Policy BCS1 and does not lie within the Green Heart of Policy BCS12; • it can be demonstrated that the scheme will avoid areas at risk of flooding and not cause unacceptable harm to identified Key Views or cause unacceptable harm to the visual separation of settlements. <p>At paragraph 5.31 we recommend adding 'after the discount has been applied' after '£250,000' for clarity.</p> <p>Part B sets out: 'Proposals for Specialist Accommodation for Older People will not be supported.' This conflicts with the approach for this type of housing in the Local Plan, as Policies H1 and H13 of the Local Plan support this accommodation type in locations that are well connected to public transport and local facilities. 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 therefore recommend that Part B is removed.</p>
10.	Page 29 Policy BCS7	We recommend the following amendment, to provide clarity and consistency in approach:

		Proposals that will result in harm to, or unnecessary loss of, an Asset of Local Heritage Value will not be supported be resisted , unless it can be demonstrated that there is a public benefit that outweighs the harm or loss
11.	General comment	<p>There does not appear confirmation that owners of all relevant Assets of Local Heritage Value in Policy BCS7 and Appendix E Inventory of Assets of Local Heritage Value have been notified that they are proposed as such. Historic England advise, regarding local heritage lists, that:</p> <p>(para 33) The management of any non-designated heritage asset on a local heritage list will also be easier if it is included on the list with the knowledge of the owner. Owners should be advised of the intention to locally list an asset, including an explanation of the planning implications, but it is important to put in place a process for handling requests not to designate. Local heritage listing is a good opportunity to develop a dialogue with owners and to provide them with information on the significance of their property.</p> <p>We recommend that clarification is sought on this matter.</p>
12.	Page 32 Policy BCS8	<p>We recommend the following amendment, to provide clarity in approach that is within the remit of a Neighbourhood Development Plan:</p> <p>New development will not be permitted supported on land designated as Local Green Space except in very special circumstances.</p>
13.	Page 34	<p>We recommend rewording this supporting text to provide clarity:</p> <p>It operates in conjunction with Policy BCS1 which relates to the effects of the use of land within and outside of the village boundary.; this policy relates to the appearance of development that may otherwise be a suitable use of land.</p>
14.	Page 35 para 5.51	<p>We recommend amendments to the supporting text for clarity; as some of the added text (particularly regarding design statements) is not directly reflected in the policy (BCS10) itself:</p>

		<p>5.51...The policy does not seek to impose a blanket restriction on development around or inside the villages but highlights development proposals requires design statements to show that proposals on development around or inside the villages but requires design statements to show that proposals, including the impact of street lighting that could affect the night time character of the parish, will should not harm this parish character (for example, the impact of street lighting that could affect the night time character of the parish).</p>
15.	Page 36 BCS11 Dark Skies	<p>This policy is very prescriptive, as it seeks to ensure that lighting levels are retained at current levels, or reduced. In some cases, this may be practicable and in other cases it will not be the case. Please see the examiner's report, paragraph 7.62, regarding the Tiddington with Albury NDP for further analysis of a similarly-drafted policy. We therefore recommend the following replacement wording to provide the clarity required by the NPPF and to allow the policy to be implemented it in a consistent way throughout the Plan period:</p> <p>Development proposals should conserve and enhance relative tranquillity in relation to light pollution and dark night skies. Development proposals should also demonstrate that they meet or exceed the Institute of Lighting Professionals guidance and other relevant standards or guidance (CIE 150:2003 Guide on the Limitation of the Effects of Obtrusive Light from Outdoor Lighting Installations), or any equivalent replacement/updated guidance for lighting within environmental zones. Development proposals which include lighting should ensure that:</p> <ul style="list-style-type: none"> • the measured and observed sky quality in the surrounding area is not reduced; • the lighting concerned is not unnecessarily visible in nearby designated and key habitats; • the visibility of lighting from the surrounding landscape is avoided; and

		<ul style="list-style-type: none"> • building designs should avoid large areas of glazing which would result in light spillage into rural and unlit areas.
16.	Page 45 Policy BCS13	<p>We recommend the following typographical amendments to the policy:</p> <ul style="list-style-type: none"> • remove strikethrough text • development proposals <p>As highlighted in our previous consultation response, it is 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 wording, to ensure it can be applied consistently:</p> <p style="text-align: center;">‘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:’</p> <p>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...’</p> <p>As highlighted in our previous consultation response, the council’s Countryside Officer raised concerns about NDPs requiring net gain delivery <i>within</i> their parish area, as it can be too restrictive. (However, it is noted that the phrase ‘wherever possible’ adds some flexibility). We recommend the addition (as an asterisk/paragraph added to the policy, or as an explanation in supporting text) of a clear strategy for delivering local gains, such as highlighting where they would be located; what particular habitat types the parish would want to see delivered; and what is important locally – e.g., what needs to be improved or restored. This would add clarity to the policy.</p>
17.	Page 47 Policy BCS16	We recommend correcting the typographical error in policy criteria iii: significeant

18.	Page 50 Policy BCS17 Community Facilities	<p>We recommend correcting the typographical error in policy criteria i:</p> <p>it would lead to the significant improvement or the replacement of an existing community facility within the defined Village Boundary of Policy BCS1 and with equivalent or improved facilities...</p> <p>and we recommend the following amendment, for clarity in approach, and consistency with the rest of the NDP, and the remit of a NDP:</p> <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 supported permitted, unless:</p> <p>The policy is adding a new test regarding land or a facility that 'is no longer suited to any other type of community facility use'. As we highlighted in our previous consultation response, 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 a building/land being left vacant. We therefore recommend removal of this final test from criteria ii.</p> <p>As we also highlighted in our previous consultation response, 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 therefore 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>
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		This will ensure the policy has regard to National Planning Policy Framework paragraph 85, recognising that sites to meet community needs in rural areas may have to be found adjacent to or beyond existing settlements.
19.	Page 53	To ensure clarity and consistency with the rest of the NDP's sustainable building guidance, we recommend the following amendment for clarity, because this is not a policy and therefore cannot make a specific requirement: Schemes are encouraged to have undertaken a Whole Life-Cycle Carbon Emission Assessment
20.	Page 56-7	We recommend enhancing the key view numbers on these maps for precision, for accessibility for visually-impaired readers.
21.	Page 60	We recommend adding BCS4A, BCS4B and BCS4C to the map title, for clarity regarding the policies it relates to.
22.	Page 62	There are 'P' 'B' and numerical labels on this map that are not referenced in the key. We recommend the addition of these, for clarity.
23.	Page 65	'D1' on this map is not referenced in the key. We recommend adding this, for clarity.
Design Code Comments		
Ref.	Section/Policy	Comment/Recommendation
24.	General comment	The South Oxfordshire Design Guide was superseded by the Joint Design Guide in 2022. We recommend, for clarity and to provide up to date information, that the following pages are updated to address this as follows: Page 4 - The Design Code Document refines the Joint Design Guide that covers the whole of South Oxfordshire and Vale of White-Horse Districts. The Joint

		<p>Design Guide is expected to replace the South Oxfordshire Design Guide 2016 following its adoption.</p> <p>Page 7 - Update map and title, where the source is 'South Oxfordshire Design Guide'.</p> <p>Page 34 - Archaeology in South Oxfordshire is looked after centrally across the whole county by Oxfordshire County Council who will be consulted as per the South Oxfordshire Joint Design Guide.</p> <p>Page 46 - With the exception of two northern parcels of land lying in the River Thames Corridor Landscape Character Area, the South Oxfordshire Joint Design Guide identifies Brightwell-cum-Sotwell as lying within the Wessex Downs; it also lies in the and Western Vale Fringes Landscape Character Area, part of the north face of the North Wessex Downs, made up of smoothly rounded open hills and dry and wooded valleys, a typical chalkland scenery.</p>
25.	General comment	There are a number of instances of the phrase 'perimeter blocks will therefore be resisted' in the Design Code. We recommend this is amended to 'be discouraged'.
26.	Page 34	This states 'there are 51 listed buildings or structures in Brightwell-cum-Sotwell', however only 48 bullet points are listed. To ensure precision, we recommend converting the list to a table, to show what is counted as one, as some bullets mention attached walls or barns and it is not clear whether these are counted as one or two listed buildings.
27.	Maps page 35-37	The maps on page 35-37 show a number of features including 'Important Trees' and 'Important Open Space'. As we highlighted in our previous comments, it would be useful if these maps could be made available separately, or even online if possible, to ensure precision, as it will be difficult for those using the design guide to view the relevant information (trees, for example) on such a small map.

	Maps - general	We also recommend removing the dates (e.g., 'February 2022') from all map keys as they will otherwise quickly appear out of date.
28.	Page 39	There does not appear to be an 'important open space' area on this map and also its symbol could be confused with the 'track' symbols on the map. We therefore recommend the key for this item is removed, for clarity.
29.	Page 46-48	We recommend the keys are enlarged and text quality enhanced, as readers that are visually impaired will be unable to see the text, even when 'zoomed in'.
30.	Page 57	We recommend, to ensure precision, adding light and dark blue lines to the key and adding their respective labels, to ensure all colour coding is accounted for.
31.	Page 58	We recommend, to ensure precision, adding a light blue line to the key and adding its label (e.g., drain/stream), to ensure all colour coding is accounted for.
32.	Page 60	<p>As we highlighted in our previous consultation response, it is not immediately obvious how an applicant would 'acknowledge' an 'Important Tree', for example. We recommend adding the following text to all of the appropriate sentences on this page, for clarity:</p> <p style="text-align: center;">'In the contextual analysis, proposals, where relevant, should acknowledge...'</p> <p>This is because some proposals won't need to 'acknowledge', for example, certain views or buildings, where these won't be affected by it, due to location or other relevant factors.</p>
33.	Page 63	The strapline ('recent extensions and modernisation of existing dwellings') does not match the photographs on this page. We recommend the strapline is removed.
34.	Page 70	As we highlighted in our previous consultation response, regarding BH1.9.3, it would be helpful to reconsider the reference to 'recent development', as over time this reference will become out of date. We recommend the following amendment, to ensure precision:

		Proposals should include the use of a variety of architectural styles and traditional building materials. The recent development of Little Martins development is a good example of modern development using a simple, traditional and local vernacular approach to appearance.
35.	Page 74	<p>We recommend the following amendment for clarity, as the addition of trees and hedges will not be relevant to every type of development:</p> <p style="padding-left: 40px;">Proposals should (where relevant) include trees and hedges of local indigenous species and avoid the planting of more exotic imports and non-native species in landscape schemes</p> <p>This recommendation applies to all instances of this sentence throughout the Design Code.</p>
36.	Page 81 and general comment regarding all instances of 'Guidance: Sustainable Building'	<p>To ensure clarity and consistency with the rest of the NDP's sustainable building guidance, we recommend the following amendment, because this is not a policy and therefore cannot make a specific requirement:</p> <p style="padding-left: 40px;">Schemes are encouraged to have undertaken a Whole Life-Cycle Carbon Emission Assessment</p>
37.	Page 117	<p>We recommend inserting italics for all of the Joint Design Guide quotations, to ensure clarity and consistency with the rest of the Design Code.</p> <p>We recommend the following amendments, as junction works would not be within the remit of a neighbourhood plan or design code:</p> <p style="padding-left: 40px;">SE3.10.1 Any new access points off rural lanes should wherever possible, retain trees, hedgerows and verges and replace as much lost planting as possible. Junction improvements should reduce the area of carriageway required and realign the road edge without using road markings. Kerbing should be kept to a minimum to avoid suburbanising the historic hamlet.</p>

	General comment	The phrase 'without using road markings' is used multiple times throughout the document. As we explained in our previous consultation response, we understand why this has been added, but for highways purposes the addition of road markings are most likely necessary. Unless this phrase has been agreed with the Local Highways Authority (Oxfordshire County Council) we recommend this phrase is removed as above.
38.	Page 191-2	We recommend the insertion of a colour-coded key, as currently these maps indicate multiple colours to which no key can be referred to. We also recommend enhancing the quality of the map on page 192 for clarity, as it is blurred.
39.	Page 70 1.9.2 Page 142 1.9.2 Page 155 1.9.2	As we explained in our previous consultation response, it is not clear what these sections are aiming to achieve. If the goal is to avoid apartment buildings/flatted accommodation (as all other accommodation types are listed on these pages), it is important to bear in mind these can be delivered sympathetically (i.e., to look like a house). SODC Local Plan Policy H11: Housing Mix states: 1. A mix of dwelling types and sizes to meet the needs of current and future households will be sought on all new residential developments. and 5. The mix of housing should have regard to the Council's latest evidence and Neighbourhood Development Plan evidence for the relevant area. As the NDP does not appear to provide any specific further evidence why it opposes these housing types, we recommend these particular 1.9.2 sentences are removed.
40.	General comment	We recommend the following amendment for clarity across the code, as it is not always possible to use native trees:

		Proposals, where possible , should include trees and hedges of local indigenous species and avoid the planting of more exotic imports and non-native species in landscape schemes.
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Typographical Amendments - Recommendations:

Neighbourhood Plan		
Ref.	Section/Policy	Comment/Recommendation
The council recommends the following typographical amendments, set out in bold/strikethrough and green highlights to address punctuation changes:		
1.	All	Correct all instances of strikethrough edits, as suggested by the NDP and council recommendations in this document.
2.	Page 4	Amend text as follows: The parish forms a desirable place to live, although with an ageing population and identified housing need.
3.	Page 8	Amend text as follows: The designated area is shown in Plan A opposite. the Parish Council must be able to show that it has properly consulted local people and other relevant organisations during the process of modifying its Neighbourhood Plans A Modification Proposal and Statement contained the draft proposals and was consulted on during m March – May 2022.
4.	Page 9	Amend text as follows: which established that the modifications to the BCSNP is are unlikely to have significant

		<p>The estates were separated from the historic core of the village by a strip of field and orchard but linked by the footpath network.</p> <p>2.5 In 2014, the parish council published its ten-year vision in the Brightwell-cum-Sotwell Community Led Parish Plan.</p>
5.	Page 11	<p>Remove paragraph lines at 3.3 and 3.4.</p> <p>Neighbourhood planning (paragraph 28-30)</p> <p>SODC and the Vale of White Horse District Council have come together to work on a new joint local plan Joint Local Plan. The emerging Joint Local Plan 2041 is currently within its early stages. An Issues consultation took place during May to June 2022. It continues to strongly advocate the preparation of neighbourhood plans and confirms that the emerging Joint Local Plan 2041 will set the overall context for future neighbourhood plans encouraging full neighbourhood plan reviews following its adoption.</p>
6.	Page 12 3.8	Capitalise all Policy titles for consistency.
7.	Page 13 4.2	<p>Amend text as follows:</p> <p>Steering group members are volunteers with a broad mix of skills and experience. Several members of the group are also parish councillors.</p>
8.	Page 13 4.3	<p>Amend text as follows:</p> <p>This included a doorstep survey of every household in the parish, 'Have your Say' survey, drop-in sessions and pop up displays at numerous local events</p>
9.	Page 14	Add full stops to the end of all bullet point sentences for consistency.

10.	Page 14 4.4	<p>Amend text as follows:</p> <p>Updates were provided in the village magazine and on the village Facebook page and a Poster campaign was utilised via a village notice boards and telegraph poles.</p> <p>(Also remove gap in 4.4 bullet points).</p>
11.	Page 14 4.5	<p>Amend text as follows:</p> <p>4.5 In addition, three important projects were undertaken</p>
12.	Page 14 4.7	<p>Amend text as follows:</p> <p>A public meeting was held with two drop-in sessions for residents to have one to one meetings with the sub-committee.</p>
13.	Page 14 4.8	<p>Amend text as follows:</p> <p>4.8 A sub-group of the parish council was established in December 2021 that has steered the review of the neighbourhood plan meeting when needed – both in person and on-line during Covid lockdown periods... The feedback from the Reg. 14 consultation has been taken into account and this submission version of the plan changed accordingly.</p>
14.	Page 17	<p>Amend text as follows:</p> <p>The proposed design will be judged using the the new Design Code of Policy BCS7</p>
15.	Page 23 5.23	<p>We recommend realigning the paragraphing in 5.23.</p>

16.	Page 33	Amend text as follows: 5.44 In the 2014 the BCS CLPP identified...
17.	Page 47 5.76	Remove strikethrough line in the centre of the paragraph.
Design Code		
Ref.	Section/Policy	Comment/Recommendation
18.	Page 3	Contents - capitalise titles/names for consistency.
19.	Page 27	Correct typographical amendment in caption: Walls of flint, stone and flint brick characterise the village
20.	Page 35	Correct typographical error: The beauty of the landscape in the northern and western areas of the parish is recognised s in its inclusion in the North Wessex Downs AONB
21.	Page 41	Correct typographical error: The Brightwell-cum-Sotwell Modified Neighbourhood Plan has defined a network of green and blue infrastructure assets
22.	Page 45	Correct typographical error: Character is found in sometimes found in the small things that add greatly to Brightwell cum Sotwell
23.	Page 46	Remove bold text for consistency with the rest of the page.

24.	Page 69	<p>Correct typographical errors:</p> <p>BHC1.3.22 Proposals adjacent to, and within the setting of, The Square should retain and enhance its open character and acknowledge its historical significance as an area of special character, which is an asset of local heritage value.</p>
25.	General comment	Where the Joint Design Guide is quoted in italics, use capitals at the start of sentences for consistency – page 73 is an example where this needs to be addressed.
26.	Page 104	Remove strikethrough text.
27.	General comment	<p>Amend instances addressing EV charging as follows:</p> <p>places to install on-road EV charging points there is a concern that installation en en-masse may</p>
28.	Page 152	<p>Amend typographical error:</p> <p>DE1.2.1 Proposals should acknowledge the variety of attractive internal views within and towards the AONB (as identified in this Code Analysis)</p>
29.	Page 153	Remove repetition in paragraph DE1.3.2.

Response 2

Respondent Details

[REDACTED]

[REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED]
[REDACTED] [REDACTED]

Q1. Are you completing this form as an:

Agent

Your comments

Q2. You can provide your comments on the Brightwell cum Sotwell Neighbourhood Plan Review below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.

Policy BCS1 – Brightwell-cum-Sotwell Village Boundary

Objections are lodged to the proposed settlement boundary on the basis that it excludes land known as Rectory Fields (see attached plan). The Neighbourhood Plan makes no provision for retirement homes to meet an identified need. The objectors control land at Rectory Fields and are promoting part of the site for development of a retirement scheme. The site is well related to the settlement and would represent a logical extension to clearly defined and defensible boundaries. It is therefore requested that the settlement boundary be amended to include all or part of Rectory Fields for a retirement scheme.

Recommendation

Amend the settlement boundary to include Rectory Fields.

No Allocation of Land at Rectory Fields

Objections are lodged to the non allocation of land known as Rectory Fields, land to the south of Grove Cottages and west of graveyard for a retirement residential scheme.

Consideration has been given to the BCSNP Site Assessment Report which concluded that -

“The site would extend the village beyond the existing settlement and its size and location close to the Conservation Area would have an adverse effect on the rural character as well as views to and from the Conversation Area.”

The assessment considered the allocation of the entire site for development but the objectors are looking at development proposals for only part of the site.

It is noted that the site assessment confirms that: -

i. The site is relatively close to the shop/PO and village hall but states it is remote from the school, pub, recreation areas and bus stops.

Q2. You can provide your comments on the Brightwell cum Sotwell Neighbourhood Plan Review below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.

The scheme is for a retirement scheme and the distance to the school is therefore not an issue. Furthermore, we believe that the site is accessible to a range of facilities in the settlement. Furthermore, there is good public transport opportunities close to the site.

ii. The site would assist in downsizing for people living within the settlement.

A retirement scheme would help with downsizing for people living in the settlement and release larger houses for families to remain within the community.

Turning to other issues: -

Heritage

As noted, the site – the northernmost end of a rectangular field - lies on the western edge of the settlement. The proposals would constitute a carefully designed and landscaped fringe to a block of 20th century residential development that lies immediately to the north of the field boundary along Didcot Road. The development has been designed, with single storeyed units, to evoke the sense and character of a converted traditional agricultural courtyard, using appropriate local materials.

The principal heritage assets that might be affected (whether adversely or beneficially) from the proposed development are Brightwell-cum-Sotwell Conservation Area, Grade II* Church of St Agatha, and Grade II Brightwell Manor, a mid-18th century house to the south of the church. There are no heritage assets on the site itself and no other designated or known non-designated heritage assets in the vicinity.

The site lies immediately outside the western tip of the Conservation Area (CA). It is thus within its setting, but development of the site can only affect the contribution that setting makes to the CA's significance, rather than having any direct impact on significance. The setting of the CA in this location is that of agricultural surroundings to the historic core of the village. There are limited views from within the CA directly towards the field and site, but these are restricted to viewpoints standing close to the field boundary fence in the modern graveyard extension and allotments. The view into the field from the West End/Didcot Road corner and field entrance is not a CA view, since both the viewing point and the field of view are in the setting of the CA and do not involve the CA itself. A site inspection and modelling of the proposals are unusually instructive in this instance as they demonstrate the high degree of screening of the site and the wider field from views within the CA (except as described above) and the considerably limited visibility of the proposals in all such views. The proposals will not affect the character and appearance of the CA in any way. They will have a very limited effect on the open field setting of the CA, but views of the development from within the CA will be surprisingly limited. Given that the greater part of the open field that forms the CA's setting will be preserved by the proposals and the development will form a coherent entity with and fringe to the existing block of 20th century development to the north, the level of harm resulting to the contribution made by setting to the overall significance of the whole CA must lie at the very lowest end of less than substantial harm. Arguably, the site lies within the extended setting of Grade II* Church of St Agatha. Its development cannot affect the designated asset's significance directly and can only affect the contribution that setting makes to that significance. The contribution made to significance by the Church's setting in the direction of the site relates to its historic settlement edge location next to open agricultural land/countryside and its close proximity and inter-relationship with listed Brightwell Manor to the south. The site is not visible from the church or viewpoints close to it and furthermore the church as a designated heritage asset is not visible from the site. The modern graveyard/cemetery extension is not regarded as being curtilage listed (and hence sharing the church's listing) under the principles set out in Historic England Advice Note 10 'Listed Buildings and Curtilage'. Again, the greater part of the open field and all that part in proximity to the designated asset and so contributing to significance will be preserved by the proposals. For the foregoing reasons, it is considered that the proposals will not impact on the contribution made by the setting to the significance of the Church of St Agatha. The connection between the church and its village/rural edge location will not be affected and the same is true of the significance flowing from its proximity to Brightwell Manor.

The site lies further away from Grade II listed Brightwell Manor and it is more debatable as to whether

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it lies in the setting of the Manor. That argument notwithstanding, it is again certain that development of the site cannot affect the designated asset's significance directly and can only affect the contribution that setting makes to that significance. The setting of the Manor in the site's direction in this instance, rather mirroring that of the Church, relates to its historic settlement edge location next to open agricultural land/countryside and its close proximity and inter-relationship with listed Church of St Agatha to the north. There is no inter-visibility between the site and Brightwell Manor or viewpoints close to the listed building. As for the Church, the greater part of the open field and all that part in proximity to the designated asset and so potentially contributing to significance will be preserved by the proposals. As a result, it is considered that the proposals will not impact on the contribution made by setting to the significance of Brightwell Manor as a listed building. The connection between the Manor and its village/rural edge location will not be affected and the same is true of the significance flowing from its proximity to the Church of St Agatha.

In summary, the proposals as currently envisioned can only result at most in a very low level of less than substantial harm to the significance of the CA. They will have a neutral effect on the significance of all other potentially affected heritage assets.

Transport

Vehicular access will be provided to the east. The Highway Authority previously raised no objections to this access during the determination of the Rectory Homes residential application. The traffic generated from the proposed development will be relatively low due to the scale of the development and the nature of the proposals comprising retirement housing for elderly occupants, so is not likely to have a significant effect on the existing local highway network.

The internal layout will be designed to reflect a 20-mph speed limit and the development will provide access for emergency vehicles, refuse and recycling collection and service vehicles. The site will not be solely dependent on the car because it can be accessed on foot and by cycle and will have access to public transport services in the village centre.

The car parking levels are anticipated to reflect local policy guidelines and will be provided in garages or on driveways. Some visitor parking will also be accommodated within the scheme.

Brightwell-cum-Sotwell offers a variety of local facilities and services required on a daily basis, (see details under Sustainability). The availability of these facilities will encourage non-car travel from the site. The travel needs of the proposed occupants of the dwellings are not high and there are sufficient services nearby.

There is also bus services to adjoining towns e.g. Oxford, Didcot, Wallingford, Milton Park and Abingdon.

Landscape

The site is extremely well contained by significant tree belts. Accordingly, views into the site are limited from beyond the settlement. A retirement scheme of up to 8 dwellings on part of the site would not adversely affect the landscape setting of the village.

Recommendation

That the site as shown on the attached plan be allocated for a retirement led scheme of up to 8 dwellings.

Policy BCS5 - House Types and Tenures

Objections are lodged to this policy in respect of Criterion B which states: -

"Proposals for Specialist Accommodation for Older People will not be supported."

The rationale for this statement is: -

"Clause B responds to the prompt in SOLP Policy H13 for neighbourhood plans to consider if they are

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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."

There is no justification in this statement to resist accommodation for older people. Firstly, there is a need to provide accommodation for older people in Brightwell-cum-Sotwell and no purpose built accommodation for older people has been provided. The Neighbourhood Plan has an objective to help local residents downsize from large properties. This will not be achieved if smaller specialist properties are not provided. Secondly, it is incorrect to state that the village is too small to consider such development. The settlement has a range of facilities which make it considerably attractive for this type of accommodation. Indeed, there are a number of allocations for residential development which suggests that the site is acceptable for additional residential development. Furthermore, the settlement is close to Wallingford etc.

The Neighbourhood Plan has not provided any justification why it should not provide specialist accommodation for older people in evidence with Policy H13 of the SOLP. There is a wide range of specialist accommodation for older people and the Neighbourhood Plan has not carried out any assessment of the likely types of such accommodation that is required in the settlement.

Recommendation
Delete Criterion B of Policy BCS5 as no justification provided.

Q3. You can upload supporting evidence here.

- File: Location Plan.pdf - [REDACTED]

Public examination

Q6. Most neighbourhood plans are examined without the need for a public hearing. If you think the neighbourhood plan requires a public hearing, you can state this below, but the examiner will make the final decision. Please indicate below whether you think there should be a public hearing on the Brightwell cum Sotwell Neighbourhood Plan Review:

No, I do not request a public examination

Your details and future contact preferences

Q8. After the publicity period ends, your comments, name, email and postal address will be sent to an independent examiner to consider. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

Title	Mr
Name	██████████
Job title (if relevant)	-
Organisation (if relevant)	Blue Cedar Homes Limited
Organisation representing (if relevant)	D2 Planning Limited
Address line 1	Suite 3 Westbury Court
Address line 2	Church Road
Address line 3	Westbury on Trym
Postal town	Bristol
Postcode	BS9 3EF
Telephone number	██████████
Email address	██████████@d2planning.co.uk

Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?

████████████████████



LOCATION PLAN

Response 3

Respondent Details

[REDACTED]

[REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED]
[REDACTED] [REDACTED]

Q1. Are you completing this form as an:

Individual

Your comments

Q2. You can provide your comments on the Brightwell cum Sotwell Neighbourhood Plan Review below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.

In the Consultation Response document within response to D1 Comments, the NP Steering Group states that it would support the movement of the Slade End Sarcen Stone by a small distance (if required) to enable modifications of the junction of Green Lane with Slade End to widen the junction entrance to allow two cars to pass and so facilitate the delivery of BCS4. Please see attached the relevant extract from the Consultation Response document.

However text has not been added to the Design Code SE1.3.11 to acknowledge this agreement to avoid any future ambiguity.
Nor has text been added to BCS4 or BCS7 to acknowledge the intention should it be necessary.

Part of the second sentence is missing from the consultation report.

Q3. You can upload supporting evidence here.

- File: 4A88FE14-CC12-4BF5-AE8C-29C6FAED5589.jpeg [REDACTED]

Q4. If appropriate, you can set out what change(s) you consider necessary to make the plan able to proceed below. It would be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.

Please see response in to 2 and 3 above.

Public examination

Q6. Most neighbourhood plans are examined without the need for a public hearing. If you think the neighbourhood plan requires a public hearing, you can state this below, but the examiner will make the final decision. Please indicate below whether you think there should be a public hearing on the Brightwell cum Sotwell Neighbourhood Plan Review:

No, I do not request a public examination

Your details and future contact preferences

Q8. After the publicity period ends, your comments, name, email and postal address will be sent to an independent examiner to consider. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

Title	Mr
Name	Adrian Wood
██████████	
██████████████████	
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██████████	██████████████████

Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?

██████████████████

Q9. How did you find out about the Brightwell cum Sotwell Neighbourhood Plan Review consultation?

██████████

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 sarcen 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.

Response 4

Respondent Details

[Redacted]

[Redacted] [Redacted]
[Redacted]
[Redacted]
[Redacted] [Redacted]

Q1. Are you completing this form as an:

Organisation

Your comments

Q2. You can provide your comments on the Brightwell cum Sotwell Neighbourhood Plan Review below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.

Response received via email. Please see below:

Thank you for your message below, together with the link to the NP web-site, regarding the above topic / location.

I can confirm that, at this present time, I have no comments to make.

Regards,

[Redacted]
Network Connections Planning Engineer

Your details and future contact preferences

Q8. After the publicity period ends, your comments, name, email and postal address will be sent to an independent examiner to consider. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

Title -

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Name	██████████
Job title (if relevant)	Network Connections Planning Engineer
Organisation (if relevant)	Scottish and Southern Electricity Networks
Organisation representing (if relevant)	-
Address line 1	1 Woodstock Road
Address line 2	Yarnton
Address line 3	-
Postal town	Kidlington
Postcode	OX5 1NY
Telephone number	-
Email address	██████████@sse.com

Response 5

Respondent Details

[Redacted]

[Redacted] [Redacted]
[Redacted]
[Redacted]
[Redacted] [Redacted]

Q1. Are you completing this form as an:

Organisation

Your comments

Q2. You can provide your comments on the Brightwell cum Sotwell Neighbourhood Plan Review below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.

Response received via email. Please see below:

Dear Planning Policy team,

Thank you for your notification of 24 February 2023 regarding the Brightwell cum Sotwell Neighbourhood Plan Review.

The Coal Authority is only a statutory consultee for coalfield Local Authorities. As South Oxfordshire District Council lies outside the coalfield, the Planning team at the Coal Authority has no specific comments to make.

Kind regards

The Coal Authority Planning Team

Your details and future contact preferences

Q8. After the publicity period ends, your comments, name, email and postal address will be sent to an independent examiner to consider. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

Title	-
Name	The Coal Authority Planning Team
Job title (if relevant)	-
Organisation (if relevant)	The Coal Authority
Organisation representing (if relevant)	-
Address line 1	200 Lichfield Lane
Address line 2	-
Address line 3	-
Postal town	Mansfield
Postcode	NG18 4RG
Telephone number	-
Email address	TheCoalAuthority-Planning@coal.gov.uk

Response 6

Respondent Details

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Q1. Are you completing this form as an:

Organisation

Your comments

Q2. You can provide your comments on the Brightwell cum Sotwell Neighbourhood Plan Review below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.

Response received via email. Please see attachment.

Q3. You can upload supporting evidence here.

- File: 23.04 Brightwell cum Sotwell NP Review issued.pdf [REDACTED]

Your details and future contact preferences

Q8. After the publicity period ends, your comments, name, email and postal address will be sent to an independent examiner to consider. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

Title	-
Name	[REDACTED]
Job title (if relevant)	Property Town Planner

Q8. After the publicity period ends, your comments, name, email and postal address will be sent to an independent examiner to consider. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

Organisation (if relevant)	Thames Water
Organisation representing (if relevant)	-
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Address line 2	Clearwater Court
Address line 3	Vastern Road
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Postcode	RG1 8DB
Telephone number	-
Email address	██████████@thameswater.co.uk



E: [REDACTED]@thamewater.co.uk
[REDACTED]

South Oxfordshire District Council

Issued via email:
planning.policy@southandvale.gov.uk

1st Floor West
Clearwater Court
Vastern Road
Reading
RG1 8DB

11 April 2023

South Oxfordshire – Brightwell cum Sotwell Neighbourhood Plan Review

Dear Sir/Madam,

Thank you for allowing Thames Water Utilities Ltd (Thames Water) to comment upon the above.

As you will be aware, Thames Water are the statutory water supply and sewerage undertaker for the South and Vale area and are hence a “**specific consultation body**” in accordance with the Town & Country Planning (Local Planning) Regulations 2012.

We have the following comments on the consultation in relation to our water supply and sewerage undertakings:

General Water and Wastewater Infrastructure Comments

A key sustainability objective for the preparation of Local Plans and Neighbourhood Plans should be for new development to be co-ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure. Paragraph 20 of the revised National Planning Policy Framework (NPPF), 2021, states: “*Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for... infrastructure for waste management, water supply, wastewater...*”

Paragraph 11 states: “*Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that:*

a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects”

Paragraph 28 relates to non-strategic policies and states: “*Non-strategic policies should be used by local planning authorities and communities to set out more detailed policies for specific areas, neighbourhoods or types of development. This can include allocating sites, the provision of infrastructure...*”

Paragraph 26 of the revised NPPF goes on to state: “*Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production*

of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary....”

The web based National Planning Practice Guidance (NPPG) includes a section on ‘water supply, wastewater and water quality’ and sets out that Local Plans should be the focus for ensuring that investment plans of water and sewerage/wastewater companies align with development needs. The introduction to this section also sets out that *“Adequate water and wastewater infrastructure is needed to support sustainable development”* (Paragraph: 001, Reference ID: 34-001-20140306).

Thames Water therefore recommends that developers engage with them at the earliest opportunity (in line with paragraph 26 of the revised NPPF) to establish the following:

- The developments demand for water supply infrastructure;
- The developments demand for Sewage/Wastewater Treatment and network infrastructure both on and off site and can it be met; and
- The surface water drainage requirements and flood risk of the development both on and off site and can it be met.

Thames Water offer a free Pre-Planning service which confirms if capacity exists to serve the development or if upgrades are required for potable water, waste water and surface water requirements. Details on Thames Water’s free pre planning service are available at: <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Water-and-wastewater-capacity>

In light of the above comments and Government guidance we agree that the Neighbourhood Plan should include a specific reference to the key issue of the provision of wastewater/sewerage and water supply infrastructure to service development proposed in a policy. This is necessary because it will not be possible to identify all of the water/sewerage infrastructure required over the plan period due to the way water companies are regulated and plan in 5 year periods (Asset Management Plans or AMPs). We recommend that the Neighbourhood Plan include the following policy/supporting text:

“Where appropriate, planning permission for developments which result in the need for off-site upgrades, will be subject to conditions to ensure the occupation is aligned with the delivery of necessary infrastructure upgrades.”

“The Local Planning Authority will seek to ensure that there is adequate water and wastewater infrastructure to serve all new developments. Developers are encouraged to contact the water/waste water company as early as possible to discuss their development proposals and intended delivery programme to assist with identifying any potential water and wastewater network reinforcement requirements. Where there is a capacity constraint the Local Planning Authority will, where appropriate, apply phasing conditions to any approval to ensure that any necessary infrastructure upgrades are delivered ahead of the occupation of the relevant phase of development.”

Water Efficiency/Sustainable Design

The Environment Agency has designated the Thames Water region to be “seriously water stressed” which reflects the extent to which available water resources are used. Future pressures on water resources will continue to increase and key factors are population growth and climate change.

Water conservation and climate change is a vitally important issue to the water industry. Not only is it expected to have an impact on the availability of raw water for treatment but also the demand from customers for potable (drinking) water. Therefore, Thames Water support the mains water consumption target of 110 litres per head per day (105 litres per head per day plus an allowance of 5 litres per head per day for gardens) as set out in the NPPG (Paragraph: 014 Reference ID: 56-014-20150327) and support the inclusion of this requirement in the Policy.

Thames Water promote water efficiency and have a number of water efficiency campaigns which aim to encourage their customers to save water at local levels. Further details are available on the our website via the following link:
<https://www.thameswater.co.uk/Be-water-smart>

It is our understanding that the water efficiency standards of 105 litres per person per day is only applied through the building regulations where there is a planning condition requiring this standard (as set out at paragraph 2.8 of Part G2 of the Building Regulations). As the Thames Water area is defined as water stressed it is considered that such a condition should be attached as standard to all planning approvals for new residential development in order to help ensure that the standard is effectively delivered through the building regulations.

Within Part G of Building Regulations, the 110 litres/person/day level can be achieved through either the 'Calculation Method' or the 'Fittings Approach' (Table 2.2). The Fittings Approach provides clear flow-rate and volume performance metrics for each water using device / fitting in new dwellings. Thames Water considers the Fittings Approach, as outlined in Table 2.2 of Part G, increases the confidence that water efficient devices will be installed in the new dwelling. Insight from our smart water metering programme shows that household built to the 110 litres/person/day level using the Calculation Method, did not achieve the intended water performance levels.

Proposed policy text:

“Development must be designed to be water efficient and reduce water consumption. Refurbishments and other non-domestic development will be expected to meet BREEAM water-efficiency credits. Residential development must not exceed a maximum water use of 105 litres per head per day (excluding the allowance of up to 5 litres for external water consumption) using the ‘Fittings Approach’ in Table 2.2 of Part G of Building Regulations. Planning conditions will be applied to new residential development to ensure that the water efficiency standards are met.”

Comments in Relation to Flood Risk and Sustainable Drainage Systems

The National Planning Practice Guidance (NPPG) states that a sequential approach should be used by local planning authorities in areas known to be at risk from forms of flooding other than from river and sea, which includes "Flooding from Sewers".

Flood risk sustainability objectives and policies should also make reference to 'sewer flooding' and an acceptance that flooding can occur away from the flood plain as a result of development where off site sewerage infrastructure and capacity is not in place ahead of development.

With regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, watercourses or surface water sewer. It is important to reduce the quantity of surface water entering the sewerage system in order to maximise the capacity for foul sewage to reduce the risk of sewer flooding.

Limiting the opportunity for surface water entering the foul and combined sewer networks is of critical importance to Thames Water. Thames Water have advocated an approach to SuDS that limits as far as possible the volume of and rate at which surface water enters the public sewer system. By doing this, SuDS have the potential to play an important role in helping to ensure the sewerage network has the capacity to cater for population growth and the effects of climate change.

SuDS not only help to mitigate flooding, they can also help to: improve water quality; provide opportunities for water efficiency; provide enhanced landscape and visual features; support wildlife; and provide amenity and recreational benefits.

With regard to surface water drainage, Thames Water request that the following paragraph should be included in the Neighbourhood Plan ***“It is the responsibility of a developer to make proper provision for surface water drainage to ground, water courses or surface water sewer. It must not be allowed to drain to the foul sewer, as this is the major contributor to sewer flooding.”***

Site Allocations

There are no new site allocations for us to comment upon. The level of information contained in the draft Neighbourhood Plan does not enable Thames Water to make an assessment of the impact the proposed development will have on the waste water/sewerage network infrastructure and sewage treatment works. To enable us to provide more specific comments we require details of the type and scale of development together with the anticipated phasing.

We recommend Developers contact Thames Water to discuss their development proposals by using our pre app service via the following link: <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Water-and-wastewater-capacity>

It should be noted that in the event of an upgrade to our sewerage network assets being required, up to three years lead in time is usual to enable for the planning and delivery of the upgrade. As a developer has the automatic right to connect to our sewer network under the Water Industry Act we may also request a drainage planning condition if a network upgrade is required to ensure the infrastructure is in place ahead of occupation of the development. This will avoid adverse environmental impacts such as sewer flooding and / or water pollution.

We recommend developers attach the information we provide to their planning applications so that the Council and the wider public are assured wastewater and water supply matters for the development are being addressed.

We trust the above is satisfactory, but please do not hesitate to contact [REDACTED] on the above number if you have any queries.

Yours faithfully,

[REDACTED]

[REDACTED]
Thames Water Property Town Planner

Response 7

Respondent Details

[REDACTED]

[REDACTED] [REDACTED]
[REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]

Q1. Are you completing this form as an:

Agent

Your comments

Q2. You can provide your comments on the Brightwell cum Sotwell Neighbourhood Plan Review below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.

Response received via email. Please see below and attachment.

Dear Planning Policy Team,

Strutt & Parker acts on behalf A2Dominion Limited ("A2D"), who have an interest in the land at Sotwell Manor Fruit Farm, High Road, Brightwell-cum-Sotwell and, as a result, an interest in the modified Brightwell-cum-Sotwell Neighbourhood Development Plan ("NDP") that is currently subject to public consultation.

Please accept this email and the attached letter as a formal representation to this consultation, submitted on behalf of A2Dominion Limited.

I would be grateful to receive an acknowledgement and to be kept updated on the progress of the NDP examination process. Many thanks.

Kind regards.

[REDACTED]

Q3. You can upload supporting evidence here.

- File: BCS - Modified NDP consultation - Strutt and Parker rep 14-04-23.pdf [REDACTED]

Public examination

Q6. Most neighbourhood plans are examined without the need for a public hearing. If you think the neighbourhood plan requires a public hearing, you can state this below, but the examiner will make the final decision. Please indicate below whether you think there should be a public hearing on the Brightwell cum Sotwell Neighbourhood Plan Review:

Yes, I request a public examination

Public examination

Q7. Please state your specific reasons for requesting a public hearing below:

Please see attachment.

Your details and future contact preferences

Q8. After the publicity period ends, your comments, name, email and postal address will be sent to an independent examiner to consider. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

Title	-
Name	██████████
Job title (if relevant)	Director – Head of Oxford Planning
Organisation (if relevant)	Strutt & Parker
Organisation representing (if relevant)	A2Dominion Limited
Address line 1	269 Banbury Road
Address line 2	-
Address line 3	-
Postal town	Oxford
Postcode	OX2 7LL
Telephone number	-
Email address	██████████@struttandparker.com

Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?

████████████████████

Strutt & Parker
269 Banbury Road
Oxford
OX2 7LL
Telephone 01865 366660

oxford@struttandparker.com
www.struttandparker.com



Planning Policy
South Oxfordshire District Council
Abbey House
Abbey Close
Abingdon
OX14 3JE

Direct Dial: [REDACTED]

Email: [REDACTED]@struttandparker.com

Our ref: SH/212002

14th April 2023

Dear Planning Policy team,

Representation to modified Brightwell-cum-Sotwell Neighbourhood Development Plan consultation on behalf of A2Dominion Limited

Strutt & Parker acts on behalf A2Dominion Limited (“A2D”), who have an interest in the land at Sotwell Manor Fruit Farm, High Road, Brightwell-cum-Sotwell and, as a result, an interest in the modified Brightwell-cum-Sotwell Neighbourhood Development Plan (“NDP”) that is currently subject to public consultation. We write to provide a formal representation to this consultation on behalf of A2Dominion Limited.

While the modified NDP does not propose to allocate any new housing sites or introduce new area specific policies, it has come to our attention via the Neighbourhood Plan sub-group that the original site selection process may have been flawed as a result of already consented sites being chosen with little to no regard for any alternative or additional sites. In other words, we feel that insufficient consideration was given to the other available and deliverable sites in and around the village, resulting in a flawed or inadequate site selection process. While we appreciate that the current public consultation is focused on the proposed modifications to the made NDP, we still feel that this point should be noted by the examining Inspector, particularly as it raises the question of whether an updated NDP should give greater consideration to additional housing allocations to help meet the future housing needs of the community.

The proposed introduction of Policy BCS5 (House Types and Tenures) is broadly supported as it recognises the importance of adequate provision being made for First Homes and the need to align with the latest National Planning Policy Framework (“NPPF”), although we do not see the value in placing a restriction on the scale of such schemes to no more than 9 homes. This would be unnecessarily restrictive and pre-empts the potential need for such new homes for first time buyers without any

evidence to back it up beyond an indicative range set by Policies H8 and H10 of the South Oxfordshire District Local Plan. This district level plan was drawn up prior to the introduction of the latest NPPF and the introduction of First Homes as a government initiative and, therefore, it cannot be said to adequately inform a First Homes policy for the NDP. In our view, this numerical restriction should be omitted and the policy modified to support developments consisting of First Homes “of an appropriate scale and density relative to the existing settlement character and surrounding pattern of development”.

Part B of new Policy BCS5 states that “*Proposals for Specialist Accommodation for Older People will not be supported*”. Such an anti-development policy that simply seeks to prevent development coming forward where a genuine need is likely to exist – particularly given the ageing population regionally and nationally – does not align with the aims and objectives of the NPPF and, therefore, this element of the proposed policy should be struck out. In fact, there is an argument that the modified NDP should place greater importance on the need to support appropriate accommodation for older people and introduce a policy that supports the delivery of such housing.

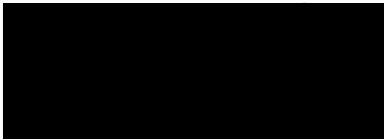
Overall, it is considered that the modified NDP lacks meaningful substance and has been brought forward primarily to provide an ‘up-to-date’ development plan, which in turn would provide the Parish Council with greater protection against potentially unplanned, but much-needed new housing developments coming forward. This is demonstrated by the relatively small number of proposed modifications and the focus on design matters, rather than key spatial planning issues that could affect the community in the future. In other words, the review of the NDP has missed an opportunity to consider the genuine development needs of Brightwell-cum-Sotwell for the medium to long term and relies upon previously consented housing sites to address the housing needs of the community moving forward.

While we accept the NDP sub-group’s comment that they are not obliged to address additional local housing needs, or any other demand for new development, we are of the opinion that the modified NDP would be more effective and worthwhile if it did just that, particularly given the inadequate approach that was taken to site selection when the original made version of the NDP was prepared. We hope the examining Inspector shares this perspective and allows the matter of future housing needs to be given due consideration via a public hearing and associated debate.

Our client's land at Sotwell Manor Fruit Farm can make a significant contribution to meeting the future housing needs of the community, particularly as A2D is a housing association that offers a range of high quality sustainable homes for sale, shared ownership and private rent, as well as affordable and social rented homes, student, key worker and temporary accommodation, as well as supported and sheltered housing. In other words, they are very well placed and have an excellent track record in being able to cater each development to the needs of the site and settlement in question. This can only be explored further with adequate planning though and, in our view, a NDP that takes a longer term and proactive approach to planning development.

We would be grateful if the District Council could keep us updated on the progress or outcome of the neighbourhood plan and whether the examining Inspector decides to carry out a public hearing into the modified NDP. On the basis of our comments above, we submit that a public hearing would be worthwhile and we would be grateful if this could be highlighted to the Inspector.

Yours sincerely

A large black rectangular redaction box covering the signature area.A black rectangular redaction box covering the name of the signatory.
**Director – Development & Planning
Strutt & Parker**

Response 8

Respondent Details

[Redacted]

[Redacted] [Redacted]
[Redacted]
[Redacted] [Redacted]

Q1. Are you completing this form as an:

Organisation

Your comments

Q2. You can provide your comments on the Brightwell cum Sotwell Neighbourhood Plan Review below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.

Response received via email. Please see attachment.

Q3. You can upload supporting evidence here.

↑ [Redacted]
[Redacted]

Your details and future contact preferences

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Title -

Name [Redacted]

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Job title (if relevant)	Principal Planner
Organisation (if relevant)	Oxfordshire County Council
Organisation representing (if relevant)	-
Address line 1	County Hall
Address line 2	New Road
Address line 3	-
Postal town	Oxford
Postcode	OX1 1ND
Telephone number	-
Email address	██████████@Oxfordshire.gov.uk

**OXFORDSHIRE COUNTY COUNCIL'S RESPONSE TO THE FOLLOWING
CONSULTATION:**

District: South Oxfordshire

Consultation: Brightwell cum Sotwell Neighbourhood Plan Reviewed
Submission

Annexes to the report contain officer advice.

Please see Annex 1 for our Archaeology, Estates and Education Team's comments on the submitted reviewed neighbourhood plan. We understand this response will be passed on to the Examiner.

Officer's [REDACTED]
Officer's Principal Planner
Date: 17 April 2023

ANNEX 1
OFFICER ADVICE

District: South Oxfordshire
Consultation: Brightwell cum Sotwell Neighbourhood Plan
Team: Oxfordshire County Archaeological Service
Officer's Name: [REDACTED]
Officer's Title: Planning Archaeologist
Date: 28/03/23

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).

District: South Oxfordshire

Consultation: Brightwell cum Sotwell Neighbourhood Plan

Team: Commercial Development, Assets and Investments

Officer's Name: [REDACTED]

Officer's Title: Operational Manager – for Assets and Investment

Date: 27th March 2023

Estates Comments

Oxfordshire County Council (OCC) Estates is grateful for the opportunity to comment on the Brightwell cum Sotwell Neighbourhood Plan (Submission Document). OCC Estates had previously commented on the Draft neighbourhood plan in a submission dated 30th January 2017 and on the Pre-Submission Document dated 14th April 2022.

The previous comments raised concerns regarding Policy BCS17, which appeared to, in part duplicate the saved Local Plan policy CF1 and was very similar to paragraphs 69-70 in the NPPF, which suggested the policy may not be necessary. In addition the policy was more restrictive than the Local Plan policy CF1 and only offered one scenario for the loss of a community facility- financial viability, instead of the three scenarios offered in the Local Plan policy which allows for either/ or options.

The above concerns were addressed intermittently between the two responses as such policy BCS17 has now been completely re worded. It is considered the wording of the policy now numbered at BCS17, meets basic condition e '*in general conformity with the strategic policies contained in the development plan for the area of the authority*', as set out by the Government's guidance for Neighbourhood Planning. The policy has now been replaced with entirely new wording and now lists the buildings and land of which the policy applies (as also shown on the policies map) and relates better to the Local Plan policy CF1 referring to the words 'no longer economically viable' and also allows for the re provision of the facility.

The other concern which was raised regarding Policy BSC17, is that it did not recognise that the buildings listed within the policy may be able to change use via 'permitted development rights' under the General Permitted Development Order, without requiring planning permission.

The policy still does not reference or recognise the fact that some facilities may be able to change use without planning permission. It recognises that a partial change of use can be supported providing there is evidence to suggest the facility is surplus, however this does not address the full change of use under permitted development rights. It is considered this should still be addressed within this policy. The County Council 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.

District: South Oxfordshire

Consultation: Brightwell cum Sotwell Neighbourhood Plan 2011-2035 Review
(Submission Document)

Team: Access to Learning

Officer's Name: [REDACTED]

Officer's Title: Information Analyst

Date: 24/03/2023

Education Comments

It is worth re-iterating 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.

Response 9

Respondent Details

[REDACTED]
[REDACTED] [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] [REDACTED]

Q1. Are you completing this form as an:
Organisation

Your comments

Q2. You can provide your comments on the Brightwell cum Sotwell Neighbourhood Plan Review below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.
Response received via email. Please see attachment.

Q3. You can upload supporting evidence here.
<ul style="list-style-type: none">File: 422955 - NE Response.pdf [REDACTED]

Your details and future contact preferences

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Title -
Name [REDACTED]
Job title (if relevant) Sustainable Development Adviser

Q8. After the publicity period ends, your comments, name, email and postal address will be sent to an independent examiner to consider. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

Organisation (if relevant)	Natural England
Organisation representing (if relevant)	-
Address line 1	-
Address line 2	-
Address line 3	-
Postal town	-
Postcode	-
Telephone number	-
Email address	██████████@naturalengland.org.uk

Date: 28 February 2023
Our ref: 422955



South Oxfordshire District Council

BY EMAIL ONLY

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Dear Sir / Madam

Brightwell-cum-Sotwell Neighbourhood Plan - Review

Thank you for your consultation on the above dated 24 February 2023

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.

For any further consultations on your plan, please contact: consultations@naturalengland.org.uk.

Yours sincerely


Sustainable Advisor – Thames Solent Team
Natural England

Annex 1 - Neighbourhood planning and the natural environment: information, issues and opportunities

Natural environment information sources

The [Magic](#)¹ website will provide you with much of the nationally held natural environment data for your plan area. The most relevant layers for you to consider are: **Agricultural Land Classification, Ancient Woodland, Areas of Outstanding Natural Beauty, Local Nature Reserves, National Parks (England), National Trails, Priority Habitat Inventory, public rights of way (on the Ordnance Survey base map) and Sites of Special Scientific Interest (including their impact risk zones)**. Local environmental record centres may hold a range of additional information on the natural environment. A list of local record centres is available [here](#)².

Priority habitats are those habitats of particular importance for nature conservation, and the list of them can be found [here](#)³. Most of these will be mapped either as **Sites of Special Scientific Interest**, on the Magic website or as **Local Wildlife Sites**. Your local planning authority should be able to supply you with the locations of Local Wildlife Sites.

National Character Areas (NCAs) divide England into 159 distinct natural areas. Each character area is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. NCA profiles contain descriptions of the area and statements of environmental opportunity, which may be useful to inform proposals in your plan. NCA information can be found [here](#)⁴.

There may also be a local **landscape character assessment** covering your area. This is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change in the area. Your local planning authority should be able to help you access these if you can't find them online.

If your neighbourhood planning area is within or adjacent to a **National Park** or **Area of Outstanding Natural Beauty (AONB)**, the relevant National Park/AONB Management Plan for the area will set out useful information about the protected landscape. You can access the plans on from the relevant National Park Authority or Area of Outstanding Natural Beauty website.

General mapped information on **soil types** and **Agricultural Land Classification** is available (under 'landscape') on the [Magic](#)⁵ website and also from the [LandIS website](#)⁶, which contains more information about obtaining soil data.

Natural environment issues to consider

The [National Planning Policy Framework](#)⁷ sets out national planning policy on protecting and enhancing the natural environment. [Planning Practice Guidance](#)⁸ sets out supporting guidance.

Your local planning authority should be able to provide you with further advice on the potential impacts of your plan or order on the natural environment and the need for any environmental assessments.

¹ <http://magic.defra.gov.uk/>

² <http://www.nbn-nfbr.org.uk/nfbr.php>

³ <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

⁴ <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>

⁵ <http://magic.defra.gov.uk/>

⁶ <http://www.landis.org.uk/index.cfm>

⁷ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/807247/NPPF_Feb_2019_revised.pdf

⁸ <http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/>

Landscape

Your plans or orders may present opportunities to protect and enhance locally valued landscapes. You may want to consider identifying distinctive local landscape features or characteristics such as ponds, woodland or dry stone walls and think about how any new development proposals can respect and enhance local landscape character and distinctiveness.

If you are proposing development within or close to a protected landscape (National Park or Area of Outstanding Natural Beauty) or other sensitive location, we recommend that you carry out a landscape assessment of the proposal. Landscape assessments can help you to choose the most appropriate sites for development and help to avoid or minimise impacts of development on the landscape through careful siting, design and landscaping.

Wildlife habitats

Some proposals can have adverse impacts on designated wildlife sites or other priority habitats (listed [here](#)⁹), such as Sites of Special Scientific Interest or [Ancient woodland](#)¹⁰. If there are likely to be any adverse impacts you'll need to think about how such impacts can be avoided, mitigated or, as a last resort, compensated for.

Priority and protected species

You'll also want to consider whether any proposals might affect priority species (listed [here](#)¹¹) or protected species. To help you do this, Natural England has produced advice [here](#)¹² to help understand the impact of particular developments on protected species.

Best and Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services for society. It is a growing medium for food, timber and other crops, a store for carbon and water, a reservoir of biodiversity and a buffer against pollution. If you are proposing development, you should seek to use areas of poorer quality agricultural land in preference to that of a higher quality in line with National Planning Policy Framework para 171. For more information, see our publication [Agricultural Land Classification: protecting the best and most versatile agricultural land](#)¹³.

Improving your natural environment

Your plan or order can offer exciting opportunities to enhance your local environment. If you are setting out policies on new development or proposing sites for development, you may wish to consider identifying what environmental features you want to be retained or enhanced or new features you would like to see created as part of any new development. Examples might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Think about how lighting can be best managed to encourage wildlife.
- Adding a green roof to new buildings.

⁹<http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

¹⁰ <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

¹¹<http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

¹² <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

¹³ <http://publications.naturalengland.org.uk/publication/35012>

You may also want to consider enhancing your local area in other ways, for example by:

- Setting out in your plan how you would like to implement elements of a wider Green Infrastructure Strategy (if one exists) in your community.
- Assessing needs for accessible greenspace and setting out proposals to address any deficiencies or enhance provision.
- Identifying green areas of particular importance for special protection through Local Green Space designation (see [Planning Practice Guidance on this](#) ¹⁴).
- Managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips in less used parts of parks, changing hedge cutting timings and frequency).
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network, e.g. cutting back hedges, improving the surface, clearing litter or installing kissing gates) or extending the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition, or clearing away an eyesore).

¹⁴ <http://planningguidance.planningportal.gov.uk/blog/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/local-green-space-designation/>

Response 10

Respondent Details

[Redacted]

[Redacted] [Redacted]
[Redacted]
[Redacted]

Q1. Are you completing this form as an:

Organisation

Your comments

Q2. You can provide your comments on the Brightwell cum Sotwell Neighbourhood Plan Review below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.

Response received via email. Please see attachment.

Q3. You can upload supporting evidence here.

- File: PL00050499 Reg 16 .pdf [Redacted]

Your details and future contact preferences

Q8. After the publicity period ends, your comments, name, email and postal address will be sent to an independent examiner to consider. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

Title -

Name [Redacted]

Job title (if relevant) Business Officer (South East Region)

Q8. After the publicity period ends, your comments, name, email and postal address will be sent to an independent examiner to consider. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

Organisation (if relevant)	Historic England
Organisation representing (if relevant)	-
Address line 1	-
Address line 2	-
Address line 3	-
Postal town	-
Postcode	-
Telephone number	-
Email address	██████████@HistoricEngland.org.uk

Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?

████████████████████



Dear Sir/madam,

Ref: Brightwell-cum-Sotwell Neighbourhood Plan Regulation 16 Consultation

Thank you for inviting Historic England to comment on the Regulation 16 Submission version of this Neighbourhood Plan.

We do not consider it necessary for Historic England to provide detailed comments at this time. We would refer you if appropriate to any previous comments submitted at Regulation 14 stage, and for any further information to our detailed advice on successfully incorporating historic environment considerations into a neighbourhood plan, which can be found here: <https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/>.

We would be grateful if you would notify us on e-seast@HistoricEngland.org.uk if and when the Neighbourhood Plan is made by the council. To avoid any doubt, this letter does not reflect our obligation to provide further advice on or, potentially, object to specific proposals which may subsequently arise as a result of the proposed plan, where we consider these would have an adverse effect on the historic environment.

Please do contact me, either via email or the number above, if you have any queries.

Yours sincerely,

██████████
Business Officer
E-mail: ██████████@historicengland.org.uk

Response 11

Respondent Details

[REDACTED]

[REDACTED] [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] [REDACTED]

Q1. Are you completing this form as an:

Agent

Your comments

Q2. You can provide your comments on the Brightwell cum Sotwell Neighbourhood Plan Review below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.

Response received via email. Please see below and attachment.

Dear South & Vale Planning Policy,

On behalf of my client, Croudace Homes Ltd, please accept the attached Representations to the Regulation 16 Consultation on the Brightwell-cum-Sotwell Modified Neighbourhood Plan.

- Please let me know if there are any issues accessing the documentation.
- I would be grateful if you could confirm safe receipt of these representations.

Please keep me updated with the progress of the Neighbourhood Plan, including notification once an independent Examiner has been appointed. Should the Examiner require clarification on any of the comments provided within our representations, we would be happy to assist.

Kind regards,

[REDACTED]

Q3. You can upload supporting evidence here.

- File: 230417 Representations to BcS NP Reg16 obo Croudace Homes Ltd (Merged) [REDACTED]
[REDACTED]

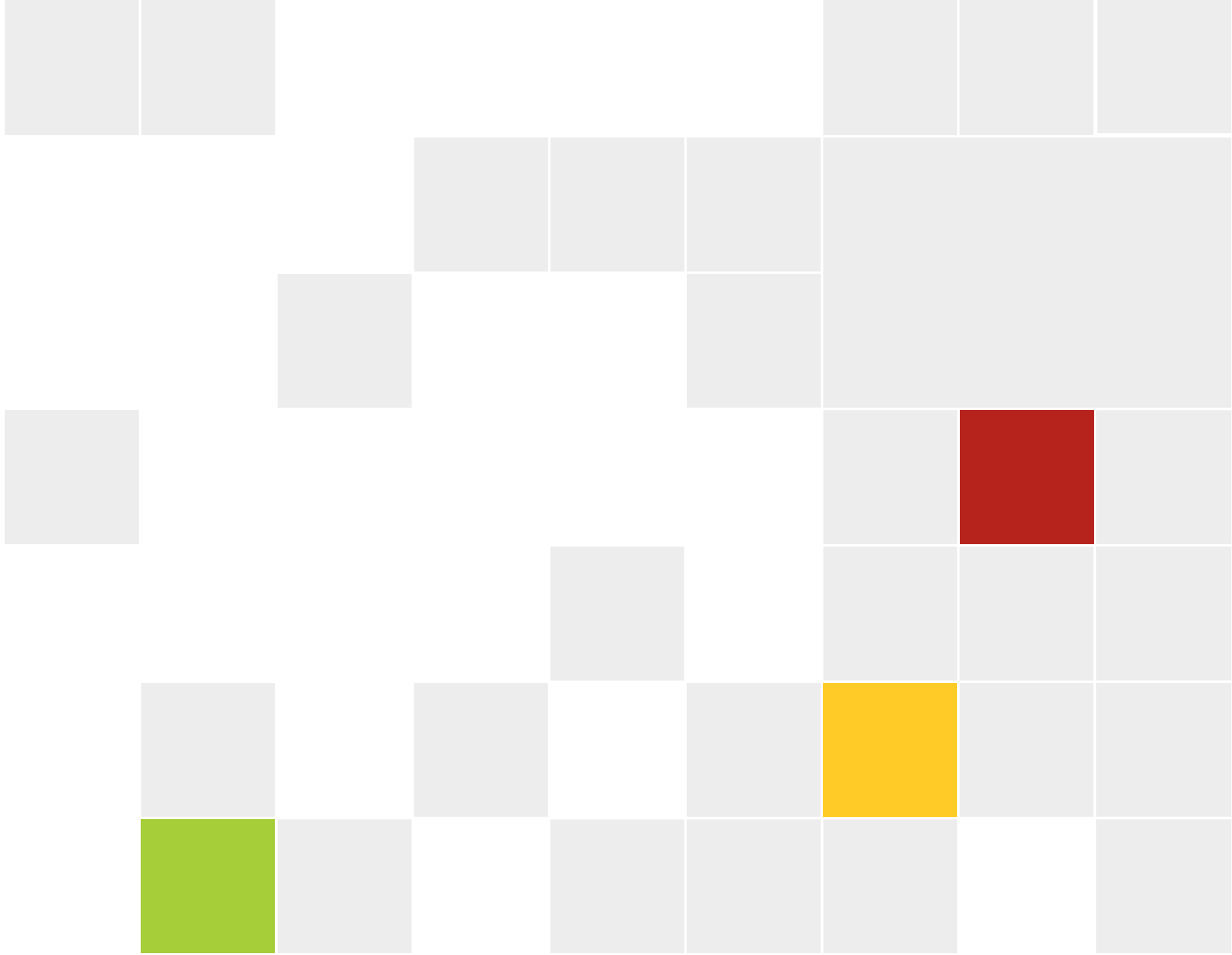
Your details and future contact preferences

Q8. After the publicity period ends, your comments, name, email and postal address will be sent to an independent examiner to consider. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

Title	-
Name	██████████
Job title (if relevant)	Senior Planner
Organisation (if relevant)	Boyer Planning
Organisation representing (if relevant)	Croudace Homes Ltd
Address line 1	Crowthorne House
Address line 2	Nine Mile Ride
Address line 3	-
Postal town	Wokingham
Postcode	RG40 3GZ
Telephone number	-
Email address	██████████@boyerplanning.co.uk

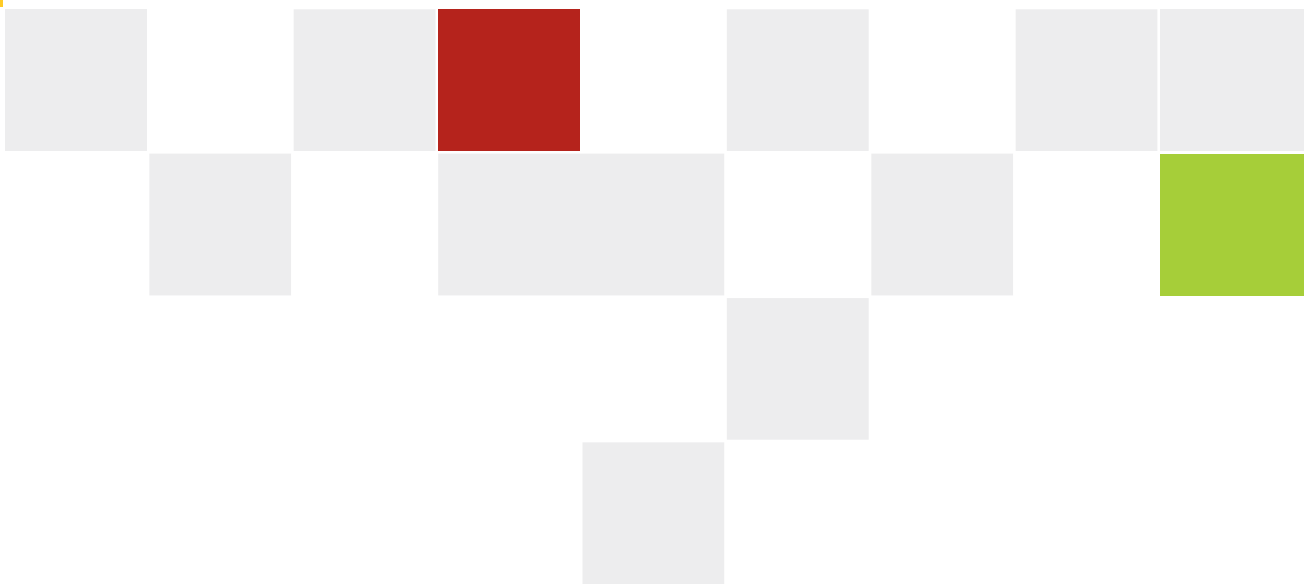
Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?

██████████



Land West of Shillingford Road, Wallingford

Representations to Brightwell-cum-Sotwell Modified
Neighbourhood Plan Regulation 16 Consultation



Boyer

Report Control

Project:	Land west of Shillingford Road, Wallingford
Client:	Croudace Homes Ltd
Reference:	22.1036
File Origin:	[REDACTED]
Primary Author	[REDACTED]
Checked By:	[REDACTED]

<i>Issue</i>	<i>Date</i>	<i>Status</i>	<i>Checked By</i>
01	17/04/2023	Final	[REDACTED]

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APPENDIX

Appendix 1 – Site Location Plan

Appendix 2 – Neighbourhood Area Boundary Plan

1. INTRODUCTION

Background and Scope of these Representations

- 1.1 Boyer has prepared these representations on behalf of Croudace Homes Limited ('Croudace'), in response to the 'Regulation 16' consultation on the proposed Brightwell-cu-Sotwell Modified Neighbourhood Plan 2011 - 2035 ('BcSMNP').
- 1.2 The BcSMNP has been prepared by Brightwell-cum-Sotwell Parish Council and submitted to South Oxfordshire District Council ('SODC') under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended).
- 1.3 Croudace holds a specific land interest within South Oxfordshire District, which is partially within the Brightwell-cum-Sotwell Neighbourhood Area, comprising land to the west of Shillingford Road with access taken from Wantage Road, immediately north- east of Wallingford. The site does not include development land immediately to the east of Wantage Road. The wider site (including land to the east of Wantage Road) has been subject to various Local Plan and Wallingford Neighbourhood Plan promotions historically, in which the site was positively assessed. In response to the emerging South Oxfordshire and Vale of White Horse Joint Local Plan 2041 ('JLP'), consultation, details of how the site can facilitate an urban extension to the town of Wallingford, comprising up to 950 new homes, a 2FE Primary School, a local centre, and a country park, have been put forward. The site location plan is provided at **Appendix 1: Site Location Plan**.
- 1.4 Croudace welcomes the preparation of the Brightwell-cum-Sotwell Modified Neighbourhood Plan and believes that the proposed Plan could continue to have a positive effect on planning within the Neighbourhood Area. Croudace also appreciates the opportunity to outline its observations on the draft document and the evidence-base reports which support its preparation.
- 1.5 In addition, Croudace welcomes the identification of community facilities and services which the Parish Council consider would assist residents of Brightwell-cum-Sotwell in the future, which could be facilitated through Croudace's proposals. Notwithstanding this, it is our view that, in its present form, the draft BcSMNP does not meet the 'basic conditions' as identified in Paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990. We set out why this is the case in the following sections of this representation and set out how such issues could be remedied to ensure the plan is compliant with the basic conditions.
- 1.6 It should be noted that we have specifically sought to comment in respect of draft policies and approaches that are directly or indirectly pertinent to the promotion of the Land West of Shillingford Road, Wallingford ('the site') for development. However, we have also provided constructive suggestions in relation to other proposed policies, where we believe these will enhance the proposed Plan and facilitate its implementation as an effective development management tool.

1.7 Accordingly, the following sections of this representation are set out as follows:

- Section 2: Legal and Policy Context
- Section 3: Land West of Shillingford Road, Wallingford
- Section 4: Response to the Draft Neighbourhood Plan
- Section 5: Summary and Conclusions

1.8 We trust that our comments are of assistance to Brightwell-cum-Sotwell Parish Council, South Oxfordshire District Council, and the Independent Examiner that will lead the Examination of the plan proposal pursuant to Regulation 17 of the Neighbourhood Planning (General) Regulations 2012 (as amended).

2. LEGAL AND POLICY CONTEXT

Overview

- 2.1 The Government's Planning Practice Guidance ('PPG') sets out that neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood. Neighbourhood Plans also provide an opportunity to shape the development and growth of their local area. PPG sets out that:

'Neighbourhood planning enables communities to play a much stronger role in shaping the areas in which they live and work and in supporting new development proposals. This is because unlike the parish, village or town plans that communities may have prepared, a neighbourhood plan forms part of the development plan and sits alongside the local plan prepared by the local planning authority. Decisions on planning applications will be made using both the local plan and the neighbourhood plan, and any other material considerations'¹.

- 2.2 Neighbourhood planning is therefore recognised as a mechanism that allows local people to plan for the types of development that will meet their community's needs. However, the policies set out within a Neighbourhood Plan must also align with the strategic needs and priorities of the wider local area (as defined through adopted and emerging Local Plans, and the associated evidence base).

Basic Conditions

- 2.3 Once the Neighbourhood Plan is submitted for independent examination, under Regulation 17 of the Neighbourhood Planning (General) Regulations 2012 (as amended) ('the regulations'), it must be demonstrated that it conforms to the 'basic conditions' as identified in Paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 ('TCPA'). The Plan must also be legally compliant in every other respect.
- 2.4 Following submission, it will be the role of an Independent Examiner to consider whether the draft Neighbourhood Plan meets the basic conditions. In order to meet the basic conditions, the making (adoption) of the Neighbourhood Plan must (in summary):
- be appropriate to do so, having regard to national policies and advice contained in guidance issued by the Secretary of State;
 - contribute to the achievement of sustainable development;
 - be in general conformity with the strategic policies of the development plan; and
 - not breach, and must be otherwise compatible with, European Union (EU) and European Convention on Human Rights (ECHR) obligations.

¹ Planning Practice Guidance (April 2023) Paragraph: 003 Reference ID: 41-003-20190509.

2.5 In considering the submitted Neighbourhood Plan, the Independent Examiner will also be required to establish that the Plan:

- has been prepared and submitted for examination by a qualifying body;
- has been prepared for an area that has been properly designated;
- does not include development that is excluded development;
- relates to only one Neighbourhood Area; and
- contains only policies that relate to the development and use of land.

2.6 Further guidance on each of the basic conditions is provided under the respective sub-headings below.

Regard to National Policy

2.7 A Neighbourhood Plan must have regard to the National Planning Policy Framework ('NPPF') and associated guidance. In this respect, NPPF Paragraph 13 states that:

'The application of the presumption [in favour of sustainable development] has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should:

- *Support the delivery of strategic policies contained in local plans or spatial development strategies; and,*
- *Should shape and direct development that is outside of these strategic policies'.*

2.8 NPPF Paragraph 29 further reiterates the need for Neighbourhood Plans to be aligned with the strategic needs and priorities of the wider local area. It states that: "...*Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies*". This is supported by NPPF footnote 16 which states: "*Neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area*".

2.9 Pursuant to this, PPG further clarifies that 'regard to national policy' means that a '*Neighbourhood Plan or Order must not constrain the delivery of important national policy objectives*².

² Planning Practice Guidance. Paragraph: 069 Reference ID: 41-069-20140306

- 2.10 In addition, Neighbourhood Plans are also required to provide sufficient clarity to enable their policies to fulfil their intended development management role. Moreover, such policies must relate specifically to the unique circumstances of the neighbourhood area. This means that Neighbourhood Plan policies should not duplicate general Local Plan policies. This is set out in PPG, wherein:

*'A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared'*³.

- 2.11 PPG further specifies that there has to be robust evidence to support particular policies, as may be proposed in a Neighbourhood Plan. It is not permissible to rely on conjecture or assertions. Nor is it sufficient (for example) to rely on a survey of local opinion, in order to suggest that a particular policy is justified because of the aspirations or concerns of the local community. In this regard the PPG states that:

*'While there are prescribed documents that must be submitted with a neighbourhood plan or Order there is no 'tick box' list of evidence required for neighbourhood planning. Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan or the proposals in an Order...'*⁴.

- 2.12 Specifically in relation to policies that are relevant to housing supply, PPG is clear that:

*'Neighbourhood plans are not obliged to contain policies addressing all types of development. However, where they do contain policies relevant to housing supply, these policies should take account of latest and up-to-date evidence of housing need'*⁵.

Contribution to the Achievement of Sustainable Development

- 2.13 The NPPF is clear that all plan-making should contribute to and help to achieve sustainable development. Sustainable development is defined at NPPF paragraph 8. It encompasses three overarching objectives - environmental, economic and social:

'a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

³ Planning Practice Guidance. Paragraph: 041; Reference ID: 41-041-20140306.

⁴ Planning Practice Guidance. Paragraph 040 Reference ID: 41-040-20160211.

⁵ *Ibid.*

- b) *a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and*
- c) *an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy’.*

2.14 Furthermore, at paragraph 11, the NPPF confirms that all ‘Plans and decisions should apply a presumption in favour of sustainable development’. The NPPF clarifies that:

“For plan-making this means that:

- a) *plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change”*

2.15 Accordingly, Neighbourhood Plans should contribute to improvements to the three dimensions of sustainable development. If there are likely potential adverse effects as a result of the Plan, there should be measures in place that will reduce or offset these effects. This requirement is outlined in the PPG, which adds that:

‘This basic condition [contributing to sustainable development] is consistent with the planning principle that all plan-making and decision-making should help to achieve sustainable development. A qualifying body should demonstrate how its plan or Order will contribute to improvements in environmental, economic and social conditions or that consideration has been given to how any potential adverse effects arising from the proposals may be prevented, reduced or offset (referred to as mitigation measures).

In order to demonstrate that a draft neighbourhood plan or Order contributes to sustainable development, sufficient and proportionate evidence should be presented on how the draft neighbourhood plan or Order guides development to sustainable solutions⁶.

Conformity with the Strategic Policies in the Development Plan of the Local Area

2.16 The NPPF is clear, at paragraph 13, that Neighbourhood Plans should support the strategic development needs set out in Local Plans, including policies for housing and economic development. At footnote 16 and paragraph 29, the NPPF also states that Neighbourhood Plans should be in general conformity with the strategic policies of the Development Plan and that Neighbourhood Plans should plan positively to support them.

⁶ Planning Practice Guidance. Paragraph 072. Reference ID: 41-072-20190509.

- 2.17 The Development Plan for the Neighbourhood Plan Area currently comprises the South Oxfordshire Local Plan (2011 – 2035) ('the adopted plan'), which was adopted on 10 December 2020⁷.
- 2.18 In addition, South Oxfordshire District Council is also working in coordination with Vale of White Horse District Council to prepare a 'Joint Local Plan' to guide development in both local authority areas up to 2041. A Regulation 18 'Issues and Options' consultation on the 'Joint Local Plan' took place between 12 May and 23 June 2022.
- 2.19 The Councils' response to the Regulation 18 'Issues and Options' consultation was published in February 2023⁸. In accordance with the Councils' Local Development Schemes, a second Regulation 18 consultation is anticipated in 'Summer 2023', which will set out the 'Preferred Options' for the direction of the Joint Local Plan.
- 2.20 Wallingford is identified within the adopted local plan as one of three Market Towns within South Oxfordshire District, which comprise the highest tier settlements and to which the spatial strategy seeks to direct the majority of the district's overall development needs to 2035 outside of the substantial housing allocation at Didcot.
- 2.21 Furthermore, Policy STRAT2: South Oxfordshire Housing and Employment Requirements in the adopted plan commits the District to meeting the Objectively Assessed Housing Need ('OAHN'), as at the point of adoption, of 18,600 new homes up to 2035, in addition to providing a further 4,950 new homes to assist in meeting unmet need arising from Oxford City. Consequently, the total housing requirement for the plan period is 23,550 new homes.
- 2.22 PPG is clear that a draft Neighbourhood Plan is not tested against the policies in an emerging Local Plan. It is therefore possible for the NP to proceed to referendum and be 'made' prior to the emerging Joint Local Plan being adopted. However, the PPG clarifies that:

'...the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. For example, up-to-date housing need evidence is relevant to the question of whether a housing supply policy in a neighbourhood plan or Order contributes to the achievement of sustainable development'⁹.

⁷ Available online at: <https://www.southoxon.gov.uk/wp-content/uploads/sites/2/2021/02/SODC-LP2035-Publication-Feb-2021.pdf>.

⁸ Available online at: <https://www.southoxon.gov.uk/wp-content/uploads/sites/2/2023/02/JLP-Issues-Consultation-Results-Document.pdf>.

⁹ Planning Practice Guidance. Paragraph: 009. Reference ID: 41-009-20190509.

2.23 In considering the primary policy objective of achieving of sustainable development, it is also entirely possible (as indicated at PPG Paragraph 103; Reference ID 41-103-20190509) for a Neighbourhood Plan to propose housing growth at a level exceeding the requirement identified by the LPA in the adopted Local Plan. This may well be a suitable approach, where the allocation of additional housing can create further social, economic or environmental benefits.

Compatibility with EU and Human Rights Regulations

2.24 Neighbourhood Plans must not breach and must be compatible with EU and human rights obligations, including the Strategic Environmental Assessment ('SEA') Directive. The SEA is a procedure (set out in the Environmental Assessment of Plans and Programmes Regulations 2004) which requires the formal environmental assessment of certain plans and programmes that are likely to have significant effects on the environment.

Modification of the Brightwell-cum-Sotwell Neighbourhood Plan

2.25 The Brightwell-cum-Sotwell Neighbourhood Plan (2017) ('BcSNP') was made (adopted) as part of the District's development plan on 12 October 2017. The BcSNP (2017) covered the period from 2016 to 2032 and relates to the determination of planning applications within the Brightwell-cum-Sotwell Neighbourhood Area.

2.26 There is no requirement to review or update a made neighbourhood plan. However, the Government's Planning Practice Guidance highlights that there are various reasons for Qualifying Bodies to do so. These reasons include, for example, where the policies in a neighbourhood plan have become out of date, where the evidence supporting those policies has become dated, or where other material considerations indicate that those policies have become out of date¹⁰.

2.27 Where reviewing and/or updating a neighbourhood plan, PPG is clear that:

'To reduce the likelihood of a neighbourhood plan becoming out of date once a new local plan (or spatial development strategy) is adopted, communities preparing a neighbourhood plan should take account of latest and up-to-date evidence of housing need, as set out in guidance on preparing a neighbourhood plan or Order'¹¹.

2.28 There are three processes through which a neighbourhood plan or order can be modified¹². The appropriate process to be pursued in modifying a Neighbourhood Plan or Order relates to the degree of change which the proposed modification involved.

¹⁰ Planning Practice Guidance (April 2023) Paragraph: 084 Reference ID: 41-084-20190509.

¹¹ *Ibid.*

¹² Planning Practice Guidance (April 2023) Paragraph: 106 Reference ID: 41-106-20190509.

2.29 PPG confirms that proposals for minor (non-material) modifications to a neighbourhood plan or order can be made without undertaking an examination or referendum on the modified plan proposal. However, proposals which include material modifications to the neighbourhood plan or order require an examination of the plan by an Independent Examiner. Furthermore, material modifications which change the nature of the plan or order would require both examination and a referendum.

2.30 Regulation 15(f) of the Neighbourhood Planning (General) Regulations 2012 (as amended) requires that when a Qualifying Body ('QB') submits a modification proposal to the Local Authority, it must submit:

'...a statement setting out whether or not the qualifying body consider that the modifications contained in the modification proposal are so significant or substantial as to change the nature of the neighbourhood development plan which the modification proposal would modify, giving reasons for why the qualifying body is of this opinion'.

2.31 To this end, Brightwell-cum-Sotwell Parish Council submitted the 'Brightwell cum Sotwell Neighbourhood Plan Modification Proposal Statement' to South Oxfordshire District Council, which sets out that:

'Both the Parish Council and the Local Planning Authority, South Oxfordshire District Council ("the District Council") consider that the proposals represent material modifications to the Made Plan, but they are not considered so significant or substantial as to change the nature of the Made Plan'¹³.

¹³ BcSNP Modification Statement (2023) Paragraph 1.2. Available online at: https://www.southoxon.gov.uk/wp-content/uploads/sites/2/2023/01/5.-BCSNPR_Modification-Statement_Sub_Nov-2022.pdf.

3. LAND WEST OF SHILLINGFORD ROAD, WALLINGFORD

- 3.1 As set out above, Croudace is promoting the Land West of Shillingford Road with access taken from Wantage Road, immediately abutting the north-east of Wallingford ('the site') via the emerging JLP. The site does not include development land immediately to the east of Wantage Road. The proposals are for a sustainable, high-quality, landscape-led urban extension to Wallingford town, to provide up to 950 new homes, a new local centre, a 2FE Primary School, community orchard, and country park. Part of the site to the north lies within the Brightwell-cum-Sotwell Neighbourhood Plan Area. The wider site (including land to the east of Wantage Road) has been promoted for many years as a suitable site for Wallingford's growth. It was one of the final three options considered by SODC as part of the now superseded Core Strategy 2012. The Site was also submitted for consideration in the now adopted South Oxfordshire Local Plan 2035 (SOLP) (adopted December 2020) and only discounted as it was being considered as part of the Wallingford Neighbourhood Plan (WNP) (adopted May 2021) – to avoid duplicated work.
- 3.2 The WNP considered parts of the wider site within its boundary, but then allocated another site known as 'Site E' to the south-west of Wallingford, given that on Appeal the site had been already secured outline planning permission for 502 homes. It was deemed this fulfilled Wallingford's housing requirement and the Town Council did not need allocate further homes at that time.

Site Characteristics and Context

- 3.3 Land West of Shillingford Road, Wallingford ('the site') is located to the north and east of the settlement of Wallingford, within South Oxfordshire District Council ('SODC'). The site is capable of delivering approximately 950 homes, a 2FE Primary School, community facilities in a new local centre, a country park, and associated infrastructure. The site is located to the south of Oxford and north of Reading.
- 3.4 Wallingford is the only identified Market Town, currently the highest tier of the District's settlement hierarchy, that is central within the SODC. As such, investment in services and infrastructure has historically been strong in the area.
- 3.5 Significant areas of SODC are subject to the constraints of either the Oxford Green Belt or the North Wessex Downs and Chilterns Area of Outstanding Natural Beauty ('AONB'). Positively, the site at Land West of Shillingford Road, Wallingford is not located within the Green Belt nor the AONB (other than along the northern boundary away from the proposed development area) and so offers the opportunity to accommodate some of SODC's housing needs.

- 3.6 The site comprises predominantly undeveloped, agricultural land. Across the site there are areas of existing woodland and tree planting as well as tree and hedgerow planting along existing field boundaries. These can be protected and enhanced. The site is also located entirely within Flood Zone 1.

The Proposed Development

- 3.7 The site provides an exciting opportunity to deliver a sustainable extension to Wallingford, which is well connected to the existing services and facilities and provides new homes and facilities for new and existing residents.
- 3.8 The site is located in a highly sustainable location and benefits from the following opportunities:
- due to its location at Wallingford within South Oxfordshire, the site offers a unique opportunity to contribute to the District's housing needs in a highly sustainable location;
 - the developable area of the site is not constrained by Green Belt or Area of Outstanding Natural Beauty (AONB);
 - it is not constrained by heritage designations;
 - strong highway network connections;
 - excellent access into Wallingford town centre in line with the 20-minute neighbourhood principles, with the associated reduction in traffic;
 - being well served by existing local services and facilities including a nearby school;
 - the site provides the opportunity to deliver new services and facilities, including a local community centre;
 - highly desirable location between Oxford, Didcot and Reading;
 - the site benefits from existing landscape features including woodland areas which would be retained and create character;
 - biodiversity Net Gain and habitat enhancement opportunities; and
 - net zero/low carbon opportunity.
- 3.9 Land West of Shillingford Road, Wallingford is a highly sustainable site, which is relatively unconstrained and has the ability to bring significant benefits to the local area. There are no overriding physical or environmental constraints that would prevent the site from being delivered.
- 3.10 The site is *deliverable* in the immediate short-term and Croudace anticipate that the site could deliver around 950 homes with associated infrastructure and community facilities. Masterplanning work has been undertaken to demonstrate that the number of units proposed would be achievable.

- 3.11 The vision for the site is simple: to create a vibrant new integrated community, providing an attractive northern gateway to the town. To achieve this vision, the neighbourhood will offer a blend of inspirational architecture, well-maintained landscape and open space, new foot and cycle connections, a new link between Wallingford Road and Shillingford Road, new education provision and a new local centre.
- 3.12 The site will be physically, socially and environmentally sustainable. Transport will be provided via a choice of movement and modes, ensuring good access through the development and the adjacent neighbourhoods, and beyond. Low carbon development and sustainable energy principles will be promoted throughout the scheme as will green infrastructure.
- 3.13 The new neighbourhood will have a clear identity and character and create a place in which people will aspire to live. The design will provide robust and adaptable buildings and a positive response to the characteristics of the site and area, reflecting the transition between the urban edge to the south and the open countryside to the north.
- 3.14 There will be an appropriate and sustainable mix of uses, including a range of tenures and types of housing, and an appropriate breadth of facilities, amenities and social infrastructure, as required.

Land within Brightwell-cum-Sotwell Neighbourhood Plan area

- 3.15 Within the boundary of the BCSNP area, the emerging proposals would include an access road, taken from Wantage Road, set within a wide landscape buffer zone including tree planting. The development area to the east would include a Country Park which would extend across the whole of the northern boundary, which would incorporate the existing PROW as well as providing recreational facilities, including play areas and allotments. The proposals include for a 2FE Primary School with sports pitches for community use. There would be housing set well away from the northern boundary, a local centre, community orchard and sustainable urban drainage pond features.
- 3.16 The remainder of the proposed residential development, a community green, cycleway into the town centre, a further vehicular access and an emergency vehicular access onto Shillingford Road, would be on land within Wallingford Parish Council Neighbourhood plan area.

Sustainability

- 3.17 Croudace Homes Ltd promote sustainable development including appropriate energy use, sustainable design and transport respectively.
- 3.18 In terms of transport, the scheme provides pedestrian routes through the site that links to the existing Public Right of Way ('PROW') network, providing an alternative means of transport and reducing the reliance on car movement.

- 3.19 All dwellings would be provided with cycle storage provision either in the garages for the houses or where a garage is not provided, a purpose made cycle store will be provided in the rear gardens of the plots.
- 3.20 Dwellings would also be provided, as a minimum, with an EV ready external socket that will allow users to charge an electric/hybrid vehicle.
- 3.21 A Travel Pack would be provided to each household of the development that will include details of sustainable transport, location of services within walking distance alongside a £100 voucher that can be used towards for either cycle purchase or the purchase of a bus season ticket.

Summary

- 3.22 South Oxfordshire District has an existing commitment to meeting the Objectively Assessed Housing Need for the area, in addition to meeting unmet need arising from Oxford City, given the authorities' strong functional relationship. Furthermore, we anticipate that both of these commitments would be replicated in the future through the Joint Local Plan 2041 plan-making process.
- 3.23 On behalf of our client, we can confirm the site is *available* for development now, is in a *suitable* and sustainable location, and is *achievable* for development in the early part of the plan period. The site is therefore *deliverable*, and we recommend that the Parish Council engages with South Oxfordshire District Council to bring forward this site for the allocation of 950 new homes, which would be well-placed to contribute toward meeting the district's substantial unmet housing needs.
- 3.24 South Oxfordshire and Vale of White Horse District Councils are currently in the process of undertaking site assessments to inform the preparation of the Spatial Strategy to be taken forward within the emerging Joint Local Plan 2041. The Land West of Shillingford Road, Wallingford is currently under consideration, with all the other sites being promoted, as part of this process for allocation within the emerging plan to assist in meeting the Councils' substantial housing needs.
- 3.25 Given that a portion of the site sits within the Brightwell-cum-Sotwell Neighbourhood Area, it is imperative that the Neighbourhood Plan is prepared in accordance with the primary policy objective of achieving of sustainable development, to ensure that its policies do not unnecessarily inhibit the development of the site, should it come forward for allocation.

4. COMMENTS ON PROPOSED POLICIES

- 4.1 In this section, Croudace's observations and recommendations are set out in relation to the specific policies proposed within the emerging Brightwell-cum-Sotwell Modified Neighbourhood Plan. As previously noted, we welcome the preparation of the Neighbourhood Plan and we believe that, once amended in accordance with the below suggestions, the Plan would have a positive effect on planning within the Neighbourhood Area.
- 4.2 However, it is our view that there are several flaws and omissions within the Neighbourhood Plan as currently proposed, which together ensure that the emerging modified plan does not meet the 'basic conditions' as required by the Neighbourhood Planning (General) Regulations 2012 (as amended).
- 4.3 Commentary is provided within this section to identify the various issues with the proposed plan and our recommendations as to how such issues could be remedied to ensure that the proposed modified plan complies with the basic conditions. In the discussion, our comments relate wherever possible to situations in which the proposed plan conflicts directly with:
- National planning policy and the advice provided by the Secretary of State;
 - Achieving sustainable development; and/or
 - Strategic policies of the development plan.

Policy BCS1 – Brightwell-cum-Sotwell Village Boundary

- 4.4 Policy BCS1: Brightwell-cum-Sotwell Village Boundary proposes to define the settlement boundary for Brightwell-cum-Sotwell village ('BcS'). Clearly defining the settlement's boundary assists in broadly setting the strategic context for the remainder of the plan. Croudace agrees with this approach in principle, as the clarification of such boundaries provides greater certainty for residents and developers alike.
- 4.5 Criterion 2 of Policy BCS1, as proposed, states that proposals for development within the settlement boundary will be supported, provided that certain criteria are met. In combination with several site allocation policies (Policies BCS2 to BCS4C), this criterion seeks to deliver a modest level of new housing to support the growth of the village over the plan period.
- 4.6 However, criterion 3 of the policy, as proposed, requires that:

'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 development plan including Policies BCS9 and BCS10 of this Modified Neighbourhood Plan'.

- 4.7 Paragraph 5.11 within the supporting text to the policy clarifies that:

'The preferred strategy presents a coherent combination of sites that effectively complete the opportunities to infill the village envelope without requiring incursions

into the surrounding countryside. [...] As a result, the Boundary accommodates land for approximately 60 new homes across the allocated sites, which exceeds the indicative scale of growth advised by the District Council but should ensure the village will not be vulnerable to unplanned, harmful development for the plan period'.

- 4.8 Furthermore, paragraph 5.9 clarifies that *'It is on this basis that housing proposals are planned to be delivered within our defined Boundary and without needing to take up land in the surrounding countryside'.*
- 4.9 In our view, as currently drafted Policy BCS1 fails to meet the basic conditions. The proposed policy is problematic insofar as it fails to consider the broader strategic context within which the Neighbourhood Area is situated. Focusing solely on the housing needs of Brightwell-cum-Sotwell village has resulted in a policy which actively inhibits the achievement of sustainable development elsewhere within the Neighbourhood Area.
- 4.10 Croudace commends the inclusion of policies within the proposed neighbourhood plan to support the sustainable growth of Brightwell-cum-Sotwell village. However, the lack of regard for the sustainable growth of nearby Wallingford Market Town (a highest order settlement in the settlement hierarchy), and the broader housing needs of the District, has inadvertently resulted in a proposed policy that restricts the town's future sustainable expansion and directly conflicts with the basic conditions.
- 4.11 To this end, it is pertinent that the eastern extent of the adopted Neighbourhood Area, to which the proposed Policy BCS1 would apply in its entirety, adjoins the market town of Wallingford Neighbourhood Area. Outside of the Brightwell-cum-Sotwell settlement boundary, Policy BCS1 states that development proposals *'will only be supported if they are appropriate to a countryside location'*. Paragraph 5.9 in the supporting text to the policy interprets this as *'new sustainable economic growth'* to support the existing rural economy of the area.
- 4.12 Clearly, the definition is deliberately narrow; indeed, during the previous Examination of the original BcSNP (2017) the Examiner amended the provision significantly to introduce greater clarity than the original text included. Problematically, the narrow definition would inhibit the sustainable expansion of Wallingford market town, introducing unnecessary delays into the planning process and preventing sustainable development to meet the District's housing needs.
- 4.13 As set out in Section 3 of these representations, the Land West of Shillingford Road, Wallingford ('the site') presents an opportunity to deliver a sustainable urban extension of Wallingford. The location of the site in relation to the Brightwell-cum-Sotwell Neighbourhood Area is demonstrated at **Appendix 2: Neighbourhood Area Boundary Plan**.

- 4.14 Wallingford represents one of the three highest order settlements within South Oxfordshire, to which Policies STRAT1, STRAT2 and H3 of the adopted South Oxfordshire Local Plan (2011 – 2035) direct a significant proportion of the District's overall development needs. As currently formulated, the third criterion of proposed Policy BCS1 does not provide an appropriate spatial context to accommodate appropriate development to support the sustainable growth of the town in this area.
- 4.15 Furthermore, the emerging JLP will be required to deliver the identified needs of the districts over the emerging plan period. In the preparation of the emerging JLP, the Councils' will be required to undertake revised assessments to understand the Objectively Assessed Housing Need ('OAHN') of the emerging plan area.
- 4.16 To this end, Chiltern District and Oxford City Councils have recently published the Oxfordshire Housing and Economic Needs Assessment (2022), which sets out four reasonable alternative assessments of housing need across Oxfordshire. In three of the four assessments, the housing need for South Oxfordshire is significantly increased in relation to the existing adopted housing requirement for SODC.
- 4.17 Furthermore, Oxford City Council recently undertook a 'Preferred Options' Regulation 18 'Housing Needs Consultation' on the emerging Oxford Local Plan 2040. The emerging plan confirms that Oxford faces a shortfall of approximately 865 dwellings per annum in relation to its preferred housing requirement. Consequently, a substantial unmet need of approximately 15,000 new homes is set to arise from the authority, which will need to be accommodated within the neighbouring less-constrained authorities, including South Oxfordshire, in accordance with Section 33a of the Planning and Compulsory Purchase Act 2004.
- 4.18 Together, the increased housing need for the District, alongside the significant unmet need arising from Oxford City, result in a substantial housing need facing South Oxfordshire District over the emerging plan period. As set out previously, PPG is clear that:

'...the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. For example, up-to-date housing need evidence is relevant to the question of whether a housing supply policy in a neighbourhood plan or Order contributes to the achievement of sustainable development'¹⁴.

- 4.19 In addition to the above, South Oxfordshire District Council's latest Authorities Monitoring Report (2021/22)¹⁵ confirms that the District is already 874 homes behind the cumulative Housing Requirement over the plan period to date. To redress this shortfall, it is imperative that additional sites are brought forward for development which are capable of delivering new homes in the short-term, such as the Land West of Shillingford Road, Wallingford.

¹⁴ Planning Practice Guidance. Paragraph: 009. Reference ID: 41-009-20190509.

¹⁵ Available online at: <https://www.southoxon.gov.uk/wp-content/uploads/sites/2/2023/03/SODC-AMR-2021-22.pdf>.

- 4.20 Given the early stage of the JLP plan-making process, the South Oxfordshire and Vale of White Horse District Councils are currently undertaking site assessments to identify appropriate development opportunities within the proposed plan area to accommodate the substantial housing growth required up to 2041.
- 4.21 The Land West of Shillingford Road, Wallingford is currently being considered as part of this process for the allocation of the site to accommodate residential development of up to 950 new homes, a local centre, and associated infrastructure. The site formed part of 'Site A' as identified by SODC, in the growth options considered for Wallingford as part of the process leading up to the adoption of SODC's now superseded Core Strategy 2012 ('CS'). It was one of the final three options considered by SODC at that time.
- 4.22 As set out above, in the preparation of the adopted SOLP, the site was only discounted for consideration to avoid potential duplication with the WNP being prepared at the same time, which considered various options for development in Wallingford, including the application site. Ultimately, the WNP allocated land that had already been granted outline planning permission on appeal – known as 'Site E'.
- 4.23 The assessment of the site undertaken in relation to the WNP indicated that additional information was required in relation to a number of matters, including: the impact on the setting of the North Wessex Downs AONB; the implications of minerals safeguarding; the local highway network; and the town centres Air Quality Management Area. However, based on technical advice, these matters are not considered to represent constraints to the development of the site.
- 4.24 In June 2022, Boyer submitted representations on behalf of Croudace, to the 'Issues' Consultation on the emerging Joint Local Plan (2041) which demonstrated that these matters identified in relation to the WNP high level assessment, are not constraints to development and therefore that the site is suitable for allocation in the emerging JLP.
- 4.25 However, as the proposed Policy BCS1 considers the sustainable growth of Brightwell-cum-Sotwell in isolation, rather than having regard the broader context of the Neighbourhood Area in relation to national policy and local housing needs evidence, the wording of the policy currently inhibits sustainable growth in appropriate locations at Wallingford.
- 4.26 To redress this concern, Croudace considers that it is necessary to include additional wording within the proposed policy, to provide a more positively prepared policy context to support the sustainable development of neighbouring settlements and to support the delivery of the District's significant identified housing needs. To this end, it is recommended that an additional policy criterion is included as per the below:

'Development proposals to support the sustainable expansion of Wallingford Market Town are supported, providing that they are in an appropriate location and are consistent with Policies BCS9 and BCS10 of this Neighbourhood Plan'.

- 4.27 To provide the greatest level of clarity, Croudace recommends the allocation of the site for development within the Neighbourhood Plan. The proportion of the site that lies within the Brightwell-cum-Sotwell Neighbourhood Area is capable of delivering approximately 272 new homes, a 2FE Primary School, a new country park, and a community orchard.
- 4.28 Planning Practice Guidance is clear that Neighbourhood Plans are capable of proposing housing growth at a level exceeding the requirement identified by the LPA. Indeed, this is considered to be a suitable approach where the allocation of additional housing can create further social, economic, or environmental benefits¹⁶.
- 4.29 Given the community facilities proposed as part of the development of the Land west of Shillingford Road, Wallingford, alongside the sustainable approach to the design and construction of the development, Croudace consider that there are substantial benefits to be gained from the allocation of the site. Notwithstanding, allocation would ensure that the site is required to comply with Policies BCS9 and BCS10 in the modified neighbourhood plan; whereas in the absence of an allocation, there would be no such provision.
- 4.30 Furthermore, it is understood that the spatial strategy proposed within the modified neighbourhood plan is based upon a simple estimate that the housing needs of the entire Neighbourhood Area equate to approximately 10% of the number of households that were present within just Brightwell-cum-Sotwell at the point of the 2011 Census.
- 4.31 This represents an unjustified assessment of housing need, based on no apparent or submitted evidence, which relies on data that is over 12 years out of date. In accordance with the provisions of paragraphs 2.10 – 2.12 of these representations, this conflicts with the basic conditions insofar as it does not have due regard to national planning policy.
- 4.32 To redress this issue, Croudace consider that it is necessary to undertake an appropriate assessment of housing need within the Neighbourhood Area, which takes account of the sustainable development of Wallingford Market Town given its proximity and considers published evidence in relation to the identified housing need at the District scale. Without having undertaken this assessment work, the proposed modified plan cannot be capable of being found to comply with the basic conditions.

Policy BCS5: House Types and Tenures

- 4.33 Policy BCS5: House Types and Tenures seeks to restrict the delivery of Specialist Accommodation for Older People within the Neighbourhood Area, stating that such proposals would not be supported at criterion B.
- 4.34 The approach set out in Policy BCS5 clearly conflicts with the 'basic conditions' in several areas. Our concerns relate to the clear conflict with the proposed policy and the achievement of sustainable development, alongside conflicting with national guidance relating to meeting the housing needs of this identified community group.

¹⁶ Planning Practice Guidance (April 2023) Paragraph 103; Reference ID 41-103-20190509.

Conflicts with National Guidance, the Development Plan, and the Achievement of Sustainable Development

- 4.35 Section 2 sets out in detail the legal and policy context relating to neighbourhood planning in England. The Neighbourhood Planning (General) Regulations (2012) (as amended) require that a neighbourhood plan must certain basic conditions, which ensure that the plan must contribute to the achievement of sustainable development, have regard to national guidance, and be in general conformity with the development plan of the area.
- 4.36 Proposed Policy BCS5 seriously conflicts with each of these basic requirements, as discussed below, and must be amended to reflect a more *positively prepared* approach that seeks to meet the clear and substantial identified needs for this form of housing development over the lifetime of the plan period.
- 4.37 With regard to national guidance, the NPPF is clear that:
- 'The application of the presumption [in favour of sustainable development] has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should:*
- *Support the delivery of strategic policies contained in local plans or spatial development strategies; and,*
 - *Shape and direct development that is outside of these strategic policies'*¹⁷.
- 4.38 The NPPF further reiterates, at paragraph 29, that neighbourhood plans need to be aligned with the strategic needs and priorities of the wider local area. It confirms that: *'...Neighbourhood plans should not promote less development than set out in the strategic policies for the area or undermine those strategic policies'*. This is supported by NPPF footnote 16 which states: *'Neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area'*.
- 4.39 Pursuant to this, PPG further clarifies that 'regard to national policy' means that a *'Neighbourhood Plan or Order must not constrain the delivery of important national policy objectives'*¹⁸.
- 4.40 Given the above requirements for a neighbourhood plan, the inclusion of a policy which explicitly restricts the development of Specialist Accommodation for Older People must clearly be in direct conflict with the achievement of sustainable development, national policy, and the development plan, in relation to the need to provide for identified housing needs where such needs are demonstrated. The following discussion clearly establishes that such a need is present at the national and district scale.

¹⁷ NPPF (2021) Paragraph 13.

¹⁸ Planning Practice Guidance. Paragraph: 069 Reference ID: 41-069-20140306

Identified Need for Specialist Accommodation for Older People

4.41 The NPPF is clear that (emphasis added):

... 'the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes¹.

4.42 Furthermore, in December 2022, the Government published a consultation on the 'Levelling-up and Regeneration Bill: reforms to national planning policy', which proposed to make amendments to Paragraph 62 of the NPPF. The proposed amendments include the specific identification of the need to assess the needs of older persons 'including for retirement housing, housing-with-care and care homes' and reflect this within planning policies.

4.43 The direction of travel for national guidance is clearly marked toward the specific consideration of need for 'extra care' and specialist older persons accommodation and the allocation of sites to meet this need. Introducing clarification to the existing requirement to reflect the housing needs of older persons in planning policies demonstrates that tackling the emerging crisis in the under-provision of this type of accommodation represents a national priority.

4.44 Furthermore, at the sub-regional scale, the Oxfordshire Strategic Housing Market Assessment (2014) ('SHMA'), which forms an essential part of the evidence-base supporting the adopted South Oxfordshire Local Plan (2011 – 2035), to which the Neighbourhood Plan must have regard, identifies that there is a clear and substantial need for housing to accommodate the needs of older persons up to 2035.

4.45 Paragraphs 8.23 – 8.29 of the SHMA (2014) raise fundamental issues for the South Oxfordshire Local Plan, to which the Neighbourhood Plan is required by the basic conditions to be in general conformity with. The SHMA confirms, at Table 69, that the projected population increase within South Oxfordshire of persons aged 55+ is set to see increase by 46% up to 2031. This comprises a group in which many individuals hold specific housing requirements.

4.46 Given the total projected population increase within this community group within South Oxfordshire District, the SHMA models the need for additional 'Older Persons Housing' to comprise 2,094 net new dwellings up to 2031. There is, therefore, a clear and substantial need to accommodate the specific housing needs of older persons within South Oxfordshire District.

4.47 Policy H13 of the South Oxfordshire Local Plan (2011 – 2035) provides support to the delivery of specialist housing for older people in locations with good access to public transport and local facilities. It also encourages local communities to identify suitable sites for specialist housing for older people through the Neighbourhood Planning process.

- 4.48 Meeting the District's pressing housing needs is inextricably linked to the sustainable growth of Wallingford (as one of the three highest order settlements in the District) and all other local communities to accommodate, where appropriate, both general residential housing needs and, in addition, the housing needs of older persons, which is both evidenced and substantial.
- 4.49 The basic conditions require a neighbourhood plan to contribute to the achievement of sustainable development, have regard to national policy, and be in general conformity with the development plan for the area. Policy BCS5 clearly fails on all three of these measures in relation to the inclusion of Criteria B. As proposed, the policy explicitly seeks to inhibit the delivery of specialist accommodation for older persons, which directly conflicts with the provisions of national, regional, and local commitments.
- 4.50 Given this clear conflict, Policy BCS5 must be revised to reflect a more positive approach to development, which seeks to proactively meet the identified need for this type of housing within the Neighbourhood Area over the plan period.
- 4.51 To redress this issue, we **strongly encourage** the Examiner to consider the revision of Policy BCS5 to reflect a more positively prepared approach, which proactively seeks to direct development toward delivering the identified needs of the community group.

Policy BCS17: Community Facilities

- 4.52 Policy BCS17: Community Facilities intends to prevent the loss, or harm to the viability, of existing essential community facilities within the Neighbourhood Area. Croudace welcome the inclusion of this policy in principle but consider that amendments are required to the wording of the fourth criterion, relating to proposals to create, inter alia, new community facilities, in order to ensure the policy complies with the basic conditions.
- 4.53 The fourth criterion of Policy BCS17 requires that:
- 'Proposals to create new community facilities, as well as new business, or 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 BCS6; and the nature and scale of their use are of a character that will maintain the residential amenity of the immediate area' (emphasis added).*
- 4.54 Notwithstanding the support that Croudace have for this policy in principle, the provision that new community facilities must be '*located within the Village Boundary*' is problematic. As drafted, the policy would inhibit the development of new community facilities as part of the wider proposed urban extension of Wallingford at the Land West of Shillingford Road, Wallingford. This could cause unnecessary delays in the planning process and conflicts with the achievement of sustainable development.

- 4.55 To redress this issue, Croudace recommend that Policy BCS17 is amended to remove this specific provision. Given the need to accord with the Design Code of Policy BCS6, and that the nature and scale of the proposed use must be of a character that will maintain the residential amenity of the immediate area, the provision that new community facilities must be within the Village Boundary is entirely unnecessary.
- 4.56 As evidenced in the delays cause to the progression of several of the allocated sites within the Village Boundary, there are clearly issues relating to achieving suitable access to new developments within the village. This is likely to be the case for proposed community facilities within the Village Boundary too, effectively prohibiting the development of any new community facilities within the Neighbourhood Area.
- 4.57 Croudace therefore recommend that Policy BCS17 is amended as per the below:

'Proposals to create new community facilities, as well as new business, or 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 BCS6; and the nature and scale of their use are of a character that will maintain the residential amenity of the immediate area' (emphasis added)'.

5. SUMMARY AND CONCLUSION

- 5.1 Croudace welcomes the preparation of a modified Neighbourhood Plan for the Brightwell-cum-Sotwell Neighbourhood Area. We recognise that neighbourhood planning can allow local communities, of which we are a part, to play a meaningful and positive role in influencing development in the area.
- 5.2 As we have set out in these representations, there are many aspects of the draft neighbourhood plan that are of merit, which should be carried forward. However, we consider that there are several flaws and omissions within the draft plan and its evidence base that need to be redressed before the plan can be considered to comply with the basic conditions and proceed to adoption.
- 5.3 Croudace recommend that the draft modified neighbourhood plan is amended to provide a more positive approach toward development related to meeting the identified housing needs of Wallingford Market Town and South Oxfordshire District more generally. Furthermore, Croudace recommends amendments are made to specific policies within the plan to ensure a more positive approach toward the development of Specialist Accommodation of Older People and Community Facilities.
- 5.4 Croudace considers that these amendments are necessary to assist in meeting the identified housing needs of Wallingford Market Town and South Oxfordshire District, alongside the specific housing needs of Older Persons over the plan period. These suggested amendments are considered to be necessary to assist the draft neighbourhood plan in meeting the basic conditions required for the plan to proceed to referendum and/or adoption.
- 5.5 We have also provided comments on a number of the other proposed policies. In this regard, Croudace are concerned that some of the draft policies appear to not be supported by sufficient evidence to confirm their effectiveness / feasibility to implement. These policies should be revisited, to ensure the draft neighbourhood plan can meet the basic conditions test.
- 5.6 Furthermore, these representations have confirmed that the Land West of Shillingford Road, Wallingford is free from any significant constraints that would inhibit the development of the site for up to 950 new homes, a new local centre (potentially including community facilities), a 2FE Primary School, Country Park, and associated infrastructure.
- 5.7 To ensure the Neighbourhood Plan is capable of affecting the development of the site as it progresses through the plan-making process, it is therefore recommended that the site is allocated, as part of a revised strategy, to assist in meeting the identified housing needs of the Neighbourhood Area, the adjacent Wallingford Market Town, and the District overall.
- 5.8 Croudace would welcome the opportunity to clarify any of the matters raised in these representations with the independent Examiner should this be required or provide further information if it would be useful.

APPENDIX 1 – SITE LOCATION PLAN

Notes

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2. Only figured dimensions are to be taken from this drawing. All contractors must visit site and be responsible for taking and checking all dimensions related to the works shown on the drawing.
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External References:
 • -
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No.	Date	Reason	Name

Project
 Land at Wantage Road, Wallingford
 for Croudace

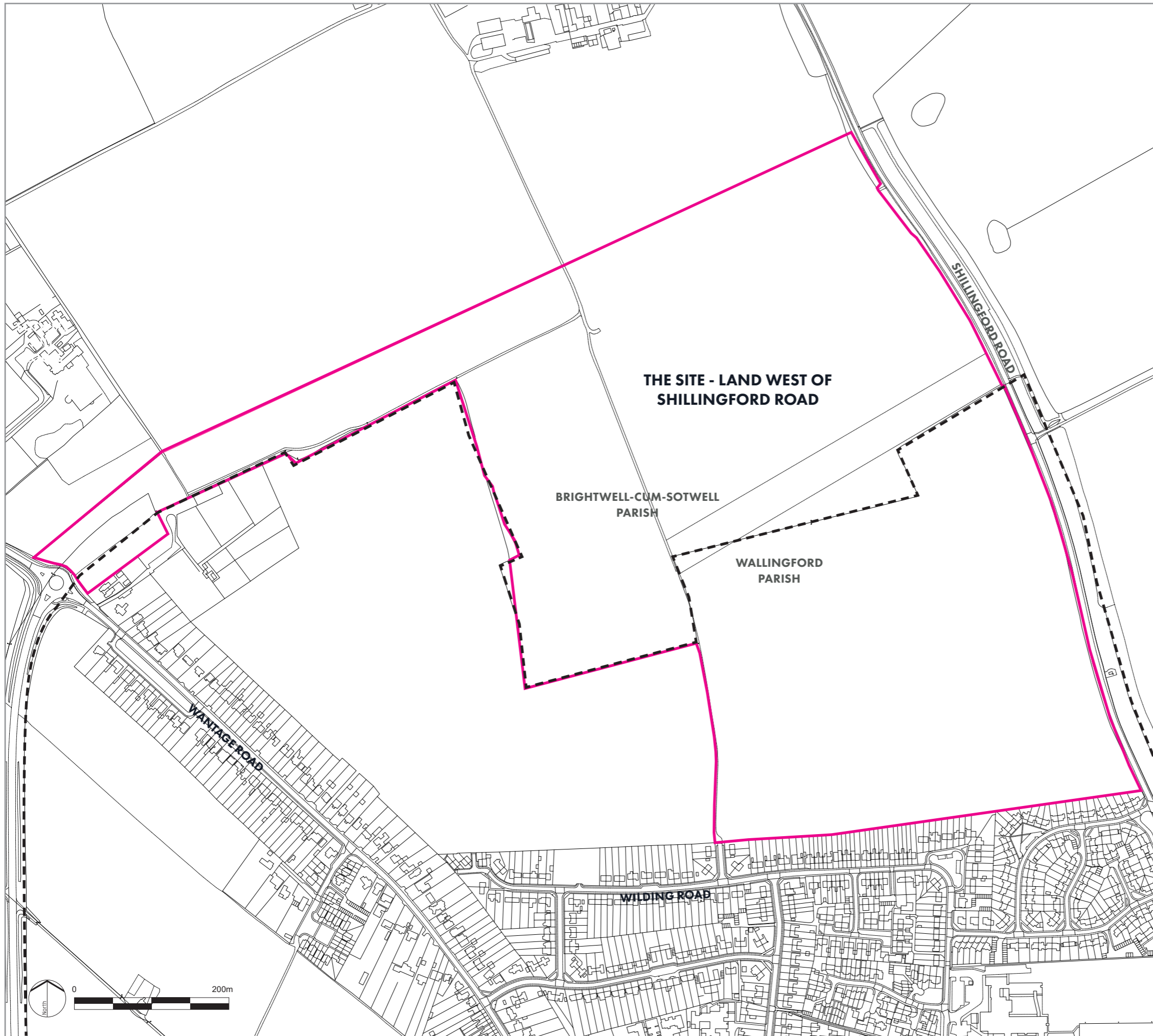
Drawing
 Site Boundary

Scale: 1:2500 @ A1
 Date: April 2019
 Checked: BS
 Drawn: BS

Drawing No.: D2516_503
 Revision: -

- Preliminary
- Issued for Planning Approval
- Issued for Construction
- Issued for Design/Information
- Issued for Tender
- As Built

APPENDIX 2 – NEIGHBOURHOOD AREA BOUNDARY PLAN



LEGEND

- SITE BOUNDARY
- PARISH BOUNDARY

REV.	DESCRIPTION	APP.	DATE
A	PARISH BOUNDARY ADDED	AB	17.04.23

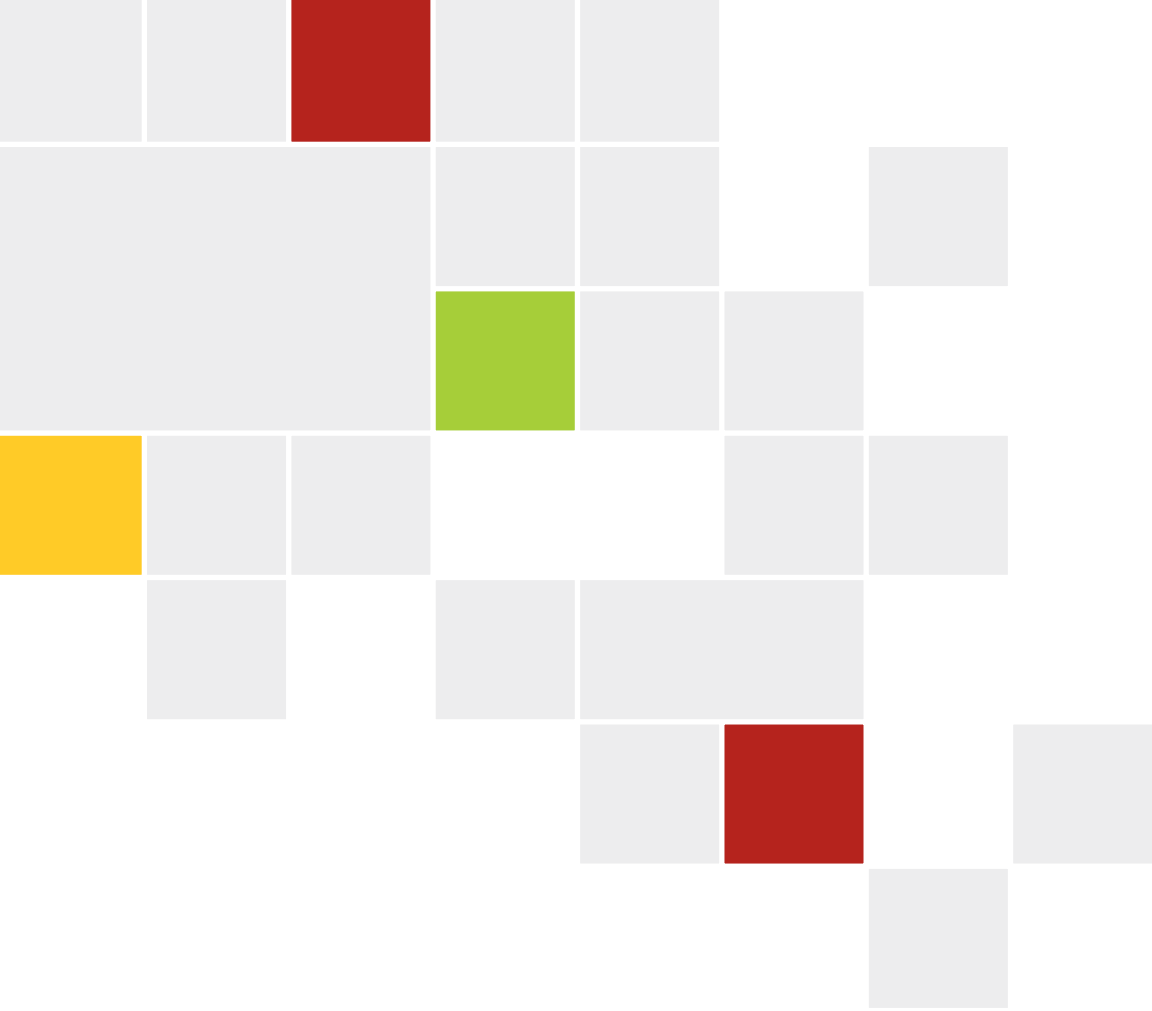


PROJECT TITLE
LAND WEST OF SHILLINGFORD ROAD, WALLINGFORD

DRAWING TITLE
SITE BOUNDARY

ISSUED BY London T: 020 7620 1453
DATE APRIL 2023 **DRAWN** AB
SCALE@A3 1:5000 **CHECKED** AB
STATUS ISSUE **APPROVED** BS
DWG. NO. D2516_457

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Boyer

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The following responses were received after the end of the Regulation 16 Consultation period.

Response 12

Respondent Details

[REDACTED]

[REDACTED] [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Q1. Are you completing this form as an:

Agent

Your comments

Q2. You can provide your comments on the Brightwell cum Sotwell Neighbourhood Plan Review below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.

Response received via email. Please see attachment.

Q3. You can upload supporting evidence here.

- File: 18-04 Brightwell NP.pdf [REDACTED]

Your details and future contact preferences

Q8. After the publicity period ends, your comments, name, email and postal address will be sent to an independent examiner to consider. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

Title -

Name [REDACTED]

Job title (if relevant) Graduate Planner

Q8. After the publicity period ends, your comments, name, email and postal address will be sent to an independent examiner to consider. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

Organisation (if relevant)	Avison Young
Organisation representing (if relevant)	National Grid
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Our Ref: MV/ 15B901605



18 April 2023

South Oxfordshire District Council
planning.policy@southoxfordshire.gov.uk
via email only

Dear Sir / Madam

**Brightwell cum Sotwell Neighbourhood Plan Review Submission Version
February – April 2023
Representations on behalf of National Grid Electricity Transmission**

National Grid Electricity Transmission has appointed Avison Young to review and respond to local planning authority Development Plan Document consultations on its behalf. We are instructed by our client to submit the following representation with regard to the current consultation on the above document.

About National Grid Electricity Transmission

National Grid Electricity Transmission plc (NGET) owns and maintains the electricity transmission system in England and Wales. The energy is then distributed to the electricity distribution network operators, so it can reach homes and businesses.

National Grid no longer owns or operates the high-pressure gas transmission system across the UK. This is the responsibility of National Gas Transmission, which is a separate entity and must be consulted independently.

National Grid Ventures (NGV) develop, operate and invest in energy projects, technologies, and partnerships to help accelerate the development of a clean energy future for consumers across the UK, Europe and the United States. NGV is separate from National Grid's core regulated businesses. Please also consult with NGV separately from NGET.

Proposed development sites crossed or in close proximity to NGET assets:

An assessment has been carried out with respect to NGET assets which include high voltage electricity assets and other electricity infrastructure.

NGET has identified that no assets are currently affected by proposed allocations within the Neighbourhood Plan area.

NGET provides information in relation to its assets at the website below.

- www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/



Please also see attached information outlining guidance on development close to NGET infrastructure.

Distribution Networks

Information regarding the electricity distribution network is available at the website below:
www.energynetworks.org.uk

Further Advice

Please remember to consult NGET on any Neighbourhood Plan Documents or site-specific proposals that could affect our assets. We would be grateful if you could add our details shown below to your consultation database, if not already included:

[REDACTED], Director

nationalgrid.uk@avisonyoung.com

Avison Young
Central Square South
Orchard Street
Newcastle upon Tyne
NE1 3AZ

[REDACTED], Development Liaison Officer

box.landandacquisitions@nationalgrid.com

National Grid Electricity Transmission
National Grid House
Warwick Technology Park
Gallows Hill
Warwick, CV34 6DA

If you require any further information in respect of this letter, then please contact us.

Yours faithfully,

[REDACTED]

Director

[REDACTED]@avisonyoung.com

For and on behalf of Avison Young

NGET is able to provide advice and guidance to the Council concerning their networks and encourages high quality and well-planned development in the vicinity of its assets.

Developers of sites crossed or in close proximity to NGET assets should be aware that it is NGET policy to retain existing overhead lines in-situ, though it recognises that there may be exceptional circumstances that would justify the request where, for example, the proposal is of regional or national importance.

NGET's *'Guidelines for Development near pylons and high voltage overhead power lines'* promote the successful development of sites crossed by existing overhead lines and the creation of well-designed places. The guidelines demonstrate that a creative design approach can minimise the impact of overhead lines whilst promoting a quality environment. The guidelines can be downloaded here: <https://www.nationalgrid.com/document/130626/download>

The statutory safety clearances between overhead lines, the ground, and built structures must not be infringed. Where changes are proposed to ground levels beneath an existing line then it is important that changes in ground levels do not result in safety clearances being infringed. National Grid can, on request, provide to developers detailed line profile drawings that detail the height of conductors, above ordnance datum, at a specific site.

NGET's statutory safety clearances are detailed in their *'Guidelines when working near National Grid Electricity Transmission assets'*, which can be downloaded here: www.nationalgrid.com/network-and-assets/working-near-our-assets

How to contact NGET

If you require any further information in relation to the above and/or if you would like to check if NGET's transmission networks may be affected by a proposed development, please visit the website: <https://lsbud.co.uk/>

For local planning policy queries, please contact: nationalgrid.uk@avisonyoung.com

Response 13

Respondent Details

[REDACTED]
[REDACTED] [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] [REDACTED]

Q1. Are you completing this form as an:
Agent

Your comments

Q2. You can provide your comments on the Brightwell cum Sotwell Neighbourhood Plan Review below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.
Response received via email. Please see attachment.

Q3. You can upload supporting evidence here.
<ul style="list-style-type: none">File: 18-04 Brightwell NP Gas.pdf [REDACTED]

Your details and future contact preferences

Q8. After the publicity period ends, your comments, name, email and postal address will be sent to an independent examiner to consider. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.
Title -
Name [REDACTED]
Job title (if relevant) Graduate Planner

Q8. After the publicity period ends, your comments, name, email and postal address will be sent to an independent examiner to consider. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

Organisation (if relevant)	Avison Young
Organisation representing (if relevant)	National Gas
Address line 1	Central Square South
Address line 2	Orchard Street
Address line 3	3rd Floor
Postal town	Newcastle upon Tyne
Postcode	NE1 3AZ
Telephone number	-
Email address	nationalgas.uk@avisonyoung.com

Our Ref: MV/ 15B901605



18 April 2023

South Oxfordshire District Council
planning.policy@southoxfordshire.gov.uk
via email only

Dear Sir / Madam

**Brightwell cum Sotwell Neighbourhood Plan Review Submission Version
February – April 2023
Representations on behalf of National Gas Transmission**

National Gas Transmission has appointed Avison Young to review and respond to Neighbourhood Plan consultations on its behalf. We are instructed by our client to submit the following representation with regard to the current consultation on the above document.

About National Gas Transmission

National Gas Transmission owns and operates the high-pressure gas transmission system across the UK. In the UK, gas leaves the transmission system and enters the UK's four gas distribution networks where pressure is reduced for public use.

Proposed sites crossed or in close proximity to National Gas Transmission assets:

An assessment has been carried out with respect to National Gas Transmission's assets which include high-pressure gas pipelines and other infrastructure.

National Gas Transmission has identified that no assets are currently affected by proposed allocations within the Neighbourhood Plan area.

National Gas Transmission provides information in relation to its assets at the website below.

- <https://www.nationalgas.com/land-and-assets/network-route-maps>

Please also see attached information outlining guidance on development close to National Gas Transmission infrastructure.

Distribution Networks

Information regarding the gas distribution network is available by contacting:
plantprotection@cadentgas.com

Further Advice

Please remember to consult National Gas Transmission on any Neighbourhood Plan Documents or site-specific proposals that could affect our assets. We would be grateful if you could add our details shown below to your consultation database, if not already included:



[REDACTED], Director

[REDACTED], Asset Protection Lead

nationalgas.uk@avisonyoung.com

Avison Young
Central Square South
Orchard Street
Newcastle upon Tyne
NE1 3AZ

National Gas Transmission
National Grid House
Warwick Technology Park
Gallows Hill
Warwick, CV34 6DA

If you require any further information in respect of this letter, then please contact us.

Yours faithfully,

[REDACTED]

[REDACTED]

Director

[REDACTED]

[\[REDACTED\]@avisonyoung.com](mailto:[REDACTED]@avisonyoung.com)

For and on behalf of Avison Young

National Gas Transmission is able to provide advice and guidance to the Council concerning their networks and encourages high quality and well-planned development in the vicinity of its assets.

Gas assets

High-Pressure Gas Pipelines form an essential part of the national gas transmission system and National Gas Transmission's approach is always to seek to leave their existing transmission pipelines in situ. Contact should be made with the Health and Safety Executive (HSE) in respect of sites affected by High-Pressure Gas Pipelines.

National Gas Transmission have land rights for each asset which prevents the erection of permanent/ temporary buildings, or structures, changes to existing ground levels, storage of materials etc. Additionally, written permission will be required before any works commence within the National Gas Transmission's 12.2m building proximity distance, and a deed of consent is required for any crossing of the easement.

National Gas Transmission's '*Guidelines when working near National Gas Transmission assets*' can be downloaded here: <https://www.nationalgas.com/document/82951/download>

How to contact National Gas Transmission

If you require any further information in relation to the above and/or if you would like to check if National Gas Transmission's transmission networks may be affected by a proposed development, please visit the website: <https://lsbud.co.uk/>

For local planning policy queries, please contact: nationalgas.uk@avisonyoung.com