

East Hagbourne Neighbourhood Plan - 2024 update.

Response of the NP Steering Group to the Examiner's Clarification Note of 25 Jan 2024

We thank the Examiner for his review and supportive comments.

Points raised by the Examiner for clarification, with our response in *red italics*:

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?

The Building Regulation process is less transparent to the community than the planning process. We believe inclusion of this provision is appropriate to encourage applicants to think about this topic and emphasise our commitment to sustainability.

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?

We are conscious that the Parish Council is not the planning authority, therefore any provisions of the Neighbourhood Plan would need to be considered by South Oxfordshire District Council within the wider planning context. The planning process allows East Hagbourne Parish Council the opportunity to comment, and we would expect them to raise this issue if it does not seem to be properly addressed in the application.

We feel that this firm but non-prescriptive wording is the right approach, but will be guided by the comments of the Examiner.

Our avenue of redress, if we feel that the provisions have not been adequately addressed would be to South Oxfordshire District Council who are the planning authority. It is usual that any deviation from the Development Plan would be justified in the planning officers report.

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.

Yes. We have commented on the representations made to the Reg 16 Consultation, including those from the District Council in the Attachment.

East Hagbourne Neighbourhood Plan Steering Group
31 January 2024

ATTACHMENT

East Hagbourne Neighbourhood Plan, 2024 update.

Response of the NP Steering Group to responses received from the Reg 16 consultation.

ID	Policy /page no	Type of response	Summary of response	Change Plan?	Comments
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Reg16-1 Response of Historic England

	General		We do not consider it necessary for Historic England to provide detailed comments at this time. We would however like to refer you to our detailed advice on successfully incorporating historic environment considerations into a neighbourhood plan, which can be found here .		<i>Noted, thank you.</i>
	General		We would be grateful if you would notify us on eastplanningpolicy@historicengland.org.uk if and when the Neighbourhood Plan is made by the council.		<i>Noted, for SODC attention.</i>

Reg16-2 Response of Thames Water

	CF1		We support the reference to sewage infrastructure, but consider the section should be strengthened in line with the following: We recommend the Neighbourhood Plan include the following policy/supporting text:		<i>These comments have previously been submitted under the Reg 14 Consultation</i>
	CF1		<i>“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.”</i>		<i>We support the principle and added words to Policy CF1 following the Reg 14 Consultation..</i>

		<p><i>“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.”</i></p>		<p><i>East Hagbourne Parish Council is not the Local Planning Authority. We consider this comment is best directed to the Local Plan.</i></p>
	SD1	<p>We support the reference to water efficiency in Policy SD1, but consider the section should be strengthened in line with the following:</p>		
	SD1	<p><i>“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.”</i></p>		<p><i>We support the principle of water use reduction and added a sentence to that effect in Policy SD1, following the Reg 14 consultation.</i></p>
	E3	<p>We support the following section in Policy E3 as it is in line with our previous responses: <i>Proper provision must be made 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</i></p>		<p><i>Noted, thank you. Further comments noted: we consider these are best directed to the Local Plan.</i></p>
	General			<p><i>General comments noted.</i></p>

Reg16-3 Response of Hagbournes and Upton Group for Sustainability

General		We're keen that EHPC act to support biodiversity and climate. We'd like to see a move away from just recommendations towards follow-through actions. For example, some of the PC's sustainable development guidelines were not followed up in the Deanfield development.		<i>We believe our Neighbourhood Plan (NP) provides strong support for biodiversity and climate which is further strengthened in this 2024 update. As a planning document, the NP does not directly address Parish Council actions.</i>
Appendix 12		The Neighbourhood Plan, specifically Appendix 12 A Strategy for People and Nature in East Hagbourne provides a framework within which more detailed plans for nature recovery can be developed. HUGS is keen to work with the Parish Council to develop more detailed plans.		<i>Noted, thank you.</i>
Appendix 11		Appendix 11 Design Guidelines provides excellent guidelines for new development. However, while both appendices describe recommendations, they currently lack a list of detailed plans and defined deliverables. HUGS is keen to work in partnership with the PC to define these deliverable actions.		<i>As a planning document, the NP forms part of the District Council's Development Plan which is used to assess planning applications. Direct actions by the Parish Council on matters which are within its control are handled outside the NP process.</i>
General		HUGS previous feedback to the PC on the draft NP in May 2023 in terms of setting targets has not yet been actioned. HUGS would like to work in partnership with the PC to agree targets which can be included in the NP. The list below is far from exhaustive but provides examples of areas of focus and target setting.		<i>HUGS comments to the Reg 14 Consultation were carefully reviewed. We refer you to our comments in the Consultation Statement issued as part of this consultation (Section 23-9). Many of the comments, while valuable, do not fit within the remit of a Neighbourhood Plan.</i>
General		Detailed comments and suggested actions		<i>We believe these are best discussed outside the context of this Neighbourhood Plan update.</i>
Appendix 12		While preserving village views and the character of the open landscape is important, it should not be a sole		<i>The purpose of Appendix 12 is to help achieve exactly the balance that HUGS calls for. It sets out principles by which wildlife</i>

			consideration or form a barrier to the PC fulfilling it's other recommendations, such as tree planting and good grassland management for biodiversity		<i>improvements can be accommodated in a landscape where openness and long views are so important. The NP sets out provisions for new development and we hope will also provide inspiration and guidance for others who wish to improve the environment.</i>
	General		As a group, we are keen to see the PC follow up on its existing recommendations on trees, hedges, grassland and waterways, and to address timings and frequency of verge cutting. We would like to work with the PC to produce plans to address creation of wildlife friendly habitat and hedgerows (including hedgerow trees) and to prioritise tree and hedge planting and grassland management (including verges).		<i>This again is a topic for discussion outside the framework of the NP.</i>

Reg16-4 Response of South Oxfordshire District Council

			South Oxfordshire District Council has worked to support East Hagbourne Parish Council in the preparation of their Neighbourhood Plan Review and compliments them on a thoughtful, comprehensive and well-produced plan.		<i>We thank SODC for their attentive and supportive guidance in preparing this NP Review and for these meticulous comments.</i>
	SODC Response no				
	General	1 ↓	As the NPPF has recently been updated (to the 2023 version) we recommend the following amendments to provide the most up to date information, Page 11 , Page 28	Yes	<i>Thank you, we will makes these changes and check other NPPF paragraph reference in the report.</i>
	SD1	2	Editorial change	Yes	
	VC3	3	Add reference to the Joint South and Vale Design Guide 2022.	Yes	
	VC5	4	Editorial change	Yes	
	H3	5	recommended that the word 'inappropriate', regarding on-street parking is added, for clarity	No	<i>Planning approval has already been granted and delivery well under way at the allocated site. We therefore consider that the existing wording should be retained.</i>
	CF1	6	Editorial change	Yes	
	CF2	7	Editorial change	Yes	

	TA3	8	Editorial change	Yes	
	General	9	Editorial change	Yes	
	E2b	10	Editorial change	Yes	
	E3	11a	Editorial change (Surface water rather than 'it')	Yes	
	E3	11b	Editorial change (. . can be maintained into the future)	No	<i>We believe the existing wording is more precise and appropriate.</i>
	Page 71	12	Editorial changes	Yes	
	Page 2	13	Presentational change	Yes	
	Page 22	14	Editorial changes	Yes	
	Page 40	15	Editorial change	Yes	
	Page 56	16	Editorial change	Yes	
	p.62-63	17	Title positioning	Yes	
	Page 69	18	Editorial change	Yes	
	Page 80	19	Editorial change	Yes	
	Page 84	20	Presentational change	Yes	
	Appendix 12	21	As explained in our Regulation 14 comments, we continue to recommend that a legend is inserted for Figure 3: 'Wildlife assets in East Hagbourne based on local knowledge', so readers understand what the colours/hatching/letters are referring to. The further description that has been added is supported, however a simple colour coded legend would provide further clarity.	Yes	<i>We understand the concern and will work to further improve the presentation following the guidance of the Examiner, but without changing the content from that presented in the Reg 14 and Reg 16 consultations.</i>
	Appendix 11	22	Presentational change	Yes	
	Appendix 11	23	Figure 13: the illustrated path does not meet current accessibility requirements	Yes	<i>This is a historic path: we will add suitable words to the caption.</i>
	Appendix 11	24	recommended that both Manual for Streets 1 (MFS 2007) and 2 (MFS 2010) should be referenced on this page,	Yes	
	Appendix 11	25	Our Urban Design Officer recommends that reference is added in these pages to the Joint Design Guide natural environment sections, for clarity.	Yes	
	Appendix 11	26	Our Urban Design Officer stated that there is 'little mention of the various densities from different character area types. This should be part of the analyses'. We therefore recommend minor modifications to the character areas in the Design Guide, in order to take this into account.	No	<i>This analysis was not included in our contracted study.</i>

Reg16-5 Response of Oxfordshire County Council

			Strategic Comments		
	VC4		Policy VC4 - Assets of local distinctiveness Area 6 Ryman's Crescent: Oxfordshire County Council (OCC) as the Highway Authority is responsible for the maintenance of the public highway. The Policy VC4 - Assets of local distinctiveness on page 35 of the Neighbourhood Plan identifies area (6) Ryman's Crescent which falls within Highway land, this status takes precedent when any future highways works are required. The County Council, therefore, request the boundaries of this area is revised to exclude Highways land.	Yes	<i>Noted, thank you. This will be actioned.</i>
			Transport and Access		
	TA2		Page 52 Policy TA2 – Footpaths and Pavements includes policy wording 'Footpaths' and 'Footways' is it recommended the wording is reviewed for the requirements of new developments in line with the the the Oxfordshire Walking Design Standards guidance	No	<i>The wording of policy TA-2 refers to the existing rights of way: footpaths or bridleways. We believe that the current wording is appropriate.</i>
	Appendix 11		Appendix 11 - Design Guide refers to the Department of Transport 'Manual for Streets 1', however not 'Manual for Streets 2'. The County Council's Street Design Guide is also recommended for inclusion.	Yes	<i>Noted, we will include the additional references..</i>
	TA3		It is recommended Policy TA3 – Parking on page 54 refers to the County Council's Parking Standards guidance.	No	<i>OCC parking provision restrictions are addressed as part of the planning procedure, so are covered by the words "in accordance with the provisions of the Development Plan".</i>
	General		Further consideration within the Plan should also be given to digital connectivity.	No	<i>We believe this is suitably addressed by Policy SD1 which includes provision for the necessary infrastructure and ducting to enable communications services including high speed broadband to be delivered to new homes.</i>
			Transport Development control comments		
	Appendix 11		Appendix 11: The chapter for Environmental & Sustainability has a common thread of requiring new development to provide new footpaths. This approach is encouraged and supported to promote active travel etc. However the terminology used here	Yes	<i>We agree, the distinction between footpaths and footways is properly presented in the main NP report, but Appendix 11 is less clear. We will review and update.</i>

			is not quite right. Footpaths and Footways are different pieces of pedestrian infrastructure and vary in widths and construction. I would recommend the NP reviews this especially for requirements of new developments.		
	Appendix 11		Appendix 11: EV charging is required which meets the OCC requirements, however installing them on-street raises potential obstructions to users of the highway. Not ruling this out but wording around this section (page 81) suggesting can be investigated maybe more appropriate. On-site EV & parking courts is fine. Parking courts are generally private – how the points are powered is something a developer will need to consider at the time of a planning submission.	No	<i>Appendix 11 is general guidance: we believe the existing level of detail is appropriate.</i>
	Appendix 11		No specific mentioned of car parking numbers or OCC standards	No	<i>Appendix 11 is a general guide. We believe the level of detail provided is appropriate.</i>
			Property Comments		
	VC4	 the policy should not impact on any safety/access or repair works which the service may need to be carry out in this area as and when may be required. The wording of the policy as drafted does not appear to affect this, as any such works would be considered as conserving or enhancing that asset by way of its preservation and access to it, as an asset.	No	<i>Noted, thank you</i>

Reg16-6 Response of Natural England

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