

Lewknor Parish Neighbourhood Plan

Response to Neighbourhood Plan Examiner's Clarification Note

This response is prepared and issued by the Lewknor Parish Neighbourhood Plan Steering Group ('NPSG'), which has the full support and mandate of the Parish Council in preparing the neighbourhood plan. Members of the Parish Council have reviewed this response.

We have noticed one typographic error, on page 12 of Appendix 3 in the fourth line of 5.1.2 "A stone plaques....." should read "A stone plaque....."

The Examiner's paragraphs are referred to in order.

Initial Comments

The Neighbourhood Plan Steering Group and the Parish Council thank the Examiner for his positive feedback.

Points for Clarification

Policy SS1

The NPSG agrees with the two revisions to the settlement boundaries made by the District Council (DC).

Policy CH1

All the properties included in the list of non-designated heritage assets had previously been included as properties over 100 years old that the plan proposed protecting. In the Reg 14 consultation, the only comment received from an owner of a property was from one with a house over 100 years old that the owner felt had few attributes that suggested it should be protected. At the district council's suggestion, a non-designated heritage asset list replaced this definition and this property was not included in that list. The proposed non-designated heritage assets, together with the reason for their inclusion, were included in a copy of Grapevine, the magazine that is delivered to every house in the parish, together with a questionnaire sheet asking whether anything had been missed or should not be included (see appendix T to the Consultation Statement). Details were also included on our website, with a link to the questionnaire and the draft appendix. The results of the consultation were also published in Grapevine.

The NPSG is content that changes are made to the policy to have regard to paragraph 203 of the NPPF.

Policy CH2

This was discussed whilst drafting the policy and it was felt that the policy, as drafted, could be applied to either a domestic extension with a relatively small impact or a larger development in a proportionate manner.

Policies DC1/DC2

Thank you, noted.

Policy FI1

The NPSG agrees that the maps be included in the Plan itself.

The Box Tree Lane LGS is proposed, as well as for its potential recreational value, for its tranquillity and the richness of its wildlife, as set out in the analysis in clause 5.5. In lieu of any agreement with the landowner for use as a playground, these environmental criteria have greater local significance than its potential use as a playground.

Policy HO1

This policy was included as the feedback that was received to Consultation 2 was that this was an important issue for residents. It was hoped to strengthen the policy included in the Local Plan and make this aspiration clear to residents. The NPSG would prefer that the policy remain in place, however, if it is felt it should be removed appropriate reference to the Local Plan policy should be included in the narrative.

Policy TH1

The NPSG considers that the policy is intended to be used in determining planning applications and accepts that the wording may not have made that clear and suggests that the policy be reworded to clarify this by adding “proposal for a” after “any” and deleting the “s” on “developments”:

Any proposal for a developments which may lead to a significant increase in traffic should be accompanied by a travel plan which seeks to maximise the use of sustainable modes of transport, thereby minimizing the traffic within the villages

Representations

Response 2: District Council Planning Officer:

1. The NPSG accepts that paragraph numbers would have benefits however precise referencing would be possible without them. The NPSG is concerned that adding them at this stage could jeopardise the formatting integrity of the document.
2. THE NPSG accepts the replacement of “for growth” with “to deliver additional housing” but considers that the inclusion of “defined” goes beyond the wording in the Local Plan policy H8 and H16.
3. Accepted.
4. Accepted.
5. This wording represents the feedback from residents to consultations. The NPSG requests that the Examiner considers whether a change is necessary.
6. Accepted.
7. The NPSG accepts the changes, subject to exclusion of the word “housing” as the intention is to cover all development and the replacement of “Development Plan” with “Neighbourhood Plan” to be consistent with terminology elsewhere in the Plan.
8. Accepted.
9. Response included in response to SS1 above.
10. The NPSG considers this narrative provides valuable clarity, but would be happy if reference to the Local Plan policy is added.
11. The NPSG considers valuable information to the reader and requests that the Examiner considers whether its removal is necessary.
12. Agreed, the NPSG’s preference would be for a list in the policy similar to policy CH3 as well as a numbered list in the appendix.
See the comment regarding how landowners were informed of their properties' inclusion in the list of non-designated heritage assets in Points for Clarification CH1 above. We queried

with SODC in relation to non-designated heritage assets “I expect all properties on the list to be over 100 years old and therefore included in the previous definition, should we notify residents of the properties on the list?”, the response we received was “If you decide to produce a non-designated heritage asset local list, we would advise that you consult on this, to ensure the list can be scrutinised and land owners/property owners can voice any concerns. This answers your question regarding notifying residents of the properties.”

13. Agreed.

The NPSG considers that the clarity as far as the setting of the AONB in CH2 adds clarity and would prefer it was left in.

14. Agreed.

15. Agreed.

16. Agreed.

17. The NPSG considers the wording to be reasonable, however defers to the Examiner on these responses.

18. The NPSG agrees to the change regarding the Joint Design Guide. The NPSG considers the wording regarding the Chilterns Building Design Guide to be reasonable, however defers to the Examiner on this wording.

We note the Development Management Officer’s comments regarding criterion v and further note that they don’t propose any change to it.

19. Agreed.

20. Agree changes to the intro to policy DC2, except the deletion of “demonstrate how the” and addition of “that” after “layout” as the original wording clarifies a requirement on the developer.

The NPSG accepts the Tree Officer’s changes.

The NPSG accepts the changes to criterion viii except we consider that “specific” should be replaced by “exceptional”

The NPSG accepts the changes to criterion ix

The NPSG agree the changes to Lighting and Dark Skies, but suggests the narrative is moved to a new section 12.4 and the policy in a new policy DC4

The NPSG accepts the changes to criterion xii) except we consider that “encouraged” should be replaced by “expected”

The NPSG considers that the last sentence of criterion xiii) is important to ensure that planning proposals do not have a detrimental impact on the local road network

The NPSG suggests adding “and other harmful” after “carbon” to the wording proposed by the district council so as to include other emissions such as nitrogenous emissions

21. Agreed

22. The NPSG accepts the change to criteria i subject to insert after “or” in the additional wording with “,should this not be possible,”

The NPSG considers that the original wording in i and ii should be retained and “,where this not appropriate,” inserted before the proposed new wording

The NPSG suggests adding “known or apparent” before “wildlife corridors” to allow for their protection where they are known or apparent.

The NPSG considers that “outside” should be retained as development not adjoining a SSSI could have an adverse effect on it.

23. This policy was drafted with advice from Natural England and the wording was supported by the Chiltern Conservation Board, the NPSG would like to retain criteria i and ii.

The NPSG agrees with the addition of “in at least a 10%”.

24. The NPSG agrees that these paragraphs read as policy and suggest that the first paragraph should be included in policy CH4 and the second in policy EN2.
25. Agreed.
26. Agreed.
27. Agreed.
28. The NPSG agrees to the changes, although consider “exceptional” is more appropriate than “very special”.
29. Agreed.
30. Agreed.
31. The NPSG agrees that the wording should be moved into the policy.
32. The NPSG accepts the Local Plan policy INF4 covers this issue, but due to the problems that residents have with these issues consider that the policy should left in for clarity.
33. Agreed, subject to inserting “Plan” after “Neighbourhood”.
34. See response re policy HO1 above.
35. Agreed. In the narrative the wording “including a 20-mph limit in the area of the school” could be deleted as a 20-mph limited has recently been introduced in the village.
36. Agreed.
37. Agreed.
38. Agreed.
39. Agreed.
40. Agreed.
41. Agreed.
42. Agreed.
43. Agreed.

Response 7: Chiltern Conservation Board

Policy DC2: Agreed, subject to adding “as amended” to the wording regarding both the guidance and the ILP reference

Response 8: Thames Water

The NPSG has reviewed the response from Thames Water and responds to certain points below, however much of the advice detailed would appear to be more pertinent to the District Council policies rather than to the Parish. If the Examiner feels that the NPSG has overlooked salient points for inclusion please advise.

The NPSG is content with the proposed new water/wastewater infrastructure text being added.

The NPSG agrees to the addition of “When considering sensitive development, such as residential uses, close to the Sewage Treatment Works, a technical assessment should be undertaken by the developer or by the Council. The technical assessment should be undertaken in consultation with Thames Water. The technical assessment should confirm that either: (a) there is no adverse amenity impact on future occupiers of the proposed development or; (b) the development can be conditioned and mitigated to ensure that any potential for adverse amenity impact is avoided.” to policy FI5, subject to we think “uses” in the second line should be “use”.

The NPSG is unclear as to whether the neighbourhood plan is the appropriate place for the inclusion of “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." in policy FI5, Examiner please advise.

The NPSG agrees to the inclusion of "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." in policy FI5.

Response 12: Oxfordshire County Council

The NPSG notes the County Council's comments on Parking and Sustainable Transport.

Response 13: Rainier

The NPSG notes Rainier's comments regarding land south of Watlington Road, however disagrees with these comments.

- i. The NPSG considers that point i of policy DC1 should be altered to read "implement the best practices set out in the Joint Design Guide and, where it is in the Chilterns Area of Outstanding Natural Beauty or its environs, with the Chilterns Buildings Design Guide" so as to be consistent with point ii

Response 14: SODC Planning Specialist Team Leader

DC1

As discussed in our response to Response 2 from SODC the NPSG considers the wording regarding the Chilterns Building Design Guide to be reasonable, however defers to the Examiner on this wording.

The NPSG considers that criterion ii should apply to the environs of the AONB as its character is that of the AONB.

The NPSG considers that both the Joint Design Guide and the Chilterns Buildings Design Guide need to carry equivalent weight.

The NPSG disagrees with the proposed changes to criterion iii and iv, these policies are important to maintain the character of the settlements.

DC2

Criterion ii – The NPSG considers the wording clear, but does not object to the proposed change

Criteria iv and v – The NPSG agrees to the additional wording, but disagrees with the deletions as the clarity is considered valuable.

Criterion vi – The NPSG considers that the reference to CIE 150:2017 as updated in the Chiltern Conservation Board's response 7, subject to our suggested amendment above, is appropriate but would be content with the deletion of the wording "for lighting within....." and a), b) and c).

Criterion vii – The NPSG would be content for the deletion of this criterion

Criterion viii – The NPSG considers as SODC in Response 2, comment 20 were happy with the criterion subject to certain changes, commented on above, the criterion should be retained.

Criterion ix – The NPSG agrees with the deletion of “unless impracticable”, other changes should be as discussed in our response to SODC comment 20 in Response 2.

Criterion xi – The NPSG considers that the wording applies to new roads within developments and should be considered as part of any planning application.

Criterion xii – The NPSG considers that the criterion as changed by our comments in Response 2, comment 20 is reasonable

Criterion xiii – As discussed above in the NPSG’s response to Response 2 comment 20, the NPSG considers that the last sentence is important to ensure that proposals do not have a detrimental impact on the local road network.