

East Hagbourne Neighbourhood Development Plan Review

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 distinctive vision for the neighbourhood area. Its presentation is good. The difference between the policies and the supporting text is very clear.

The Plan is impressively underpinned by a package of appendices. The Design Guide and Codes (Appendix 11) and the Strategy for People and Nature (Appendix 12) have been very influential in the review of the Plan. The package of submission documents is proportionate to the neighbourhood area in general, and to the review of the Plan in particular. In combination the various documents helpfully identify the aspects of the Plan which have been updated. The review has helpfully continued with the format of the 'made' Plan.

The Parish Council's ambition to review the Plan responds positively to national guidance and associated best practice. The review addresses a balanced range of issues and is underpinned by an appropriate evidence base and research. Moreover, it properly takes account of the adoption of the South Oxfordshire Local Plan.

Process Matters

The two Modification Statements conclude that the submitted review of the Plan includes material modifications which do not change the nature of the plan and that it requires examination but not a referendum.

I agree with those conclusions. The examination will proceed on that basis.

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 my 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:

Policy SD1

The updates to the policy have been well-considered.

The policy highlights the newly added Appendix 11 (East Hagbourne Design Guide 2023) and encourages net zero carbon developments

Is the encouragement for electric vehicle charging facilities for new developments necessary as this matter is now delivered through the Building Regulations?

Policy VC3

This policy also makes a good connection to the Design Guide.

Policy E1

I am satisfied that the policy continues to meet the basic conditions and complies with the criteria in the NPPF (now paragraph 105-107).

The proposed extended area of The Paddocks local green space has also been fully assessed.

Policy E2

The proposed revisions to this policy have been well-considered. Policies E2a and E2b add a very distinctive local approach.

The supporting text sets out a compelling case for a minimum 20% biodiversity net gain. Appendix 12 (A Strategy for People and Nature) is also very impressive. The policy advises that development proposals 'should seek to deliver' the minimum biodiversity net gain. This approach is commendably non-prescriptive. Nevertheless, what would be the outcome of planning applications which did not deliver a 20% net gain?

Should the policy comment about the pursuit of such an approach where it is practicable to do so?

Representations

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

The District Council suggests a series of revisions to some of the policies and parts of the general text in the Plan. It would be helpful if the Parish Council responded to the various issues raised.

Protocol for responses

I would be grateful for responses and the information requested by 9 February 2024. 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 am 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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25 January 2024