

Garsington Neighbourhood Development Plan

Examiner's Clarification Note

This Note sets out my initial comments on the submitted Plan. It also sets out areas where it would be helpful to have some further clarification. For the avoidance of any doubt, matters of clarification are entirely normal at this early stage of the examination process.

Initial Comments

The Plan provides a clear and concise vision for the neighbourhood area.

The presentation of the Plan is very good. The difference between the policies and the supporting text is clear. The Plan makes good use of various high-quality maps and photographs.

Points for Clarification

I have read the submitted documents and the representations made to the Plan. I have also visited the neighbourhood area. I am now able to raise issues for clarification with the Parish Council.

The comments made on the points in this Note will be used to assist in the preparation of the examination report and in recommending any modifications that may be necessary to the Plan to ensure that it meets the basic conditions.

I set out specific policy clarification points below in the order in which they appear in the submitted Plan:

General

The Plan comments only in a tangential way about the Local Plan strategic site allocation (Land at Northfield - Policy STRAT 12). Was this approach intentional?

No this was not intentional. The conception and early work for the Plan predated Strat12 so whilst the debate over the Local Plan flowed backwards and forwards it made most sense to ignore it and then to take account of its implications once the Local Plan had been made.

Policy STRAT 12 of the Local Plan provides a high level of detail about the development of the strategic site. Please can the Parish Council advise about the extent to which the policies in the neighbourhood plan have been designed to apply (or indeed not to apply) within the strategic allocation?

The policies have been designed to apply, except where they are in conflict with STRAT 12.

Policy GARS1

The lists of facilities in the policy have been carefully-considered. I saw their importance to the community during the visit. They are also shown effectively on the maps in the Plan.

In terms of the policy wording how would the local community and the facility operator determine if a community facility 'is no longer needed'? How would any difference of opinion between the community and the operator on this point be resolved?

The lack of need would most likely be determined by a poll of villagers. Differences of opinion would be resolved by discussion and through joint attempts to find a solution which

met the needs of both parties. Redevelopment will not be supported unless the Parish Council has agreed that all acceptable proposals are non-viable.

Could the policy more simply comment about circumstances where the facility was 'no longer used by the local community'?

The Parish Council would suggest that the policy be redrafted to refer to situations where in the view of the community the facility was no longer needed. The Parish Council does not like the phrase "no longer used", since reference to "usage" is not a strong enough test when usage can decline merely as a result of bad management

Policy GARS2

I looked at the importance of the views during the visit.

Please can the Parish Council advise about the way in which the views were defined?

Since Garsington was originally developed around the highest point in the local landscape, the views to some extent became self-selecting. Two key criteria were that they needed to be views from locations to which there was public access and space to enjoy the view so that the views could be widely enjoyed.

Does the Parish Council have any comments on the representations received from the District Council and L&Q about the relationship between some of the identified views and the allocation of land at Northfield in Policy STRAT 12 of the Local Plan?

We agree with the points made by SODC concerning this policy with one exception. They argue for the removal of view 6b arguing that it will be surrounded by development. This is debateable for two reasons. The view is from the road, not from within the development, and the view is upward to the surrounding hill. The view 6b will get better as one proceeds along the road towards Garsington, but nonetheless it should still be possible to enjoy a sight of the Garsington ridge before reaching the green infrastructure. Thus, we argue that view 6b should stay, although we do accept that it might be a narrow view and it could be moved closer to the edge of the site at Northfield Farm.

Policy GARS4

To what extent does the proposed Local Gap add value to the application of national and local Green Belt policies?

Recent history shows that national Green Belt policies can be readily overridden for reasons of either "exceptional circumstances", or "strategic policy". Consequently, we felt it was important to add additional weight to existing policies and to emphasise the importance of these Gaps to the village

As submitted the policy is less restrictive than national and local Green Belt policies. It would be helpful if the Parish Council explained its thinking on this matter.

That was not our intention, we would be happy to incorporate additional wording to ensure that it is both compatible with and complements national and local Green Belt policies.

The proposed Local Gap does not consistently follow man-made or natural boundaries. It would be helpful if the Parish Council explained its thinking on this matter and the extent to which the imprecise boundaries may create issues for the District Council as it seeks to apply the policy in a consistent way in the Plan period.

Agreed, it was not our intention to create difficulties. We had not given sufficient thought to the need for precise boundaries and the practical implementation of the policy. We would propose to revise map 5

- a) To reflect our policy which is to have two Gaps
- b) to identify on the map those buildings which are referred to by the second Gap in Policy GARS4 and
- c) to follow readily identifiable boundaries.

I understand the approach taken towards the strategic site as expressed in paragraph 6.5 of the Plan. Nevertheless, has the Parish Council fully assessed the extent to which the identification of the Local Gap boundary would be in general conformity with the strategic policies in the Local Plan (especially Policy STRAT 12)?

As above, we had not given sufficient thought to the need for precise boundaries to the Gaps and as a consequence the boundaries might not be in general conformity with Local Plan Policy STRAT 12. In its revisions to Map 5, the Parish Council will ensure that the Local Gap boundary does not encroach upon the area of built development as illustrated in the Local Plan for STRAT 12.

Policy GARS6

In general terms the approach taken in this policy sets out a spatial strategy for the parish.

The built-up area boundary includes several areas which are not 'built up' in a traditional sense. Elsewhere, the identification of a built-up area boundary would be a matter of local judgement. However, in this case the defined boundary has the potential to have a significant implication on the way in which Green Belt policy is applied by the District Council. Please can the Parish Council explain the way in which it defined the proposed boundary and the principles which it applied as part of the process?

The principles applied were that the boundary should be

- a) rectilinear in shape
- b) close fitting to the property boundaries
- c) inclusive of all contiguous areas and
- d) inclusive of both Boundary Farm, and the land on the opposite side of the road to Boundary Farm where there are a number of dwellings adjoining the main road and only separated from the rest of the village by the width of a small field.

However, we note the comments made by SODC on the delineation of the boundary and would wish to take their advice to redraw the boundary in a more restrictive manner.

Policy GARS7

This policy sets out a positive approach to design. It helpfully applies the South Oxfordshire Design Guide to local circumstances.

Plainly individual proposed (should this be proposals?)(based on their size and nature) will have different impacts on the policy. As such I am minded to recommend that part B of the

Policy is worded so that it can be applied in a proportionate fashion. Does the Parish Council have any comments on this proposition?

We would be very concerned by such a proposal because of the ambiguity inherent in the word "proportionate" We worry that the term is undefined (what would it be proportionate to?) and extremely subjective.

Policy GARS8

In general terms the policy takes a positive approach to biodiversity.

Nevertheless, I am minded to recommend that the order of the elements of the policy is reversed so that it has a positive focus. Does the Parish Council have any comments on this proposition?

The Parish Council would fully support this proposal.

Representations

Does the Parish Council wish to comment on any of the representations made to the Plan?

I would find it helpful if the Parish Council commented on the representations made by Oxfordshire County Council (Response 10)

The Parish Council thanks OCC for pointing out that we should include a policy on heritage assets in order to be compatible with the NPPF and we are very happy to follow their guidance on this point.

Their other points seem to be covered by the revisions proposed by the District Council with which we have not yet identified any major differences of opinion

and by L&Q (Response 11).

The main concerns of Stantec are with policies GARS 3 Important views and GARS 4 Local Gaps. These points have been raised both by yourself and by SODC, and the Parish Council is happy to follow SODC's guidance for these two policies subject to its comments above about view 6b. Their other points seem to be covered by the revisions proposed by the District Council with which we have not yet identified any major differences of opinion.

The District Council proposes a series of revisions to certain policies and the supporting text in the Plan (Response 2). Does the Parish Council have any comments on the suggested revisions?

The Parish Council would like to thank SODC for their constructive comments. We have not reviewed their recommendations on a line-by-line basis but we haven't identified any major differences of opinion.

Protocol for responses

I would be grateful for responses to the questions raised by 22 August 2023. Please let me know if this timetable may be challenging to achieve. It is intended to maintain the momentum of the examination.

If certain responses are available before others, I would be happy to receive the information on a piecemeal basis. Irrespective of how the information is assembled, please could it come to me directly from the District Council. In addition, please can all responses make direct reference to the policy or the matter concerned.

Andrew Ashcroft

Independent Examiner

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1 August 2023