

Draft Brightwell-cum-Sotwell Neighbourhood Plan

Response 1

Respondent Details

Information	
Respondent Number: 1	Respondent ID: 55286201
Date Started: 07/04/2017 17:01:03	Date Ended: 07/04/2017 17:15:59
Time Taken: 14 mins, 56 secs	Translation: English
IP Address:	Country: United Kingdom

Consultation on the draft Brightwell-cum-Sotwell Neighbourhood Plan

Q1. After extensive engagement with their local community, Brightwell-cum-Sotwell Parish Council has developed and submitted the draft Brightwell-cum-Sotwell Neighbourhood Plan to South Oxfordshire District Council. There is now an opportunity to comment on the plan and supporting documents during a six week consultation period running from Thursday 16 March until 5pm on Friday 28 April 2017. You can view the draft Neighbourhood Plan and supporting documents below: Neighbourhood Plan Consultation Statement Basic Conditions Statement Site Assessment Sustainability Appraisal Revised HRA Screening Determination Once the consultation has closed, all of the comments will be sent to an independent examiner for consideration. 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 above. Please note that you must provide your name and address for your comments to be considered. All responses received will be available for the public to view and your name may be displayed. (* denotes mandatory question) Are you completing this form as an:

Individual

Your details

Q2. Personal details	
Title	Mrs
First name	Caroline
Last name	Fessey
Address line 1	
Address line 2	
Address line 3	
Postal town	
Postcode	
Telephone number	
Email address	

Your comments

Q5. You can provide your feedback on the draft Brightwell-cum-Sotwell Neighbourhood Plan below. If you are commenting on a specific section or a supporting document, please make this clear. Please note that it would be helpful to provide evidence and any supporting documents to support/justify your comments. After this stage, further submissions will be only at the request of the independent examiner, based on the matters and issues he/she identifies through the examination.

I fully support the Neighbourhood plan. A tremendous amount of time and effort has been spent over a considerable period of time, to produce a plan that truly reflects the wishes of the parishioners, with regard to how much development should take place, and where sited. For example, regular meetings were held for the villagers to be fully involved at each stage of the proceedings. As a small village we have been generous in the number of homes proposed, and are proud of a plan that not only meets our future needs but is robust, complying with the necessary rules and regulations.

I do not consider a public examination on the draft is required.

Your comments

Q7. 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.

No changes are necessary

Public examination

Q9. The majority of examinations are expected to be through written representations, however the independent examiner will decide whether there is a need for a public examination. Please indicate below whether there should be a public examination on the draft Brightwell-cum-Sotwell Neighbourhood Plan:

No, I do not request a public examination on the draft Brightwell-cum-Sotwell Neighbourhood Plan

Notification

Q11. Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?

Yes

Draft Brightwell-cum-Sotwell Neighbourhood Plan

Respondent Details

Contact Details

Name Sir / Madam

Email planning.policy@southoxon.gov.uk

Page 1: Consultation on the draft Brightwell-cum-Sotwell Neighbourhood Plan

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Individual

Page 2: Your details

Q2. Personal details

Title	-
First name	Cheryl
Last name	Reeves
Address line 1	SODC & VOWHDC
Address line 2	-
Address line 3	-
Postal town	-
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Telephone number	-
Email address	cheryl.reeves@southandvale.gov.uk

Page 3: Your details

Q3. Organisation details

No Response

Page 4: Your details

Q4. Agent details Please state the name of the person or the organisation you are representing and give your full details below.

No Response

Page 5: Your comments

Q5. You can provide your feedback on the draft Brightwell-cum-Sotwell Neighbourhood Plan below. If you are commenting on a specific section or a supporting document, please make this clear. Please note that it would be helpful to provide evidence and any supporting documents to support/justify your comments. After this stage, further submissions will be only at the request of the independent examiner, based on the matters and issues he/she identifies through the examination.

Policy BCS2: Land at Bosley's Orchard

v. The landscape scheme and layout make provision for a minimum 25m wide buffer bordering Style Acre footpath to form a publicly accessible open space is provided; to include a community orchard, through which a pedestrian access is provided;

I would recommend strengthening this slightly through adding the word accessible through which an 'accessible' pedestrian access is provided; this will help to ensure that access for people with mobility issues is considered within Orchard.

Q6. You can upload supporting evidence here

No Response

Page 6: Your comments

Q7. 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.

Included in previous question

Q8. You can upload supporting evidence here

No Response

Page 7: Public examination

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No, I do not request a public examination on the draft Brightwell-cum-Sotwell Neighbourhood Plan

Page 8: Public examination

Q10. Please state your specific reasons for requesting a public examination below

No Response

Page 9: Notification

Q11. Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?

Yes

Response 3

Respondent Details

Information	
Respondent Number: 3	Respondent ID: 56412625
Date Started: 25/04/2017 08:34:07	Date Ended: 25/04/2017 08:37:18
Time Taken: 3 mins, 11 secs	Translation: English
IP Address:	Country: United Kingdom

Contact Details	
Name Sir / Madam	
Email assetprotectionwestern@networkrail.co.uk	

Consultation on the draft Brightwell-cum-Sotwell Neighbourhood Plan

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Organisation

Your details

Q3. Organisation details	
Title	-
First name	Barbara
Last name	Morgan
Job title	Town Planning Technician
Organisation	Network Rail
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Address line 2	Temple Point
Address line 3	Redcliffe Way
Postal town	Bristol
Postcode	BS1 6NL
Telephone number	-
Email address	townplanningwestern@networkrail.co.uk

Your comments

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Network Rail has been consulted on the Brightwell-cum-Sotwell Neighbourhood Plan. Thank you for providing us with this opportunity to comment on this document. This email forms the basis of our response to this consultation request.

Network Rail is a statutory undertaker responsible for maintaining and operating the country's railway infrastructure and associated estate. Network Rail owns, operates, maintains and develops the main rail network. This includes the railway tracks, stations, signalling systems, bridges, tunnels, level crossings and viaducts. The preparation of development plan policy is important in relation to the protection and enhancement of Network Rail's infrastructure

Level Crossings

Councils are urged to take the view that level crossings can be impacted in a variety of ways by planning proposals:

- By a proposal being directly next to a level crossing
- By the cumulative effect of development added over time
- By the type of crossing involved
- By the construction of large developments (commercial and residential) where road access to and from site includes a level crossing
- By developments that might impede pedestrians ability to hear approaching trains
- By proposals that may interfere with pedestrian and vehicle users' ability to see level crossing warning signs
- By any developments for schools, colleges or nurseries where minors in numbers may be using a level crossing.

The Council have a statutory responsibility under planning legislation to consult the statutory rail undertaker where a proposal for development is likely to result in a material increase in the rail volume or a material change in the character of traffic using a level crossing over a railway:-

- (Schedule 5 (f)(ii) of the Town & Country Planning (Development Management Procedure) order, 2010) to requires that ... where a proposed development is likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over the railway (public footpath, public or private road) the Planning Authority's Highway Engineer must submit details to both Her Majesty's Railway Inspectorate and Network Rail for separate approval".

Planning Applications

We would appreciate the Council providing Network Rail with an opportunity to comment on any future planning applications should they be submitted for sites adjoining the railway, or within close proximity to the railway as we may have more specific comments to make (further to those above).

We trust these comments will be considered in your preparation of the forthcoming Neighbourhood Plan document.

Public examination

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Notification

Q11. Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?

Yes

Response 4

Respondent Details

Information	
Respondent Number: 4	Respondent ID: 56600398
Date Started: 27/04/2017 21:00:27	Date Ended: 27/04/2017 21:05:55
Time Taken: 5 mins, 28 secs	Translation: English
IP Address:	Country: United Kingdom

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Agent

Your details

Q4. Agent details Please state the name of the person or the organisation you are representing and give your full details below.

Name of person or organisation you are representing	Adrian & Alison Wood
Your name	Huw Jones
Your organisation	HVJ Transport Ltd
Address line 1	12 Chaundy Road
Address line 2	Tackley
Address line 3	-
Postal town	Kidlington
Postcode	OX5 3BJ
Telephone number	-
Email address	huwjones@hvjtransport.co.uk

Your comments

Q6. You can upload supporting evidence here

- File: Highway and Traffic comments on the Neighbourhood Plan for Brightwell Cum Sotwell 270417.docx

**Highway and Traffic comments on the Neighbourhood Plan for Brightwell Cum
Sotwell-Slade End Green in relation to BCS5 and in particular BCS5A
27th April, 2017**

INTRODUCTION

I have been asked by Adrian and Alison Wood of Slade End Farm to analyze and respond to comments made by others including the County Council as Highway Authority regarding the proposed development proposal at Slade End Green and to check the access arrangements including the road width and highway safety for a new proposal.

1. Slade End and Sotwell Street are subject to a 20mph speed restriction (agreed in November 2016 with the County Council as Highway Authority but yet to be implemented) at the location of the proposed junction with Green Lane.
2. I have also been asked to comment on the road widths on Green Lane and whether this road/lane is wide enough to accommodate the new development proposal.

It is also important to correct Google Maps labeling of the roads in this area:

- i) Green Lane is the lane that the new Slade End Green houses would use for access (Google show this as Sotwell Street and OCC called Green Lane Sotwell Street in their 'informal opinion')
- ii) Sotwell Street is to the west of the T junction with Green Lane
- iii) Slade End is to the east of the T junction with Green Lane

EXISTING CONDITIONS AND POLICY.

Site BCS5A is located as stated to the west and rear of Slade End Farm with proposed access arrangements from the junction of Green Lane with Sotwell Street/Slade End. Green Lane is an adopted highway and is unclassified up to its junction with the public footpath (no 32) which crosses the lane. From this location to the southern boundary of the property of Slade End Farm it is adopted as unclassified unmetalled (this information has been provided by the Highways Record team at the County Council as Highway Authority).

Green Lane serves as an access road for 6 dwellings, a pumping station and occasional farm and agricultural traffic and also previously 2 bungalows (converted to a Scout hut in the 1970s) and a horticultural nursery (wholesale and retail) and therefore an amount of existing and residual traffic is served on to this Lane.

The width of the main village road of Sotwell Street to the west of Green Lane is approx. 5.5m wide and Slade End to the east of Green Lane is variable between approx. 4.5m to 5.5m wide.

All developments that generate amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- The opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- Safe and suitable access to the site can be achieved for all people; and
- Improvements can be undertaken within the transport network that cost- effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residential cumulative impacts of development are severe.'

With regard to the proposal to develop the Slade End Farm site (BCS5A) a Transport Statement will be produced to provide evidence that the traffic and traffic movements will not be detrimental to the village or the surrounding roads.

With regard to policies relevant to the proposed site the **National Planning Policy Framework (NPPF) –March 2012** recognizes the following:-

“ safe and suitable access can be achieved for all people”

“give priority to pedestrian and cycle movements and have access to high quality public transport facilities”

The NPPF also actively seeks to support sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings. It also seeks to promote diversification of agricultural and other land based rural businesses and supports rural tourism.

The proposed sites are also in line with Policy T1 as they are capable of providing a safe and convenient access to the highway network; safe and convenient routes for cyclists and pedestrians.

TRANSPORT IMPACT OF NEW DEVELOPMENT

All new development shall be required to address its own transport implications and shall be designed to maximize the potential for sustainable transport through:

- i. Safeguarding existing and new transport infrastructure, which is important to an efficient and sustainable transport network from development that would prejudice their transport use;
 - ii. Securing inclusive, safe and convenient access on foot, cycle, and by public and private transport that addresses the needs of all;
 - iii. Ensuring that the expected nature and volume of traffic and parked vehicles generated by the development would not have a detrimental impact on the character or amenity of the area and would not compromise the safety and/or function of the local or strategic road networks in terms of both volume and type of traffic generated.
- Within the Transport Statement there will be evidence of a road safety audit stage 1 which would be provided to support the new proposal in terms of a new highway

access and improvements to the junction of Green Lane with Sotwell Street/Slade End as proposed.

PROPOSED DEVELOPMENT AND HIGHWAY IMPACT

Several issues need to be considered with regard to a development proposal with access from Green Lane.

The current formation of the junction meets the County Council minimum sightline and visibility requirements to the west but due to the boundary wall of Triangle Cottage does not meet the visibility criteria to the east.

The design of sightlines at junctions and access points is discussed in detail by the document Manual for Streets which was published in 2007. This guide is also meant to complement local street design guidance produced by local authorities.

Traditionally sightlines were constructed with an emphasis on ensuring motorists had wide splays and generous sightlines so that they can react to hazards ahead of them in plenty of time, based on the speed of traffic using the road and to ensure that they were at least adequate and usually more than adequate.

It is now accepted this encourages higher speeds because motorists feel comfortable with the speed that they are driving at, especially in approaching residential areas.

Reducing visibility and using alignments which encourage motorists to drive more slowly should not only maintain or improve on current safety levels but will also help create places which are good for social activity and where movement by means other than the car is encouraged.

The access junction of Green Lane with Sotwell Street/Slade End should be a minimum of 4.1m width to allow for 2 vehicles to pass each other at this access point.

Any car parking proposed for a residential development on this site would have to comply with standards by both Oxfordshire County Council and South Oxfordshire District Council of 1 car parking space per 1 or 2 bed units and 2 car parking spaces for the 3 or 4 bed units with a minimum of 5.5m to allow for maneuvering. There would also be a requirement for some unallocated parking to take place within the development proposal.

Green Lane can take the form of a shared access-way according to Manual for Streets (a government publication produced by the Department of Transport and Communities and Local Government) which advises that shared surface access ways can be a minimum of 4.1m and also states the following “ the access route could be reduced to 2.75m over a short distance” this is a requirement for an emergency vehicle which also states “provided the pump appliance can get to within 45m of dwelling entrance”. However in this instance provided the access way is 4.1m throughout together with an adequate turning area to standard that meets the requirements within Manual for Streets.

This proposal would therefore meet the criteria as set down in MFS 1 as at the access point with Sotwell Street/Slade End a change in surface would be provided to indicate that this will be a shared space. Pedestrians and cars and vehicles will share the same road space.

Manual for Streets advocates shared surface streets work well where there is less than 100 vehicles per hour in the peak etc this will be the case here as with the proposed number of units at 19 for BCS5A, BCS5B and BCS5C there is only likely to be around 12 in the peak hour—well below.

Access for Servicing and deliveries

Refuse vehicles must be able to reach refuse collection within 25m for single domestic refuse bin or 5m for larger communal (shared) bins. Developers proposals should show the location of the refuse storage and ensure by means of vehicle tracking plots that refuse vehicles can access the location without reversing.

It is common in recently built developments to see refuse bins left on street mainly because there is no suitable place within the curtilage of the property to store them. Developers should therefore give consideration where residents will store bins and avoid the need to keep bins on street for convenience.

Access for Fire Tenders Building Regulations require access for fire tenders to a point no further than 45m from all parts of the ground floor of any residential building. Any road or private drive being part of that access must be no less than 3.7m wide between kerbs (3.1m minimum for a gateway or similar short narrowing), and should have a minimum centre line radius of 6.6m (or between walls) and headroom of 3.7m.

A cul-de-sac longer than 20m must have a turning area suitable to enable a fire tender to carry-out a three point turn. This is easily provided for within this development proposal.

All proposed development schemes as stated will include the provision of suitable links to the neighbouring pedestrian network via the shared access.

All details regarding access and car parking will be shown on the layout plan submitted with a planning application.

CONCLUSION

Having analyzed the proposed development site and its impact in transport and traffic terms:-

The junction of Green Lane with Sotwell Street/Slade End could be realigned to improve visibility that would be beneficial to all users and therefore meet the satisfactory and adequate standards for the appropriate sightlines for the speeds of vehicles.

Green Lane could be further improved with a shared surface access-way with adequate widths for the amount of traffic envisaged and also with sensitive materials and design in keeping with the surrounding landscape and in accordance with the County Council's Residential Road Design Guide and the government's Manual for Streets 1 and 2.

The services and facilities and public transport availability within the village will further encourage the development to promote sustainable modes of transport and comply regarding the policies within both the NPPF and the Oxfordshire Local Transport Plan.

It would also comply with the South Oxfordshire District Council Local Plan in that "safe and convenient access on foot, cycle and public transport that addresses the needs of all".

There are therefore no valid transportation reasons which should prevent the development of this site.

Huw V Jones
Director
Transport Consultant



HVJ TRANSPORT LTD

Public examination

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No, I do not request a public examination on the draft Brightwell-cum-Sotwell Neighbourhood Plan

Notification

Q11. Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?

Yes

Response 5

Respondent Details

Information	
Respondent Number: 5	Respondent ID: 56601065
Date Started: 27/04/2017 21:06:29	Date Ended: 27/04/2017 23:01:57
Time Taken: 1 hr, 55 mins, 28 secs	Translation: English
IP Address:	Country: United Kingdom

Consultation on the draft Brightwell-cum-Sotwell Neighbourhood Plan

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Individual

Your details

Q2. Personal details	
Title	Mr and Mrs
First name	Adrian and Alison
Last name	Wood
Address line 1	
Address line 2	
Address line 3	
Postal town	
Postcode	
Telephone number	
Email address	

Your comments

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Comments on the Brightwell cum Sotwell Neighbourhood Plan 2016-2032: Submission Plan

1.0 We write to support the allocation of the Slade End Farm site defined in the Submission Policies Map Inset A February 2017 for development as detailed in policy BCS5.

1.1 The Slade End Farm site currently contains approximately 15,000 square feet of buildings used for storage, the remains of two bungalows and on the 1933 ordnance survey map two two-storey cottages were present.

1.2 Since the pre-submission plan comments were made, the number of allocated houses and tourism units has been defined by the plan. The number in the submission plan is 25 per cent lower than informally discussed at immediate neighbour stakeholder meetings.

1.3 The supply of rural tourism accommodation is in line with the SODC Core Strategy 2012 and BCS16. Such facilities will contribute to sustaining existing parish facilities such as the pub and village stores, as well as other amenities in the local catchment area. They will also provide rural employment and in line with the Taylor Review contribute to the village being a working village not a commuting dormitory.

1.4 The development provides the opportunity to remove unsightly structures that detract from the character of the area and so enhance the appearance of the Conservation Area.

1.5 We note in the OCC response to the pre-submission draft of the NHP they believe sites at BCS5 are within a comfortable walking distance of the primary school and bus stop. As such they state that 'these locations can be considered sustainable'. Indeed a number of children from Slade End have attended/attend the village school and walk to/from school each morning and afternoon (including both our children for three years).

2.0 Access road to Slade End Green

2.1 We have looked at the suitability of the access in conjunction with a transport consultant, Huw Jones, who has submitted his professional comments in a separate statement. His professional conclusion is that there are no valid transportation reasons to prevent development of the site.

2.2 We provide a scanned copy of OCC's highway record map of Green Lane showing that it is an adopted highway.

2.3 As stated in HVJ Transport's submission the width of the main village road Slade End/Sotwell Street varies between approximately 4.5m to 5.5m in the vicinity of the Green Lane junction. This road carries considerably more traffic movements than that likely for Green Lane. Green Lane is a shared access-way as defined in the Manual for Streets which advises that shared surface access ways can be a minimum of 4.1m and could reduce to 2.75m over a short distance. There are large verge areas either side of the existing carriageway and therefore if required in places the lane width can be extended or passing bays accommodated.

2.4 The daily trips indicated by TRICS data are low for the development proposed, less than 12 traffic movements in the morning peak hour i.e. one movement every five minutes.

2.5 In relation to traffic on Slade End it is important to note that a planning application at Slade End Farm for 5,000 square feet of light industrial use was approved in 1993 but not built. The associated vehicle movements and type of vehicles would have had a far greater impact than that of the currently proposed housing and tourism units.

2.6 The access requirements should be determined by the planning and highways authorities in the normal way.

3.0 Process for masterplanning Slade End Green BCS5

3.1 We very much support the vision of Slade End Green and believe time will show this to have been an inspired initiative by the Neighbourhood Plan steering group to transition previously developed land in to an area that becomes a landscape asset for the village.

3.2 We support the co-ordination of the masterplan process by the Parish Council. All three land owners covered by BCS5 have agreed to the process.

In conclusion BCS5 is a viable and deliverable policy. The realisation of the policy will enhance the appearance of the land and setting of the neighbouring listed buildings and Conservation Area.

Q6. You can upload supporting evidence here

- File: Green Lane incl OCC letter-3.jpg -

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No, I do not request a public examination on the draft Brightwell-cum-Sotwell Neighbourhood Plan

Notification

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Yes

Response 6

Respondent Details

Information	
Respondent Number: 6	Respondent ID: 56640421
Date Started: 28/04/2017 12:05:40	Date Ended: 28/04/2017 12:13:20
Time Taken: 7 mins, 40 secs	Translation: English
IP Address:	Country: United Kingdom

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Agent

Your details

Q4. Agent details Please state the name of the person or the organisation you are representing and give your full details below.

Name of person or organisation you are representing	IPE Orchestra Land
Your name	Jonathan Greenberg
Your organisation	PRP
Address line 1	10 Lindsey Street
Address line 2	London
Address line 3	-
Postal town	-
Postcode	EC1A 9HP
Telephone number	02083393573
Email address	j.greenberg@prp.co.uk

Your comments

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Please find attached letter.

Q6. You can upload supporting evidence here

- File: BCS Reg 16.pdf -

Public examination

Q9. The majority of examinations are expected to be through written representations, however the independent examiner will decide whether there is a need for a public examination. Please indicate below whether there should be a public examination on the draft Brightwell-cum-Sotwell Neighbourhood Plan:

Yes, I request a public examination on the draft Brightwell-cum-Sotwell Neighbourhood Plan

Public examination

Q10. Please state your specific reasons for requesting a public examination below

The Neighbourhood Plan (Regulation 16) has failed to address the basic conditions as explained in the attached representations. Therefore we recommend that a Public Examination of the plan takes place for further consideration of the issues raised, with particular focus on the site assessments report and the sites allocated.

Notification

Q11. Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?

Yes

prp-co.uk

Architecture
Urban Design
Masterplanning
Landscape
Development Consultancy
Planning
Interiors
Research

Planning Policy
South Oxfordshire District Council
135 Eastern Avenue
Milton Park
Abingdon
OX14 4SB

27 April 2017

Dear Sir/Madam

10 Lindsey Street
London
EC1A 9HP
020 7653 1200

Representations to the Brightwell-Cum-Sotwell Neighbourhood Plan, Regulation 16 (February 2017).

PRP has been instructed by IPE Orchestra Land to submit representations to the Brightwell-Cum-Sotwell Submission Draft Neighbourhood Plan. IPE Orchestra Land has an interest in the land which is referred to as Sotwell Manor Fruit Farm (BcSS 11a) within the Neighbourhood Plan site assessments report.

Soundness of the Neighbourhood Plan

Neighbourhood Plans must meet a number of basic conditions, as set out below, in order to comply with legislation (paragraph 8 (1) (a) of schedule 4B to the Town and Country Planning Act) as tested by an Independent Examiner;

- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Neighbourhood Development Plan,
- The making of the Neighbourhood Development Plan contributes to the achievement of sustainable development,
- The making of the Neighbourhood Development Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
- The making of the Neighbourhood Development Plan does not breach, and is otherwise compatible with EU obligations.

It is considered that the Regulation 16 draft of the Brightwell-Cum-Sotwell Neighbourhood Plan is fundamentally in conflict with national policies and advice contained in guidance issued by the Secretary of State. In particular;

Site Assessments: The site assessments report is not based on proportional, robust evidence to support the choices made and the approach taken. There are also discrepancies within the Methodology by which development sites have been selected and the way in which information has been portrayed to the public. The plan therefore does not comply with guidance issued by the Secretary of State.

It is also noted that within the Basic conditions statement at Table A: Conformity with National Planning Policy, the commentary text for policies BCS2, BCS3, BCS4 and BCS5 is incorrect due to an error in the information provided for each site, for example it states that each individual site will deliver 20 dwellings. Therefore a judgment cannot be made from this summary as to whether the plan is consistent with National Planning Policy.

Site Assessments

Sotwell Manor Fruit Farm has been dismissed for inclusion within the Neighborhood Plan based on insufficient evidence, it is also clear that the methodology applied has been inconsistent. Page 3 of the Site Assessment report states that '*All of the sites have been visited by the Neighbourhood Plan project team and their observations recorded*'. Despite this my client and the landowner did not receive notification that a site visit would be made and can confirm that a site visit did not take place at Sotwell Manor Fruit Farm. Therefore it should be questioned how a thorough observation could be made without entering the site.

Sotwell Manor Fruit farm extends to 3.3 hectares (8.1 acres) and is currently part occupied by a garden nursery used for growing soft fruit available for 'pick your own' and ready picked sales. The nursery is accessed from High Road (A1430) to the north. The site is located outside but adjacent to the settlement boundary of Brightwell-cum-Sotwell. There are no physical constraints on site, the North Wessex Downs AONB surrounds the village.

The Site also benefits from bus stops along High Road and is within close proximity to Wallingford and the town of Didcot. Didcot Parkway railway station is 4.5 miles from the site and Cholsey railway station is also within 4 miles of the site.

The following comments are raised in relation to the site assessment concerns;

Rural Character and Access - The site is well contained and therefore the secluded setting would reduce the impact of development on the rural character of the village. It can be demonstrated that access from the A4130 would not be a significant constraint on proposed development nor would the proposed access have a detrimental impact upon the rural character of the area. The development would not be cut off from the village as stated within the summary assessment of the site, because a pedestrian link via the west of the site connects directly onto Sotwell Street and the village. Highways advice has been taken; a transport engineer has been commissioned and is liaising with Oxfordshire County Council in relation to the proposed access.

Landscape Setting - It is considered that the landscape has moderate capacity to absorb further residential development and proposals will be carefully designed so that they do not effect the setting of the AONB. The site is visually well contained; there are limited views to the site from the surrounding landscape and publically accessible land. Wallingford is separated by development to the east and therefore this site does not infill the gap or cause coalescence between Wallingford and the village.

Land Use - The PYO fruit farm will be retained and development will be located on the southern portion of the site together with a pedestrian/cycle route connecting to Five Acres public footpath.

Conservation Area - The site falls outside of the conservation area and is not close to any listed buildings.

Core Facilities/Distance from village facilities - As well as access from the A4130 the site can also be accessed via a public footpath (known as Five Acres) that runs along the north-western boundary of the site linking to Sotwell Street. The site is therefore within close proximity to services and facilities within the village; Brightwell Primary School, Post Office and The Village Stores - 1.4km. The Red Lion - 1.km and St James Church - 0.6km. Local bus stops are located 350m east and 700m west of the site. In comparison to the draft allocations at Slade End Green this site is located closer to the listed village facilities.

Community Profile - As discussed there would not be a loss of local business or PYO facility. The proposed development would support the current adjacent business, ensuring the retention of the PYO area with an increase in local residents living in close proximity.

It is evident from the above that the concerns raised within the site assessments are not based upon proportional or robust evidence and can be addressed with suitable mitigation. Therefore there is a strong case for allocating land at Sotwell Manor Fruit Farm for residential development, which has not been demonstrated by the Neighbourhood Plan.

This misrepresentation of my clients intentions for the site and the potential delivery of much needed housing delivery in South Oxfordshire is misleading for members of the public and the examination of the plan.

It is pertinent here to draw your attention to an independent examiner's final report of the Storrington, Sullington and Washington Neighbourhood Plan, in which he found that the methodology by which development sites are selected in the Plan was neither clear nor consistently applied.

He therefore considered that the Plan did not comply with guidance issued by the Secretary of State (specifically the Planning Practice Guidance) which requires neighbourhood plans to be based on proportional, robust evidence to support the choices made and the approach taken.

He considered that given the District Plan context, a robust assessment of suitable and available sites was required to ensure that the policies and proposals in the Plan would contribute to the achievement of sustainable development, have regard to national policy and guidance and generally conform to the strategic policies of the development plan.

The site is not only suitable but also available and achievable as follows;

Suitability

- The site is immediately adjacent to the defined settlement policy boundary for Brightwell Cum Sotwell
- The site occupies a sustainable location and is well located to benefit from a number of community facilities and services within walking distance. These local services include a village store, post office, pub, church and primary school.
- The site to the south of the PYO fruit farm can accommodate the total number of dwellings currently allocated within the plan in a single, comprehensive masterplan.
- The site's access is located off the A4130. This will therefore alleviate potential new development traffic running through the centre of Brightwell. There are no overriding constraints to prevent the site coming forward

Availability

- The site is within one land ownership and IPE Orchestra Land are promoting the site for residential development.

Achievability

- There are no technical constraints to preventing this site from coming forward for residential development immediately, and if allocated IPE Orchestra Land are keen to progress its proposals for the site in full consultation with the Parish Council and community
- Land at Sotwell Manor Fruit Farm should therefore be included in the Neighbourhood Plan as a housing allocation, instead of existing proposals within the Draft Plan.

Conclusion

The Neighbourhood Plan (Regulation 16) has failed to address the basic conditions as explained in these representations. Therefore we recommend that a Public Examination of the plan takes place for further consideration of the issues raised, with particular focus on the site assessments report and the sites allocated.

It is recommended that the Parish Council:

- 1) Extend the Village Boundary, indicated on the Pre-Submission policies map inset A, to include this site.

- 2) Include Sotwell Manor Fruit Farm as a residential allocation to meet the proposed housing need for Brightwell-Cum-Sotwell. This site is available and deliverable and represents the most sustainable option for development.

We trust that our client's representations will be addressed as the Neighbourhood Plan is progressed.

Yours Sincerely

Jonathan Greenberg MRTPI
Planner



KEY



Site Boundary



Ownership Boundary

revision	date	description	dwn	chkd
----------	------	-------------	-----	------

Gloucester House
399 Silbury Boulevard
Milton Keynes
MK9 2AH

T 01908 303701
W www.enplan.net



project	scale
Brightwell-cum-Sotwell	NTS

	date
	17.01.2017

title	drawn by
The Correct Boundary	R.J.H

	checked
	R.J.H

drawing number	revision
----------------	----------

05-704-01



Response 7

Respondent Details

Information	
Respondent Number: 7	Respondent ID: 56681259
Date Started: 28/04/2017 18:36:32	Date Ended: 28/04/2017 19:38:48
Time Taken: 1 hr, 2 mins, 16 secs	Translation: English
IP Address:	Country: United Kingdom

Consultation on the draft Brightwell-cum-Sotwell Neighbourhood Plan

Q1. After extensive engagement with their local community, Brightwell-cum-Sotwell Parish Council has developed and submitted the draft Brightwell-cum-Sotwell Neighbourhood Plan to South Oxfordshire District Council. There is now an opportunity to comment on the plan and supporting documents during a six week consultation period running from Thursday 16 March until 5pm on Friday 28 April 2017. You can view the draft Neighbourhood Plan and supporting documents below: Neighbourhood Plan Consultation Statement Basic Conditions Statement Site Assessment Sustainability Appraisal Revised HRA Screening Determination Once the consultation has closed, all of the comments will be sent to an independent examiner for consideration. 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 above. Please note that you must provide your name and address for your comments to be considered. All responses received will be available for the public to view and your name may be displayed. (* denotes mandatory question) Are you completing this form as an:

Individual

Your details

Q2. Personal details	
Title	Mrs
First name	Philippa
Last name	Lay-Kishon
Address line 1	
Address line 2	
Address line 3	
Postal town	
Postcode	
Telephone number	
Email address	

Your comments

Q5. You can provide your feedback on the draft Brightwell-cum-Sotwell Neighbourhood Plan below. If you are commenting on a specific section or a supporting document, please make this clear. Please note that it would be helpful to provide evidence and any supporting documents to support/justify your comments. After this stage, further submissions will be only at the request of the independent examiner, based on the matters and issues he/she identifies through the examination.

Dear Sir/Madam,

As a Trustee of the Land at Five Acres, which was submitted to the Local Plan call for sites, I would like to raise my objection to the lack of transparency at the selection of sites and our exclusion in the emerging NP. At no point did any one contact us and when we tried to speak to the comity and PC, we were just told that better sites had been chosen, which I strongly dispute.

I have emailed my response and reasons for this but would like to add that I was at the village meeting on Oct 4th to discuss the preferred sites. The comity had already made their decision, with no consultation to the village as to which site they preferred and when I asked for reasoning behind their selection, was told that I would find it online the following week. Despite many efforts to discuss this un-useable piece of agricultural land, I was at no time allowed to make private representation. It was 3 months before anything was put on line and I have just been to check the minutes of this public meeting, which seem to have been taken down. I would therefore request that a public inquiry is held and these minutes are put back into the public domain. It was very clear that rather than assessing sites terms of suitability, availability and economic viability, they were assessed on the NP objectives.

I would also like it noted that the Site Assessment report contains a number of errors in respect of the site. Firstly the area of the site, which is set out at 1.6 ha, is incorrect as the site measures 2.3 ha. Secondly the site is not currently given over to paddocks, and cannot be used at all due to no water supply. Thirdly the report is silent as to the availability of the site, when in fact we have conformed to the Parish Council and the NP that the site is available.

Five Acres falls within the village confines, situated outside the AONB and conservation area, which would have no listed buildings or ecological impacts. It is in close proximity to the village being 200m from the bus stop and would make good, sustainable use of existing, redundant agricultural land, with minimal visual impact on the village. Therefore i would like to suggest, that there had been a lack of justification in the evidence base, to support the selection of sites, which again furthers my belief that a public inquiry should be held.

Your comments

Q7. 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.

I believe the site selection should be re-assessed to put in place a comparative criteria or scoring method which would ensure consistency in the method. Such a scoring criteria would highlight the sites beneficial aspects in comparison the other sites.

Public examination

Q9. The majority of examinations are expected to be through written representations, however the independent examiner will decide whether there is a need for a public examination. Please indicate below whether there should be a public examination on the draft Brightwell-cum-Sotwell Neighbourhood Plan:

Yes, I request a public examination on the draft Brightwell-cum-Sotwell Neighbourhood Plan

Public examination

Q10. Please state your specific reasons for requesting a public examination below

As stated, I believe the site selection to be deeply flawed and the lack of transparency as to the reasoning very dubious. I would request that the minutes from the village meeting on site selection be put back into the public domain.

Notification

Q11. Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?

Yes

Response 8

Respondent Details

Information	
Respondent Number: 8	Respondent ID: 56852193
Date Started: 02/05/2017 14:12:58	Date Ended: 02/05/2017 14:18:23
Time Taken: 5 mins, 25 secs	Translation: English
IP Address:	Country: Unknown

Consultation on the draft Brightwell-cum-Sotwell Neighbourhood Plan

Q1. After extensive engagement with their local community, Brightwell-cum-Sotwell Parish Council has developed and submitted the draft Brightwell-cum-Sotwell Neighbourhood Plan to South Oxfordshire District Council. There is now an opportunity to comment on the plan and supporting documents during a six week consultation period running from Thursday 16 March until 5pm on Friday 28 April 2017. You can view the draft Neighbourhood Plan and supporting documents below: Neighbourhood Plan Consultation Statement Basic Conditions Statement Site Assessment Sustainability Appraisal Revised HRA Screening Determination Once the consultation has closed, all of the comments will be sent to an independent examiner for consideration. 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 above. Please note that you must provide your name and address for your comments to be considered. All responses received will be available for the public to view and your name may be displayed. (* denotes mandatory question) Are you completing this form as an:

Organisation

Your details

Q3. Organisation details	
Title	-
First name	John
Last name	Moran
Job title	-
Organisation	Health and Safety Executive
Address line 1	CEM HD5E 2.2 Redgrave Court
Address line 2	Merton Road
Address line 3	-
Postal town	Bootle
Postcode	L20 7HS
Telephone number	-
Email address	LOCAL.PLANS.CEMHD.5@hse.gsi.gov.uk

Your comments

Q5. You can provide your feedback on the draft Brightwell-cum-Sotwell Neighbourhood Plan below. If you are commenting on a specific section or a supporting document, please make this clear. Please note that it would be helpful to provide evidence and any supporting documents to support/justify your comments. After this stage, further submissions will be only at the request of the independent examiner, based on the matters and issues he/she identifies through the examination.

Survey administrator comment - please refer to uploaded document on next page for full comments

Q6. You can upload supporting evidence here

- File: 2017_03_17_HSE_REDACTED.pdf

Public examination

Q10. Please state your specific reasons for requesting a public examination below

n/a

Notification

Q11. Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?

No



Health and Safety Executive

South Oxfordshire District Council
135 Eastern Avenue
Milton Park
ABINGDON
OX14 4SB
**ATTN: JODIE WALES – COMMUNITY
ENGAGEMENT OFFICER**

Hazardous Installations Directorate

John Moran

CEM HD5E
2.2 Redgrave Court
Merton Road
BOOTLE
L20 7HS

Tel: 0151 951 4551

LOCAL.PLAN.S.CEMHD.5@hse.gsi.gov.uk

<http://www.hse.gov.uk/>

Dr J Neilson – Head of Unit
Date: 17 March 2017

Dear Sir/Madam

CONSULTATION ON NEIGHBOURHOOD PLANS – REPRESENTATIONS BY HSE
BRIGHTWELL CUM SOTWELL NEIGHBOURHOOD PLAN

Thank you for your request to provide a representation on the above consultation document. When consulted on land use planning matters, HSE where possible will make representations to ensure that compatible development within the consultation zones of major hazard establishments and major accident hazard pipelines (MAHPs) is achieved. HSE acknowledges that early consultation can be an effective way of alleviating problems due to incompatible development at the later stages of the planning process.

HSE gives advice on neighbourhood plans with reference to the condition that neighbourhood plans or Orders must be in general conformity with the strategic policies of the Local Plan, and that neighbourhood plans or Orders must be compatible with European Union obligations, as incorporated into UK law (Planning Practice Guidance – Neighbourhood Planning – Para 065). Our advice therefore is given with consideration to the following.

1. The National Planning Policy Framework (Para. 172) requires that planning policies should be based on up-to-date information on the location of major accident hazards and on the mitigation of the consequences of major accidents
2. Regulation 10(1)(b) of the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended¹ requires that in local plans and supplementary planning

¹ Amended by r.33 - Schedule 5 of The Planning (Hazardous Substances) Regulations 2015

documents, regard be had for the objectives of preventing major accidents and limiting the consequences of such accidents for human health and the environment by pursuing those objectives through the controls described in Article 13 of Council Directive 2012/18/EU (Seveso III)². Regulation 10(c)(i) requires that regard also be had to the need, in the long term, to maintain appropriate safety distances between establishments and residential areas, buildings and areas of public use, recreational areas, and, as far as possible, major transport routes

Scope of Advice

At this early stage HSE can give a general opinion regarding development compatibility based only on the outline information contained in your plan. This opinion takes no account of any intention to vary, relinquish or revoke hazardous substances consents³. Planning authorities are advised to use HSE's Planning Advice Web App to verify any advice given. The Web App is a software version of the methodology used in providing land use planning advice. It replaces PADHI+. Further information on the Web App is available on HSE's website: <http://www.hse.gov.uk/landuseplanning/padhi.htm>

Encroachment of Local Plan Allocations on Consultations Zones

We have concluded that there is the potential for land allocated in your plan to encroach on consultations zones, namely.

Major Accident Hazard Pipelines operated by NGN:

HSE Ref – 12246 – 9 Feeder Chalgrove/East Ilsley

HSE Ref – 7091 – 7 Feeder Chalgrove/Didcot PS

Compatibility of Development with Consultation Zones

The compatibility issues raised by developing housing and workplaces within the inner, middle and outer zones are summarised below.

Housing Allocations

Inner Zone – Housing is not compatible with development in the inner zone. HSE would normally Advise Against such development. The only exception is developments of 1 or 2 dwelling units where there is a minimal increase in people at risk.

² Article 13(1) provides that Member States shall ensure that the objectives of preventing major accidents and limiting the consequences of such accidents for human health and the environment are taken into account in land use policies or other relevant policies. They shall pursue those objectives through controls on: (a) the siting of new establishments; (b) modifications to establishments covered by Article 11; and (c) new developments including transport routes, locations of public use and residential areas in the vicinity of establishments, where the siting or developments may be the source of or increase the risk or consequences of a major accident

³ Hazardous substances consents are granted by the Hazardous Substances Authority (HSA), which is usually the planning authority. The consent process is regulated by the HSA under The Planning (Hazardous Substances) Regulations 2015. The HSA must consult HSE on consent applications. In assessing the application for consent, HSE will produce a map with risk contours (or zones), representing the risk to a hypothetical house resident. Should the HSA grant consent, this map defines the consultation distance within which HSE must be consulted over any relevant future planning applications

Middle Zone – The middle zone is compatible with housing developments up to and including 30 dwelling units *and* at a density of no more than 40 per hectare.

Outer Zone – Housing is compatible with development in the outer zone including larger developments of more than 30 dwelling units and high-density developments of more than 40 dwelling units per hectare.

Workplace Allocations

Inner Zone – Workplaces (predominantly non-retail) providing for less than 100 occupants in each building and less than 3 occupied storeys are compatible with the inner zone. Retail developments with less than 250m² total floor space are compatible with the inner zone.

Note: Workplaces (predominantly non-retail) providing for 100 or more occupants in any building or 3 or more occupied storeys in height are compatible with the inner zone where the development is at the major hazard site itself and will be under the control of the site operator.

Middle Zone – The middle zone is compatible with workplaces (predominantly non-retail). Retail developments with total floor space up to 5000m² are compatible with the middle zone.

Outer Zone – Workplaces (predominantly non-retail) are compatible with the outer zone. Workplaces (predominantly non-retail) specifically for people with disabilities (e.g. sheltered workshops) are only compatible with the outer zone. Retail developments with more than 5000m² total floor space are compatible with the outer zone.

This is a general description of the compatibility for housing and workplaces. Detail of other development types, for example institutional accommodation and education, and their compatibility with consultations zones can be found in the section on *Development Type Tables* of *HSE's Land Use Planning Methodology*, which is available at:

<http://www.hse.gov.uk/landuseplanning/methodology.pdf>

Mixed-Use Allocations

Because of the potential complexity when combination use classes are proposed, advice regarding mixed-use allocations is outside the scope of the general advice that can be given in this representation. Please refer to the Web App to determine HSE's advice regarding mixed-use developments.

Verification of Advice using the Web App

The potential for encroachment is being brought to your attention at an early stage so that you can assess the actual extent of any incompatibility on future developments. Information on the location and extent of the consultation zones associated with major hazard establishments and MAHPs can be found on HSE's extranet system along with advice on HSE's land use planning policy. Lists of all major hazard establishments and MAHPs, consultation zone maps for establishments, and consultation distances for MAHPs are included to aid planners. All planning authorities should have an authorised administrator who can access HSE's Planning Advice Web App; further information is available on HSE's website:

<http://www.hse.gov.uk/landuseplanning/padhi.htm> . When sufficient information on the location and use class of sites becomes available at the pre-planning stages of your local plan, the use of the Web App could assist you in making informed planning decisions about development compatibility.

Identifying Consultation Zones in Local Plans

HSE recommends that where there are major hazard establishments and MAHPs within the area of your local plan, that you mark the associated consultation zones on a map. This is an effective way to identify the development proposals that could encroach on consultation zones, and the extent of any encroachment that could occur. The proposal maps in site allocation development planning documents may be suitable for presenting this information. We particularly recommend marking the zones associated with any MAHPs, and HSE advises that you contact the pipeline operator for up-to-date information on pipeline location, as pipelines can be diverted by operators from notified routes. Most incidents involving damage to buried pipelines occur because third parties are not aware of their presence.

Identifying Compatible Development in Local Plans

The guidance in HSE's Land Use Planning Methodology, available at <http://www.hse.gov.uk/landuseplanning/methodology.pdf> will allow you to identify compatible development within any consultation zone in the area of your local plan. HSE recommends that you include in your plan an analysis of compatible development type within the consultation zones of major hazard establishments and MAHPs based on the methodology. The sections on *Development Type Tables* and the *Decision Matrix* are particularly relevant, and contain sufficient information to provide a general assessment of compatible development by use class within the zones.

There are a number of factors that can alter a Web App decision, for example where a development straddles 2 zones. These factors are outside the scope of the general advice in this letter. HSE's final advice on development compatibility can only be determined through use of the Web App.

If you have any questions about the content of this letter, please contact me at the address given in the letterhead.

Yours faithfully

John Moran

HM Specialist Inspector of Health and Safety (Risk Assessment)

Response 9

Respondent Details

Information	
Respondent Number: 9	Respondent ID: 56852677
Date Started: 02/05/2017 14:18:44	Date Ended: 02/05/2017 14:20:51
Time Taken: 2 mins, 7 secs	Translation: English
IP Address:	Country: Unknown

Consultation on the draft Brightwell-cum-Sotwell Neighbourhood Plan

Q1. After extensive engagement with their local community, Brightwell-cum-Sotwell Parish Council has developed and submitted the draft Brightwell-cum-Sotwell Neighbourhood Plan to South Oxfordshire District Council. There is now an opportunity to comment on the plan and supporting documents during a six week consultation period running from Thursday 16 March until 5pm on Friday 28 April 2017. You can view the draft Neighbourhood Plan and supporting documents below: Neighbourhood Plan Consultation Statement Basic Conditions Statement Site Assessment Sustainability Appraisal Revised HRA Screening Determination Once the consultation has closed, all of the comments will be sent to an independent examiner for consideration. 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 above. Please note that you must provide your name and address for your comments to be considered. All responses received will be available for the public to view and your name may be displayed. (* denotes mandatory question) Are you completing this form as an:

Organisation

Your details

Q3. Organisation details	
Title	-
First name	Janice
Last name	Phillips
Job title	Housing Development Officer
Organisation	South Oxfordshire District Council
Address line 1	135 Eastern Avenue
Address line 2	Milton
Address line 3	-
Postal town	Abingdon
Postcode	OX144SB
Telephone number	-
Email address	janice.phillips@southandvale.gov.uk

Your comments

Q5. You can provide your feedback on the draft Brightwell-cum-Sotwell Neighbourhood Plan below. If you are commenting on a specific section or a supporting document, please make this clear. Please note that it would be helpful to provide evidence and any supporting documents to support/justify your comments. After this stage, further submissions will be only at the request of the independent examiner, based on the matters and issues he/she identifies through the examination.

Our comments on the submission version are:

A requirement/need for affordable homes has been recognised and is detailed in policies BCS2, BCS3 and BCS4 the Neighbourhood Plan refers to National, County and District housing policies as well as the Local Plan to set the context and framework for the proposed policies.

However in appendix 3 of the submission the proposed policy on affordable housing does not reflect the requirements of District Policy CSH3 in the correct tenure mix of sites that deliver a net gain of 11 or more dwellings.

It is our recommendation that the proposed policy is amended to reflect the district tenure requirement of 75% affordable rented and 25% intermediate housing thus bringing the proposed Neighbourhood Plan into broad conformity.

Public examination

Q10. Please state your specific reasons for requesting a public examination below

n/a

Notification

Q11. Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?

No

Response 10

Respondent Details

Information	
Respondent Number: 10	Respondent ID: 56852891
Date Started: 02/05/2017 14:21:06	Date Ended: 02/05/2017 14:22:12
Time Taken: 1 min, 6 secs	Translation: English
IP Address:	Country: Unknown

Consultation on the draft Brightwell-cum-Sotwell Neighbourhood Plan

Q1. After extensive engagement with their local community, Brightwell-cum-Sotwell Parish Council has developed and submitted the draft Brightwell-cum-Sotwell Neighbourhood Plan to South Oxfordshire District Council. There is now an opportunity to comment on the plan and supporting documents during a six week consultation period running from Thursday 16 March until 5pm on Friday 28 April 2017. You can view the draft Neighbourhood Plan and supporting documents below: Neighbourhood Plan Consultation Statement Basic Conditions Statement Site Assessment Sustainability Appraisal Revised HRA Screening Determination Once the consultation has closed, all of the comments will be sent to an independent examiner for consideration. 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 above. Please note that you must provide your name and address for your comments to be considered. All responses received will be available for the public to view and your name may be displayed. (* denotes mandatory question) Are you completing this form as an:

Organisation

Your details

Q3. Organisation details	
Title	-
First name	Planning
Last name	Administration Team
Job title	-
Organisation	Sport England
Address line 1	Sport Park
Address line 2	3 Oakwood Drive
Address line 3	Loughborough
Postal town	Leicester
Postcode	LE11 3QF
Telephone number	-
Email address	Planning.South@sportengland.org

Your comments

Q5. You can provide your feedback on the draft Brightwell-cum-Sotwell Neighbourhood Plan below. If you are commenting on a specific section or a supporting document, please make this clear. Please note that it would be helpful to provide evidence and any supporting documents to support/justify your comments. After this stage, further

submissions will be only at the request of the independent examiner, based on the matters and issues he/she identifies through the examination.

Thank you for consulting Sport England on the above neighbourhood plan.

Government planning policy, within the National Planning Policy Framework (NPPF), identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process. Providing enough sports facilities of the right quality and type in the right places is vital to achieving this aim. This means that positive planning for sport, protection from the unnecessary loss of sports facilities, along with an integrated approach to providing new housing and employment land with community facilities is important.

It is essential therefore that the neighbourhood plan reflects and complies with national planning policy for sport as set out in the NPPF with particular reference to Parts 73 and 74. It is also important to be aware of Sport England's statutory consultee role in protecting playing fields and the presumption against the loss of playing field land. Sport England's playing fields policy is set out in our Planning Policy Statement: 'A Sporting Future for the Playing Fields of England'.
<http://www.sportengland.org/playingfieldspolicy>

Sport England provides guidance on developing planning policy for sport and further information can be found via the link below. Vital to the development and implementation of planning policy is the evidence base on which it is founded.
<http://www.sportengland.org/facilities-planning/planning-for-sport/forward-planning/>

Sport England works with local authorities to ensure their Local Plan is underpinned by robust and up to date evidence. In line with Part 74 of the NPPF, this takes the form of assessments of need and strategies for indoor and outdoor sports facilities. A neighbourhood planning body should look to see if the relevant local authority has prepared a playing pitch strategy or other indoor/outdoor sports facility strategy. If it has then this could provide useful evidence for the neighbourhood plan and save the neighbourhood planning body time and resources gathering their own evidence. It is important that a neighbourhood plan reflects the recommendations and actions set out in any such strategies, including those which may specifically relate to the neighbourhood area, and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support their delivery.

Where such evidence does not already exist then relevant planning policies in a neighbourhood plan should be based on a proportionate assessment of the need for sporting provision in its area. Developed in consultation with the local sporting and wider community any assessment should be used to provide key recommendations and deliverable actions. These should set out what provision is required to ensure the current and future needs of the community for sport can be met and, in turn, be able to support the development and implementation of planning policies. Sport England's guidance on assessing needs may help with such work.
<http://www.sportengland.org/planningtoolsandguidance>

If new or improved sports facilities are proposed Sport England recommend you ensure they are fit for purpose and designed in accordance with our design guidance notes.
<http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>

Any new housing developments will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then planning policies should look to ensure that new sports facilities, or improvements to existing sports facilities, are secured and delivered. Proposed actions to meet the demand should accord with any approved local plan or neighbourhood plan policy for social infrastructure, along with priorities resulting from any assessment of need, or set out in any playing pitch or other indoor and/or outdoor sports facility strategy that the local authority has in place.

In line with the Government's NPPF (including Section 8) and its Planning Practice Guidance (Health and wellbeing section), links below, consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing planning policies and developing or assessing individual proposals.

Active Design, which includes a model planning policy, provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity. The guidance, and its accompanying checklist, could also be used at the evidence gathering stage of developing a neighbourhood plan to help undertake an assessment of how the design and layout of the area currently enables people to lead active lifestyles and what could be improved.

NPPF Section 8: <https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities>

PPG Health and wellbeing section: <https://www.gov.uk/guidance/health-and-wellbeing>

Sport England's Active Design Guidance: <https://www.sportengland.org/activedesign>

(Please note: this response relates to Sport England's planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.)

If you need any further advice, please do not hesitate to contact Sport England using the contact details below.

Yours sincerely

Planning Administration Team
planning.south@sportengland.org

Public examination

Q10. Please state your specific reasons for requesting a public examination below

n/a

Notification

Q11. Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?

No

Response 11

Respondent Details

Information	
Respondent Number: 11	Respondent ID: 56853092
Date Started: 02/05/2017 14:23:27	Date Ended: 02/05/2017 14:23:53
Time Taken: 26 secs	Translation: English
IP Address:	Country: Unknown

Consultation on the draft Brightwell-cum-Sotwell Neighbourhood Plan

Q1. After extensive engagement with their local community, Brightwell-cum-Sotwell Parish Council has developed and submitted the draft Brightwell-cum-Sotwell Neighbourhood Plan to South Oxfordshire District Council. There is now an opportunity to comment on the plan and supporting documents during a six week consultation period running from Thursday 16 March until 5pm on Friday 28 April 2017. You can view the draft Neighbourhood Plan and supporting documents below: Neighbourhood Plan Consultation Statement Basic Conditions Statement Site Assessment Sustainability Appraisal Revised HRA Screening Determination Once the consultation has closed, all of the comments will be sent to an independent examiner for consideration. 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 above. Please note that you must provide your name and address for your comments to be considered. All responses received will be available for the public to view and your name may be displayed. (* denotes mandatory question) Are you completing this form as an:

Organisation

Your details

Q3. Organisation details

Title	-
First name	Anne
Last name	Lankester
Job title	-
Organisation	Oxfordshire Clinical Commissioning Group
Address line 1	Jubilee House
Address line 2	5510 John Smith Drive
Address line 3	Oxford Business Park South
Postal town	Oxford
Postcode	OX4 2LH
Telephone number	01865337007
Email address	planning@oxnet.nhs.u

Your comments

Q5. You can provide your feedback on the draft Brightwell-cum-Sotwell Neighbourhood Plan below. If you are commenting on a specific section or a supporting document, please make this clear. Please note that it would be helpful to provide evidence and any supporting documents to support/justify your comments. After this stage, further submissions will be only at the request of the independent examiner, based on the matters and issues he/she identifies through the examination.

Re: Neighbourhood Plans for Brightwell-cum-Sotwell

We note that you have requested comments from the Clinical Commissioning Group (CCG) regarding your NP. The CCG commissions Primary Care services to all residents in Oxfordshire.

With the large scale housing developments planned across the District the CCG would like to make the following comments on your Neighbourhood Plan:

Any large scale housing development, notwithstanding the cumulative effect of smaller sites, will have a direct impact on our local health services, in particular the local GP's.

If the local GP practice is able to grow and expand to support the housing growth the CCG would look to both the Parish Council and the Local Planning Authority to consider supporting this new population by negotiating developer contributions. Where expansion of the existing GP practice is not viable the CCG will need to consider its options to ensure Primary Care services are available to the new population.

The CCG is very keen to work closely with the Neighbourhood plans and we have a co-ordinator in your area: Anne Lankester who can be contacted on planning@oxnet.nhs.uk or the details below.

Please do contact us if we can provide further information and support. We look forward to working with you.

I do hope this information helps, many thanks, Anne

Public examination

Q10. Please state your specific reasons for requesting a public examination below

n/a

Notification

Q11. Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?

No

Response 12

Respondent Details

Information	
Respondent Number: 12	Respondent ID: 56853236
Date Started: 02/05/2017 14:25:09	Date Ended: 02/05/2017 14:35:09
Time Taken: 10 mins, 0 secs	Translation: English
IP Address:	Country: Unknown

Consultation on the draft Brightwell-cum-Sotwell Neighbourhood Plan

Q1. After extensive engagement with their local community, Brightwell-cum-Sotwell Parish Council has developed and submitted the draft Brightwell-cum-Sotwell Neighbourhood Plan to South Oxfordshire District Council. There is now an opportunity to comment on the plan and supporting documents during a six week consultation period running from Thursday 16 March until 5pm on Friday 28 April 2017. You can view the draft Neighbourhood Plan and supporting documents below: Neighbourhood Plan Consultation Statement Basic Conditions Statement Site Assessment Sustainability Appraisal Revised HRA Screening Determination Once the consultation has closed, all of the comments will be sent to an independent examiner for consideration. 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 above. Please note that you must provide your name and address for your comments to be considered. All responses received will be available for the public to view and your name may be displayed. (* denotes mandatory question) Are you completing this form as an:

Individual

Your details

Q2. Personal details	
Title	
First name	Vanessa
Last name	East-Hardy
Address line 1	
Address line 2	
Address line 3	
Postal town	
Postcode	
Telephone number	
Email address	

Your comments

Q5. You can provide your feedback on the draft Brightwell-cum-Sotwell Neighbourhood Plan below. If you are commenting on a specific section or a supporting document, please make this clear. Please note that it would be helpful to provide evidence and any supporting documents to support/justify your comments. After this stage, further submissions will be only at the request of the independent examiner, based on the matters and issues he/she identifies through the examination.

Survey administrator comment - please refer to uploaded document on next page for full comments.

Q6. You can upload supporting evidence here

- File: 2017_04_15_V East-Hardy.pdf -

Public examination

Q10. Please state your specific reasons for requesting a public examination below

n/a

Notification

Q11. Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?

No

April 2017 - Comments on Brightwell cum Sotwell Neighbourhood Plan

BSC1 Brightwell cum Sotwell Village Boundary

SODC do not support settlement boundaries as an approach to directing development as they are very inflexible and may stop sustainable development

SODC Local Plan has no policies setting settlements

Neighbourhood Plan February 2017 – states: ‘The main settlement together with Mackney is collectively referred to in this plan as ‘the village’’

Brightwell Community Led Parish Plan 2014-2024 – which is referred to many times in the BCSNP as reference to community information used (P22 map shows most of the potential sites excluded from established edge of settlement) **NO REFERERNC** TO THE ‘**MACKNEY GAP**’ in this document

Site Assessment February 2017 – (Policy BCS1 of the NCSNP proposed to establish a new Village Boundary policy to contain growth to those sites and to suitable infill. Those sites that were located in one of the other spatial options were therefore not taken forward as site allocations as a) those options were not appraised as providing a more sustainable solution and b) there was no need to allocate any additional land)

Brightwell-cum-Sotwell Parish Neighbourhood Plan Final SA/SEA Report – February 2017

Policy BCS1 8.2 By defining a new Village Boundary to contain new development to that which is planned, this policy establishes the principle of new development being focused on the main village, unless suited to a countryside location elsewhere in the Parish. It is the outcome of decisions made on the preferred spatial strategy and subsequent site allocations for growing the main village with housing development.

8.7 The Village Boundary defines the desired extent of the built up area of the main village by 2032.

8.10 The District Council commented on the Draft Report that as it does not use a settlement boundary policy mechanism to distinguish between built up areas and the countryside that this appraisal should consider its sustainability merits separately.

9.19 The alternative of not using a settlement boundary policy device here may be seen as offering greater flexibility by enabling applications to come forward for housing, employment and other development adjoining the observed village edge. This would have stronger housing supply

The alignment of the Village Boundary as proposed however omits various portions of land which could be developed in accordance with the vision and objectives of the Neighbourhood Plan, which are outside of the AONB, outside of the conservation area, some non-productive horticultural land and not on village green spaces and introduce a more permissive approach to infill development, as promoted by the Local Plan.

A review of the evolving historical development pattern as shown on Ordnance Survey Maps from 1877 to 2016 highlights the natural evolving of infill between existing dwellings.

It is considered that the proposed Spatial Plan and associated Village Boundary is inconsistent with the objectives of the Neighbourhood Plan, in particular the objectives of avoiding development in the AONB, the prolongation of the village, the use of non-productive land and the protection of the conservation area. It is therefore considered that the current proposed settlement boundary is both counter to the objectives of the neighbourhood plan and the principles of sustainable development.

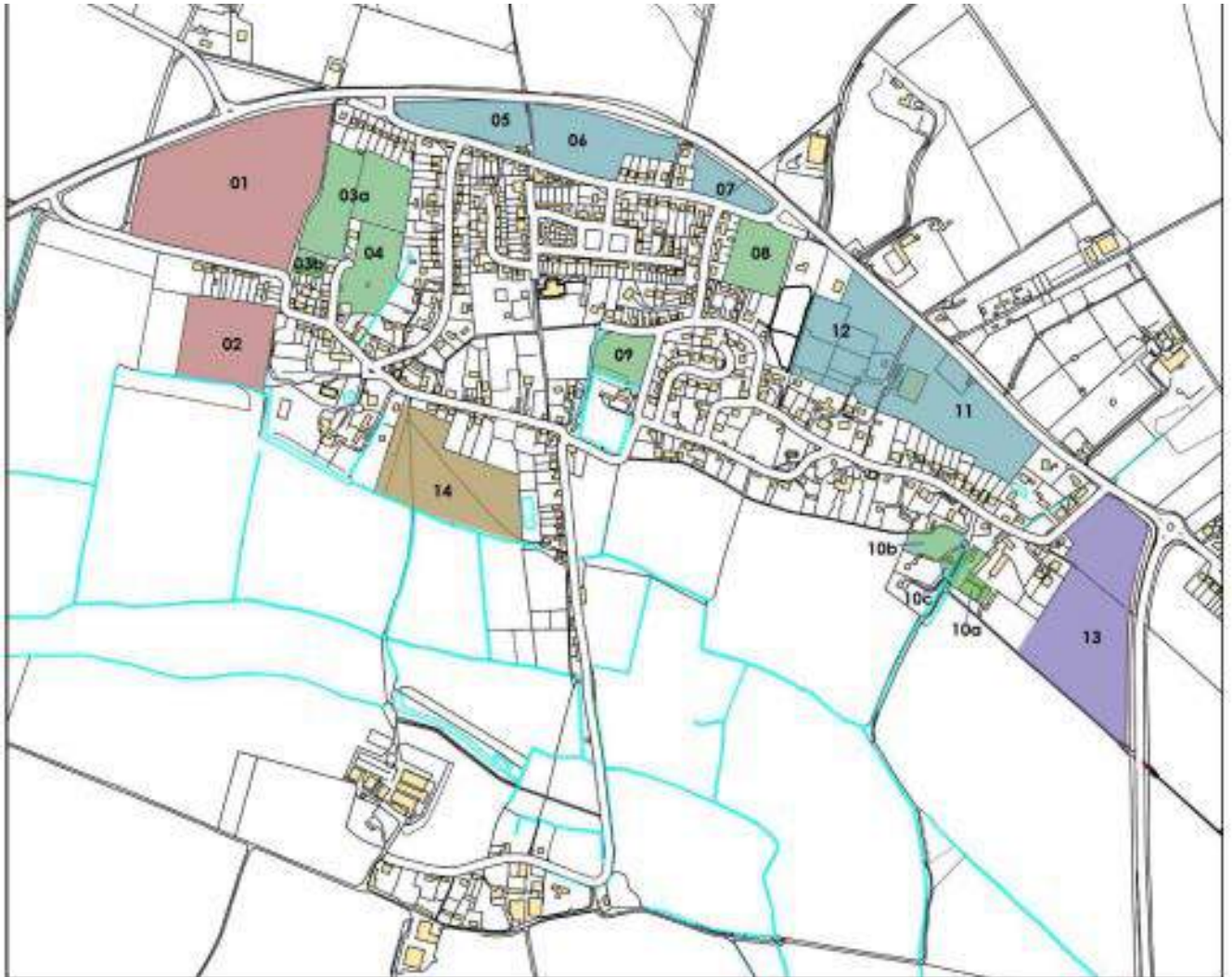
Site Assessment Report FEBRUARY 2017

Site assessments were undertaken by the neighbourhood planning team to ascertain the availability and simple capacity of land in and around the main village.

Within the Village Envelope – defined as land contained within the observed settlement edge of the village

South of the Village – defined as extending the village from its southern boundary towards Mackney

Of the other available sites, land that was beyond the main village was excluded at the outset



Key

- Village Envelope
- West of Village
- East of Village
- North of Village
- South of Village

Brightwell-cum-Sotwell Parish Neighbourhood Plan Final SA/SEA Report – February 2017

9.12 Option B is based on a spatial strategy that grows the village beyond its southern boundary, i.e. properties on Brightwell Street and **down Mackney Lane**. This option includes site 014 (The Haycroft).

9.17 Finally, all of the options lies beyond the observed settlement form of the village and would be regarded as extensions making incursions into the surrounding countryside.

Option B lies within the defined gap of open land between the main village and Mackney, which contributes to maintain the visual integrity of each settlement and their separation as distinct areas. Development of any significant scale here risks undermining that essential landscape character and is also, therefore, assessed as having a negative effect.

SODC consultation noted: ‘fails to demonstrate how sites have been fairly assessed’ other sites excluded from settlement boundary

Option B states – down Mackney Lane – no sites were considered down Mackney Lane - OUR SITE IS ON MACKNEY LANE, A GAP BETWEEN TWO RIBBON DEVELOPMENTS, the north adjoining the village with an approximate 60 metre gap between the south ribbon of properties (our proposed site)

2.0 Pre-Submission Public Consultation

In addition to the above general invitation for the residents to make comments, notification was also given by email to potentially affected landowners and known interested parties. In some instances notification of the consultation period was attached in a plastic sleeve to a farm gate where the land owner was not known or posted if the email address was uncertain.

Brightwell cum Sotwell Neighbourhood Plan Submission Plan February 2017

4.4 The neighbourhood plan is a community project, and must derive its authority and policies from the community. Communication, feedback and consultation have played a major part in developing our Plan. The consultation process included: One to one meetings with interested groups, landowners and residents

BASIC CONDITIONS STATEMENT

2.5 Inevitably, the District’s housing supply policy vacuum has led to a series of planning applications being submitted in recent months, some on sites allocated in the Neighbourhood Plan and others not. The Parish Council has sought to use the opportunity of pre-application consultations, where it has been approached by applicants, to encourage proposals to be made in line with the provisions of its emerging Neighbourhood Plan, which appears to have been generally successful. It has also responded to other invitations by land owners to meet to discuss their proposals, to ensure a consistency in approach. Only once its preferred spatial option and site allocations had been chosen, did it liaise further with land interests in order to ensure that the specific allocation policy provisions would be considered acceptable and therefore viable.

I understand that the process for compiling the BCSNP should be seen as democratic and transparent and that the public should be involved at every stage – It is crucial that this process is community led and not seen as a process that the community just follows!

BCS1 Village Boundary, Site selection and BCS6 Local Gaps – I have not once been contacted or notified how the BCSNP will affect my land, I was unaware of BCSNP until a developer approached me (November 2016)! How does the BCSNP comply with their statements if this is the case?

Having studied the parish council minutes, which have only recently been available, there appear discrepancies in meetings with developers and site allocation! It was stated at one meeting the importance of the BCSNP as one developer was ready to submit a planning application for 60 properties (this was BCS3 Little Martins) they are one of the agreed sites! At the February 2017 meeting, the attendees were notified of planning applications received from sites outside the

BCSNP site allocation, it was suggested that these be objected to on SODC website on the basis that they were not in BCSNP – no details were discussed relating to the applications - this followed a campaign on the village website, urging villagers to object to our application - again no details of the development, just information to quote in the objection!(Is this community led or community following?)

This is not the only time I have been excluded from what should be transparent and public – Parish Council Meeting 21 February 2017 planning applications – the Parish council would not discuss with the public present as sensitive! (only 3 public members and 1 developer with planning consultant present) –the developer with the planning consultant’s application was approved as in the BCSNP – the other application objected. Are all planning applications not sensitive? Why would the Parish Council choose not to discuss them openly? Is this acceptable?

In January 2017 our Planning consultant advised that the BCS6 Landscape Character (now Local Gaps) would affect our land and suggested I contact the BCSNP to comment – YOU WILL SEE FROM EMAIL DETAILS BELOW, THE PC HAVE BEEN MISLEADING IN THEIR COMMUNICATION, HAVE TAKEN MY COMMENTS ON BOARD AND AMENDED THEIR DOCUMENTS TO SUIT AND NOT INCLUDED MY COMMUNICATION IN THEIR SUBMISSION.

Copy email correspondence below:

Vanessa East-Hardy <meadowfarmcholsey@gmail.com>

30
Jan

to bcsparrishcounc.

Dear Lucy

We have only just heard about the consultation, which appears to have ended, we are keen to make some comments, is it too late to send an email.

Regards

Mr Hardy

Brightwell Cum-Sotwell Parish Council <bcsparrishcouncil@googlemail.com>

30
Jan

to me

Dear Mr Hardy

The Consultation has closed though you are welcome to send any comments to me however please note the plan is due to be submitted for the next stage on Friday.

Kind regards

Lucy Dalby

Vanessa East-Hardy <meadowfarmcholsey@gmail.com>

1
Feb

to bcsparrishcounc.

Dear Lucy

Thank you for your email dated 30 January 2017 regarding the Neighbourhood Plan, confirming: ‘The Consultation has closed though you are welcome to send any comments to me however please note the plan is due to be submitted for the next stage on Friday’.

Please find attached our comments and observations.

I look forward to hearing from you in due course.

Regards

Mr Hardy

Mrs East-Hardy

Attachments area

Brightwell Cum-Sotwell Parish Council <bcsparrishcouncil@googlemail.com>

1
Feb

to me

Dear Mr Hardy and Mrs East-Hardy

Thank you for your comments received today which unfortunately were sent after the Parish Council approved the plan in the evening of Monday 30th January. Therefore comments received after that time can not be considered as part of the Neighbourhood Plan.

Regards

Lucy Dalby

Vanessa East-Hardy <meadowfarmcholsey@gmail.com>

1
Feb

to David, Brightwell

Hi Lucy

We are a little confused by your email today, as your response on Monday was 'The Consultation has closed though you are welcome to send any comments to me however please note the plan is due to be submitted for the next stage on Friday'.

Obviously had you stated that you had a meeting on Monday evening by which time any comments were to be made, these would have been sent prior to that meeting!

We trust you will reconsider in light of the misleading information we have received.

TO WHICH NO ACKNOWLEDGEMENT OR RESPONSE WAS RECEIVED!!!

My comments attached to the email:-

Brightwell cum Sotwell Neighbourhood Plan

We own the land opposite the Recreation Ground, having taken advice from a Consultant, we would like to make the follow observations and comments relating to:-

Policy BCS6: Landscape Character

This policy appears to be introducing a level of protection through the proposed Local Gap which exceeds its importance and which goes against the thrust of the National Planning Policy Framework, which required protection to be commensurate with status. Unjustified local landscape designations which are unsupported in national policy amount to an overly protective approach and stifle sustainable development.

The Neighbourhood Plan defines the following local Gaps on the Policies Map for the purpose of preventing the coalescence of the two settlements:

i. Brightwell-cum-Sotwell – Mackney Local Gap

'Important in maintaining the landscape character in that the shape of the village is hidden in its landscape'

'This aspect of the village is particularly important in maintaining view from and to the AOAB'

'More generally, the policy aims to conserve the way that the main settlement sits invisibly in the landscape, retaining the fields between Slade End and the bypass and between Mackney and the main settlement as working farmland in order to keep a clear 'rural' buffer between settlements'

I would like to draw your attention to the photographs submitted with recent planning application P17/S0164 Little Martins. Produced by Lockhart Garratt from various viewpoint around the AONB towards Mackney Lane, all of which clearly do not provide a view of our land or any of the existing properties/buildings adjoining our land along the Lane (viewpoints 10,11,12,22,23)

Please also see photos below from the land (taken at the commencement of ownership, towards the areas of AONB – again no obvious views of the AONB are visible.



Please note prior to our ownership this land was for many years used as a dumping ground – was the old gas tank left from the refurbishment of the new Pavillion? Clearly not viewed with the ‘obstruct or harm the character of a long view or views through a gap in the existing streetscene’!

We would therefore, question the rationale behind the Mackney Local Gap, based on the importance of maintaining views from and to the AONB, which as the photographic evidence shows is not evident!

I would also point out that the statement:

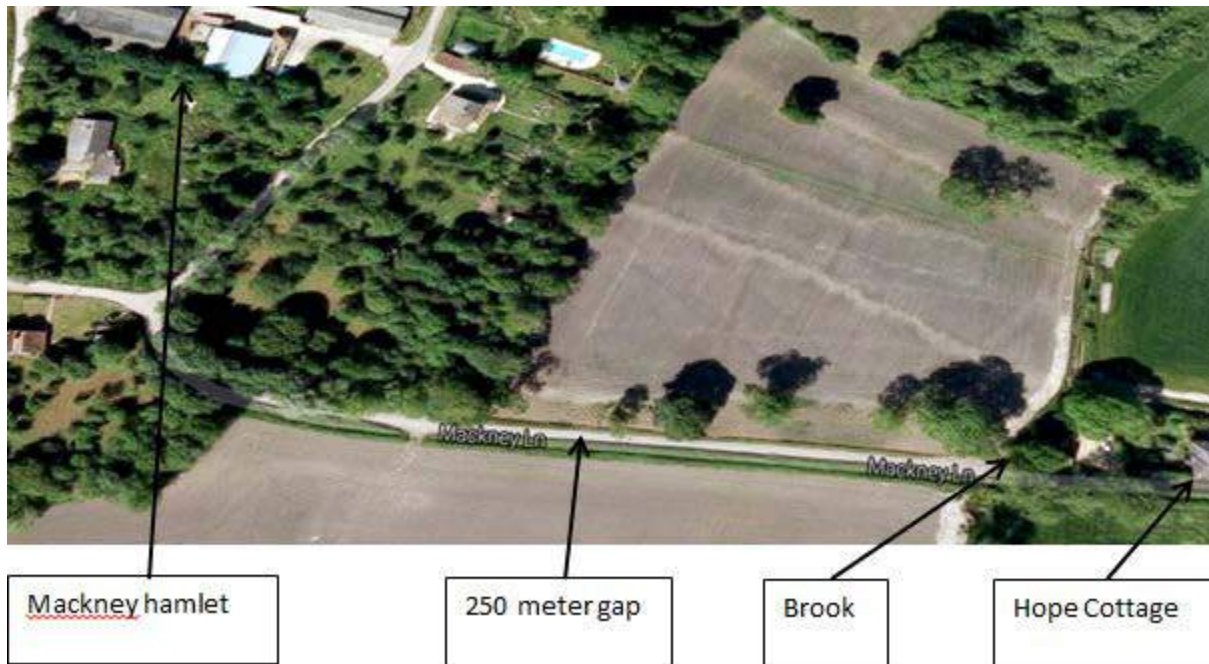
‘More generally, the policy aims to conserve the way that the main settlement sits invisibly in the landscape, retaining the fields between Mackney and the main settlement as working farmland in order to keep a clear ‘rural’ buffer between settlements’ suggests agricultural fields, not a ribbon of development in front of fields, one of which is a pony paddock with vehicular access being across part of the garden to Wilkins Cottage.



Which of these is the definition of ‘rural buffer’



It would therefore, suggest that based on the facts above, the ‘Mackney Gap’ is beyond Hope Cottage further along the Lane, where there is a natural divide, with brook, then agricultural fields either side of the Lane, which create an obvious gap of 250m between properties, this clearly defines the village of Brightwell-cum-Sotwell from the hamlet of Mackney, as shown below.



We trust you will review this policy in light of the evidence above to show the true ‘Mackney Local Gap’.

THE RESULT OF THIS IS NOW BCS6 LOCAL GAPS –

Brightwell cum Sotwell Neighbourhood Plan Submission Plan February 2017

5.34 As Wallingford continues to expand westwards there is only one field separating the village from the town. Another important gap between settlements was identified between the main village and Mackney. In both cases working farmland performs a valued function, preventing the coalescence of distinct settlements.

Policy BCS6: Local Gaps The Neighbourhood Plan identifies the following Local Gaps on the Policies Map:

- i. Brightwell cum Sotwell - Mackney Local Gap; and
- ii. The Slade End Local Gap.

Development proposals should ensure the retention of the open character of the Local Gaps. Proposals for the re-use of rural buildings, agricultural and forestry related development, playing fields, other open land uses and minor extensions to existing dwellings will be supported where they would preserve the separation between the settlements concerned and retain their individual identities.

5.38 This policy seeks to protect the essential countryside character of two key areas between the settlements of Brightwell cum Sotwell and Mackney and between Brightwell cum Sotwell and Wallingford (‘the Slade End Gap’), in order to prevent coalescence between these separate settlements and to protect their distinctive individual character and setting. In doing so, it will conserve the way that the main settlement sits invisibly in the landscape, retaining the fields between Slade End and the bypass and between Mackney and the main settlement preferably as working farmland in order to keep a clear ‘rural’ buffer between settlements.

5.39 The gaps are shown on the Policies Map and have been drawn to include only the minimum essential area to achieve the policy objective. They each make a significant contribution to maintaining the individual character of their adjoining settlements. ***The Evidence Base includes the Landscape & Green Spaces Study which describes each gap in greater detail and the particular contribution that it makes.*** This policy does not seek to prevent development that may otherwise be suited to a countryside location but ensures that the scale, massing and height of proposals do not result in the integrity of a gap being undermined. Development that is consistent with this policy

might include minor extensions to existing buildings, the creation of playing fields, or other open land uses.

Landscape & Green Spaces Study Nov 2016

The hamlet of Mackney is reached by a long causeway known as Mackney Lane that follows the route of the old Roman road. Mackney is a small predominantly rural hamlet centred around Sherwood and Mackney Court Farms. The settlement includes many fine buildings including the Grade I listed Smalls House. More recent development sits happily in between the older properties separated by large gardens, orchards and barns.

Views play a key role in how local people relate and interact with their surrounding environment. These may be long 'big sky' views on open farmland in Mackney, sweeping panoramas across the Thames Valley from the top of the Sinodun Hills, shorter views within settlements terminating on a particular feature or building or a glimpse of the Berkshire Downs seen through a gap between two buildings.

The area of land between Mackney and the main village which includes allotments, a playground our recreation ground and the Croft Fields (both sides of Mackney Lane) is perceived as an integral part of the boundary of the village and not simply an outside agricultural space.

The separation of Mackney with the main settlement is also a key consideration in conserving character. **The two settlements have distinct and different characters and are separated by open fields** and the long expanse of the Mackney Lane – a former Roman Road that crossed the marshland separating the two communities.

Only two houses are built beyond the historic edge of the village. With the exception of Mackney Lane and the former Slade End nursery site, this is the only point at which the established historic boundary on the south side of the village has been breached by new building.

The southern edge of the village is clearly defined by Croft Path, the long-established historic edge of settlement where views out are still across open fields towards Mackney and the Berkshire Downs beyond.

The Mackney Gap – pictures from Landscape and Green Space Study report (all pictures are taken from Hope Cottage or beyond, towards Mackney Hamlet)



Mackney Lane (above)



I FAIL TO SEE HOW THE ABOVE PROVIDES: 'The Evidence Base includes the Landscape & Green Spaces Study which describes each gap in greater detail and the particular contribution that it makes.'

VIEWS – The map in the Landscape & Green Spaces Study P23 show no key views either located to, from or across our land – all views relate to the Mackney end of Mackney Lane – BCSNP Appendix B Map has been considerably updated with views, no. 4 has been changed to two way arrow – however, still no key views relating to our land – but, again implies additional supporting information in the Landscape and Green Space Study

BCS Parish Plan 2004 – 2014 has no reference to 'Mackney Gap'

One question asked:-

If there is development, where should it be?

99 responses to this question favoured the main village; 63 Shillingford Hill, 60 Sires Hill and 59 Mackney. Several specified no building on green fields between Brightwell and Wallingford, or on the allotments

SODC April 2006 -Brightwell-cum-Sotwell Conservation Area Character Appraisal The conservation area character appraisal – This documents has no reference to 'Mackney Gap'

BCS Community Led Parish Plan 2014 -2024 has no reference to 'Mackney Gap'

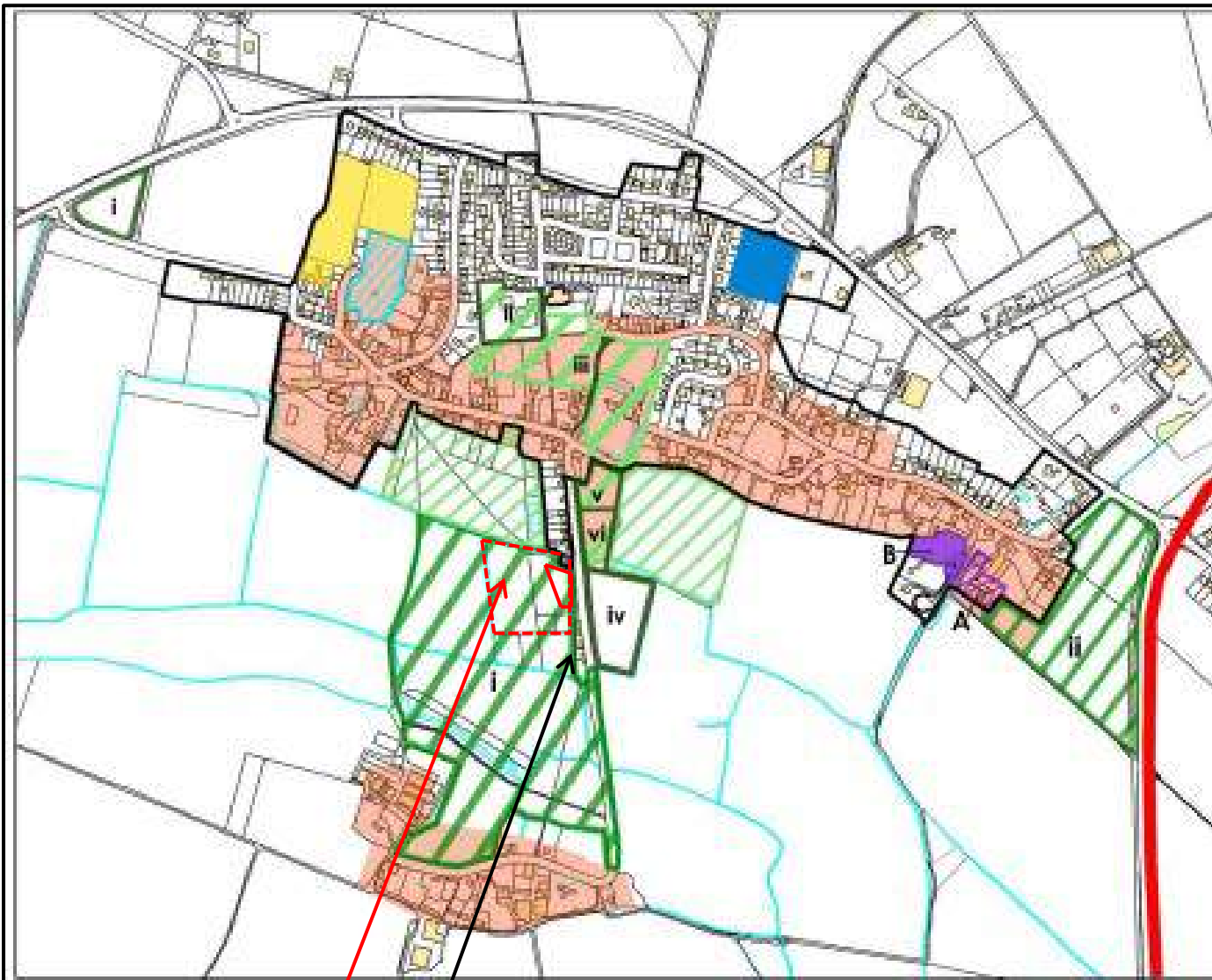
I AM SURE IF AS SUGGESTED THE 'MACKNEY GAP' IS SUCH AN IMPORTANT AND WELL KNOWN PART OF THE VILLAGE – IT WOULD BE MENTIONED IN THESE IMPORTANT DOCUMENTS!

I refer to a similar Gap between village's policy, where Examiner Nigel McGurk recommends it be deleted:-

Sonning Common Neighbourhood Plan Examination Report to South Oxfordshire District Council by Independent Examiner, Nigel McGurk BSc(Hons) MCD MBA MRTPI May 2016








Policy DS1 seeks to designate a "green gap." This is a new designation and whilst the Basic Conditions Statement suggests that the Policy is in general conformity with Core Strategy Policies CSEN1 and CSR1, neither of these District-wide policies seeks to designate a green gap, nor anything similar.

Taking all the above into account, Policy DS1 fails to meet the basic conditions. I recommend:
Delete Policy DS1



Brightwell cum Sotwell Parish Neighbourhood Plan
 Submission Policies Map Inset A February 2017

Key

- | | | | | | |
|---|---|---|--------------------------|---|----------------------------|
|  | Parish Boundary |  | BCS5 a - Slade End Green |  | BCS10 - Conservation Areas |
|  | BCS1 - Village Boundary |  | BCS6 - Local Gaps |  | BCS11 - Local Green Spaces |
|  | BCS2 - Land at Bosley's Orchard |  | BCS8 - The Green Heart | | |
|  | BCS3 - Land at Little Martins Home Farm Bains | | | | |
|  | BCS4 - Land at Thorne's Nursery | | | | |

Our site – Total site in red dash line – application site for 4 properties in bold red line – it appears the existing ribbon development which continues along Mackney Lane is not shown as being within the Local Gaps policy!

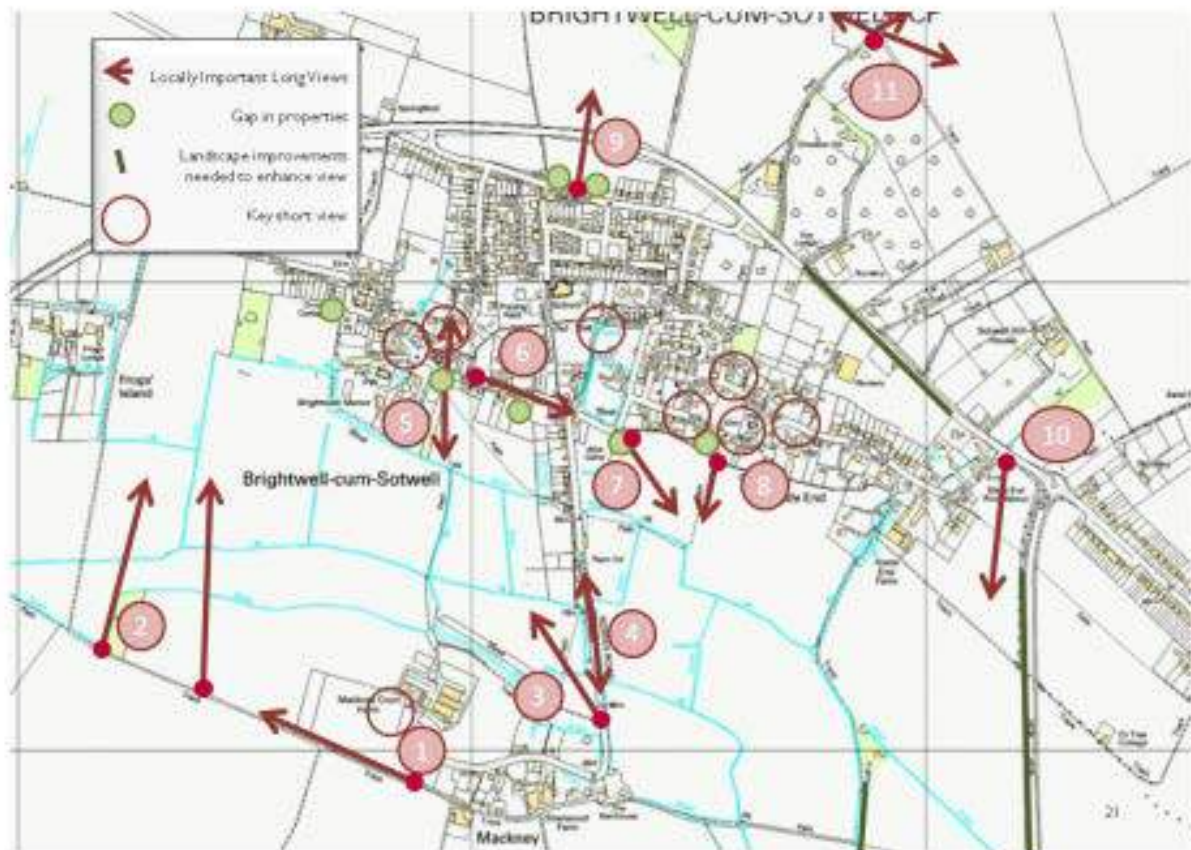
Brightwell cum Sotwell Neighbourhood Plan Submission Plan February 2017

Policy BCS7: Landscape Character & the Villages Development proposals within and around the villages of Brightwell cum Sotwell and Mackney should demonstrate how they have taken account of the contribution made to the character of the villages by the North Wessex Area of Outstanding Natural Beauty and especially the Sinodun Hills. In particular, development proposals should set out details on how they have been designed to take account of any key views into the villages from the surrounding countryside, or from within the villages to the surrounding countryside, by way of their scale, height, position within the application site, the use of materials and external lighting.

5.40 This policy seeks to ensure that all development proposals have understood and responded to the special landscape character of the Parish, and how that character plays such an important role in shaping the character of Brightwell cum Sotwell and Mackney especially. The policy does not seek to impose a blanket restriction on development around or inside the villages but requires design statements to show that proposals will not harm this character.

5.41 The topography of the main village is important in maintaining the landscape character in that the shape of the village is hidden in its landscape as set out in the Landscape and Green Spaces Study. This aspect of the village is particularly important in maintaining views from and to the AONB. Development in that part of the Parish within the AONB is already managed by policies of the NPPF and development plan. This policy aims to complement those policies by identifying as special the ridge of the Sinodun Hills sweeping up from the flat valley floor, rising through open countryside to the tree capped hilltop at Brightwell Barrow. This is the defining landscape feature of Brightwell cum Sotwell and together with the River Thames landscape is special to the local community with its open character, recreational value, flood storage capacity and wildlife potential. A plan showing some specific views to take into account in this policy is included in the Landscape & Green Space Study and is also included in Appendix B of the BCSNP.

KEY VIEWS DIAGRAM



For additional information please refer to the Landscape and Green Spaces Study

BASED ON THE FACTS ABOVE –

We OBJECT TO POLICIES:-

BCS6 LOCAL GAPS

BCS1 BRIGHTWELL CUM SOTWELL VILLAGE BOUNDARY

BCS7 LANDSCAPE CHARACTER

AND QUESTION IF THE PROCESS HAS BEEN CARRIED OUT IN A **TRANSPARENT AND PUBLIC MANNER, COMMUNITY LED?**

V East-Hardy

C Hardy

April 2017

Response 13

Respondent Details

Information	
Respondent Number: 13	Respondent ID: 56854063
Date Started: 02/05/2017 14:35:35	Date Ended: 02/05/2017 14:37:21
Time Taken: 1 min, 46 secs	Translation: English
IP Address:	Country: Unknown

Consultation on the draft Brightwell-cum-Sotwell Neighbourhood Plan

Q1. After extensive engagement with their local community, Brightwell-cum-Sotwell Parish Council has developed and submitted the draft Brightwell-cum-Sotwell Neighbourhood Plan to South Oxfordshire District Council. There is now an opportunity to comment on the plan and supporting documents during a six week consultation period running from Thursday 16 March until 5pm on Friday 28 April 2017. You can view the draft Neighbourhood Plan and supporting documents below: Neighbourhood Plan Consultation Statement Basic Conditions Statement Site Assessment Sustainability Appraisal Revised HRA Screening Determination Once the consultation has closed, all of the comments will be sent to an independent examiner for consideration. 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 above. Please note that you must provide your name and address for your comments to be considered. All responses received will be available for the public to view and your name may be displayed. (* denotes mandatory question) Are you completing this form as an:

Organisation

Your details

Q3. Organisation details	
Title	Mrs
First name	Beata
Last name	Ginn
Job title	Assistant Spatial Planning Manager (Area 3)
Organisation	Highways England
Address line 1	Bridge House
Address line 2	Walnut Tree Close
Address line 3	-
Postal town	Guildford
Postcode	GU1 4LZ
Telephone number	-
Email address	Beata.Ginn@highwaysengland.co.uk

Your comments

Q5. You can provide your feedback on the draft Brightwell-cum-Sotwell Neighbourhood Plan below. If you are commenting on a specific section or a supporting document, please make this clear. Please note that it would be helpful to provide evidence and any supporting documents to support/justify your comments. After this stage, further submissions will be only at the request of the independent examiner, based on the matters and issues he/she identifies through the examination.

Dear Planning Policy Team,

Our Ref: 2644

Consultation on the draft Brightwell-cum-Sotwell Neighbourhood Plan

Thank you for inviting Highways England to comment on the Consultation draft Brightwell-cum-Southwell Neighbourhood Plan.

Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

We will therefore be concerned with proposals that have the potential to impact the safe and efficient operation of the SRN, in this case the A34.

We have reviewed the consultation and have no comments. I hope the above information has been useful, please do not hesitate to contact me if you have any queries.

Public examination

Q10. Please state your specific reasons for requesting a public examination below

n/a

Notification

Q11. Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?

No

Response 14

Respondent Details

Information	
Respondent Number: 14	Respondent ID: 56855279
Date Started: 02/05/2017 14:50:29	Date Ended: 02/05/2017 14:52:21
Time Taken: 1 min, 52 secs	Translation: English
IP Address:	Country: Unknown

Consultation on the draft Brightwell-cum-Sotwell Neighbourhood Plan

Q1. After extensive engagement with their local community, Brightwell-cum-Sotwell Parish Council has developed and submitted the draft Brightwell-cum-Sotwell Neighbourhood Plan to South Oxfordshire District Council. There is now an opportunity to comment on the plan and supporting documents during a six week consultation period running from Thursday 16 March until 5pm on Friday 28 April 2017. You can view the draft Neighbourhood Plan and supporting documents below: Neighbourhood Plan Consultation Statement Basic Conditions Statement Site Assessment Sustainability Appraisal Revised HRA Screening Determination Once the consultation has closed, all of the comments will be sent to an independent examiner for consideration. 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 above. Please note that you must provide your name and address for your comments to be considered. All responses received will be available for the public to view and your name may be displayed. (* denotes mandatory question) Are you completing this form as an:

Organisation

Your details

Q3. Organisation details

Title	Miss
First name	Sarah
Last name	Green
Job title	Sustainable Places - Planning Advisor
Organisation	Environment Agency
Address line 1	Kings Meadow House
Address line 2	-
Address line 3	-
Postal town	Reading
Postcode	RG1 8DQ
Telephone number	-
Email address	Planning_THM@environment-agency.gov.uk

Your comments

Q5. You can provide your feedback on the draft Brightwell-cum-Sotwell Neighbourhood Plan below. If you are commenting on a specific section or a supporting document, please make this clear. Please note that it would be helpful to provide evidence and any supporting documents to support/justify your comments. After this stage, further submissions will be only at the request of the independent examiner, based on the matters and issues he/she identifies through the examination.

Brightwell-cum-Sotwell Draft Neighbourhood Plan

Thank you for consulting us on this draft Plan.

On 09 January 2017, we provided the Parish Council with our comments supporting the allocation of sites within Flood Zone 1. We therefore have no further comments to make at this point.

If I can be of any further assistance, please contact me directly.

Public examination

Q10. Please state your specific reasons for requesting a public examination below

n/a

Notification

Q11. Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?

No

Response 15

Respondent Details

Information	
Respondent Number: 15	Respondent ID: 56854229
Date Started: 02/05/2017 14:37:37	Date Ended: 02/05/2017 14:53:53
Time Taken: 16 mins, 16 secs	Translation: English
IP Address:	Country: Unknown

Consultation on the draft Brightwell-cum-Sotwell Neighbourhood Plan

Q1. After extensive engagement with their local community, Brightwell-cum-Sotwell Parish Council has developed and submitted the draft Brightwell-cum-Sotwell Neighbourhood Plan to South Oxfordshire District Council. There is now an opportunity to comment on the plan and supporting documents during a six week consultation period running from Thursday 16 March until 5pm on Friday 28 April 2017. You can view the draft Neighbourhood Plan and supporting documents below: Neighbourhood Plan Consultation Statement Basic Conditions Statement Site Assessment Sustainability Appraisal Revised HRA Screening Determination Once the consultation has closed, all of the comments will be sent to an independent examiner for consideration. 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 above. Please note that you must provide your name and address for your comments to be considered. All responses received will be available for the public to view and your name may be displayed. (* denotes mandatory question) Are you completing this form as an:

Agent

Your details

Q4. Agent details Please state the name of the person or the organisation you are representing and give your full details below.

Name of person or organisation you are representing	Kingerlee Homes
Your name	Henry Venners
Your organisation	JPPC
Address line 1	Bagley Croft
Address line 2	Hinksey Hill
Address line 3	-
Postal town	Oxford
Postcode	OX1 5BD
Telephone number	-
Email address	henry.venners@jppc.co.uk

Your comments

Q5. You can provide your feedback on the draft Brightwell-cum-Sotwell Neighbourhood Plan below. If you are commenting on a specific section or a supporting document, please make this clear. Please note that it would be helpful to provide evidence and any supporting documents to support/justify your comments. After this stage, further submissions will be only at the request of the independent examiner, based on the matters and issues he/she identifies through the examination.

Thank you for the opportunity to comment on the proposed Neighbourhood Plan. We wrote previously on 9 January (see attached) on behalf of our client Kingerlee Homes who owns land at Brightwell-cum-Sotwell. We now seek to update our comments as since that letter we have applied for planning permission on Kingerlee's behalf for housing on the site identified as BCS3 in the Neighbourhood Plan.

At its Planning Committee meeting on 26th April 2017 South Oxfordshire District Council resolved to grant outline planning permission for up to 31 dwellings (application P17/S0164/O refers). Although a planning obligation needs to be completed this will not take long as there are only two parties and few terms. We would thus anticipate the decision notice to be issued soon.

In relation to BCS3 we welcome its inclusion within the plan as the site has considerable merits that have obviously resulted in the resolution to grant planning permission. However we remain of the view that for consistency between the application permitted and policy criterion v of the proposed policy BCS3 should be amended. As a result of having undertaken the various reports suitable to allow a layout design for the site's development, we are concerned that the criterion is overly prescriptive in its present wording and following it to its letter may not produce the best overall development of a scheme for the quantum of housing suggested. It is possible to accommodate about 30 houses easily on the site and in doing so to provide a large amount of open space and also protect the corridor of Waterman's Lane, however we think something other than a purely linear buffer would be appropriate and therefore we suggest that criterion v be more advisory and should say

"The landscape scheme and layout provide for a wide buffer bordering Waterman's lane, to which pedestrian and cycle access be provided"

We consulted people in late 2016 on a version of a layout that included a narrower buffer at the southern end widening to a buffer of more like 60m at the northern end. This was well received when we met local people at the village hall event and was broadly supported during the planning application too. We believe the Parish Council supports the indicative layout shown during the outline application and attached here for ease of reference.

Additionally we consider that the final three words clause of criterion vii ought to be removed. It would not be fair for the developer of BCS3 to have to make good some form of environmental/biodiversity damage being done by others elsewhere; the clause suggests a whole parish balancing exercise that is not appropriate: all sites should be making biodiversity gains. The criterion will work perfectly well and achieve the objective without those final three words 'for the parish'.

Do please let me know if you have any comments about these comments or progress of the planning application on the Little Martins site.

Yours sincerely and on behalf of Kingerlee Homes

Q6. You can upload supporting evidence here

- File: Attachments on behalf of Kingerlee Homes.pdf

Public examination

Q10. Please state your specific reasons for requesting a public examination below

n/a

Notification

Q11. Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?

No

JPPC ref: hv/6775

Brightwell cum Sotwell Parish Council
c/o Parish Clerk at the Parish Office
The Village Hall, West End
Brightwell cum Sotwell
Wallingford
OX10 0RY

SENT BY ELECTRONIC MEANS to

< bcsparishcouncil@googlemail.com >

9 January 2017

Dear Sirs

**Brightwell cum Sotwell Neighbourhood Plan
Pre-Submission Report
Consultation comments**

Thank you for the opportunity to comment on your proposed Neighbourhood Plan. We write to make comments on behalf of our client Kingerlee Homes who owns land at Brightwell-cum-Sotwell. Given that SODC has indicated a need to provide more housing than previous plans have provided and to provide that housing at a broader number of locations than in previous plans we are pleased the Parish Council has acknowledged the potential of Brightwell-cum-Sotwell as what might previously have been considered a smaller settlement to contribute to the district housing supply, and provide housing at a greater level than infilling alone could possibly allow. The level of development proposed in the plan will allow development to take place that will help to maintain the vitality of the village as a community.

If additional homes are to be provided in the settlement suitable sites are required to its edges. We believe that a site like the one at Little Martins (policy site reference BCS3) can be provided in a sensitive manner with a considerable benefit to the sustainability and vitality of the village, in addition to housing supply for the district.

Brightwell-cum-Sotwell presently benefits from a good range of facilities of its own, but that would be at risk if the village does not grow as there has been a trend towards smaller household sizes which effectively amounts to depopulation if new houses are not brought forward.

The John Phillips Planning Consultancy

Partners:

Adrian Gould MRTPI Ltd

Neil Warner MRTPI Ltd

Henry Venners Ltd

Consultant:

Nik Lyzba MRTPI Ltd



Bagley Croft
Hinksey Hill
Oxford OX1 5BD
T: 01865 326823
F: 01865 326824
E: planning@jppc.co.uk
W: www.jppc.co.uk

We note that SODC had suggested proportional growth rates for smaller villages of 5% or 7.5% for medium villages. We are not aware of any evidence which suggests a greater level of growth would result in harm. We note that the NP reacts to that indicative proportional growth which we agree would be the minimum required to realise the objective of sustaining a vibrant rural community.

Our client's site at Little Martins is excellently placed to deliver dwellings in a reasonably short-term to meet the district's housing need as well as local needs.

The test for Neighbourhood Plans is different to local plans. The test of whether they should be made is whether or not it is appropriate to make the plan having regard to local and national policies and guidance. The plan does not have to be found sound in the sense that a Local Plan does.

Considering the need for housing in the village we think that on the whole it strikes the right balance between the needs of the village and respecting and protecting the environment.

Specifically in relation to the site at Little Martins it is not subject to any significant constraints, it is well related to services and facilities, and is readily deliverable.

The site is obviously excellently located in relation to village facilities, in particular the arterial bus route to Didcot and Wallingford which passes along High Road to the north. The location is considered to be particularly suitable in the village as it minimises impact on designated assets and minimises disruption to the existing settlement. The site is not within the North Wessex Downs Area of Outstanding Natural Beauty which covers land to the north of the village. Although it has housing on three sides, the site is also removed from the historic core of the settlement to the south limiting impact on built heritage and removing need for additional traffic on the narrow historic roads in this part of the village.

The site is of a scale that would allow the including of much needed affordable housing and housing of a mix of type that is needed in the village.

There also exists the potential to add significant public open space to the benefit of the whole village not just residents of the scheme.

In relation to BCS3 we welcome its inclusion within the plan as the site has considerable merits that would render development there more beneficial than harmful across a range of issues. Sustainable development is about making things better and not worse. There are no significant disadvantages from developing the site. It is not in a location that national policy would indicate it not be developed for instance.

We have recently been undertaking a number of survey and reports on the site. None of these have led to the conclusion that the site should not be developed.

The reports undertaken are to a high standard of professional work and would be suitable to accompany a full or outline planning application.

Reports have covered the following subjects and can be provided if requested.

- Landscape Visual Assessment
- Arboricultural Impact

- Transport Assessment
- Flood Risk Assessment
- Archaeology
- Heritage Assessment
- Ecology/Biodiversity

Criterion v of the proposed policy BCS3 should be amended in our view. As a result of having undertaken the various reports suitable to allow a layout design for the site's development, we are concerned that the criterion is overly prescriptive in its present wording and following it to its letter may not produce the best overall development of a scheme for the quantum of housing suggested. It is possible to accommodate about 30 houses easily on the site and in doing so to provide a large amount of open space and also protect the corridor of Waterman's lane, however we think something other than a purely linear buffer would be appropriate and therefore we suggest that criterion v be more advisory and should say

The landscape scheme and layout provide for a wide buffer bordering Waterman's lane (optimally 30m), to which pedestrian and cycle access provided

We have consulted people on a version of a layout that included a narrower buffer at the southern end widening to a buffer of more like 60m at the northern end. This was well received when we met local people at the village hall event on 14TH December.

Additionally we consider that the final clause of criterion vi ought to be removed. It is not within the control of the owner of BCS3 to provide access across the Old Nursery site (BCS4), therefore the policy requirement to provide a path should fall within policy BCS4 only.

Criterion ix of BCS3 is sufficient for the purposes of robustness in relation to BCS3 as a standalone policy, and is not benefited by the double entry of the final clause of criterion vi.

We would have no objection to providing a link through the site towards the village hall.

Yours sincerely and on behalf of Kingerlee Homes

Henry Venners BSc(Hons) MA MRTPI
Principal
Director of Henry Venners Ltd, a Partner of JPPC
Email: henry.venners@jppc.co.uk



P2	12.01.17	Planning Issue	
Rev		Description	Date

Partner	Drawn	Date
BD	KK	Dec 2016

Project
Brightwell-Cum-Sotwell

Title
Proposed Site Plan

Drawing Reference
16108-OA-B1-016-P-00

Drawing No	Revision	Status
016	P2	S0

Scale
1:1000@A3

OXFORDARCHITECTS
 Bagley Croft, Hinksey Hill, Oxford, OX1 5BS
 T. 01865 329100 F. 01865 326822 oxford-architects.com
 The Workshop, 254 Southmead Road, Bristol, BS10 5EN
 T. 0117 9581500 F. 0117 9581501 oxford-architects.com

Response 16

Respondent Details

Information	
Respondent Number: 16	Respondent ID: 56855621
Date Started: 02/05/2017 14:54:24	Date Ended: 02/05/2017 14:56:37
Time Taken: 2 mins, 13 secs	Translation: English
IP Address:	Country: Unknown

Consultation on the draft Brightwell-cum-Sotwell Neighbourhood Plan

Q1. After extensive engagement with their local community, Brightwell-cum-Sotwell Parish Council has developed and submitted the draft Brightwell-cum-Sotwell Neighbourhood Plan to South Oxfordshire District Council. There is now an opportunity to comment on the plan and supporting documents during a six week consultation period running from Thursday 16 March until 5pm on Friday 28 April 2017. You can view the draft Neighbourhood Plan and supporting documents below: Neighbourhood Plan Consultation Statement Basic Conditions Statement Site Assessment Sustainability Appraisal Revised HRA Screening Determination Once the consultation has closed, all of the comments will be sent to an independent examiner for consideration. 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 above. Please note that you must provide your name and address for your comments to be considered. All responses received will be available for the public to view and your name may be displayed. (* denotes mandatory question) Are you completing this form as an:

Organisation

Your details

Q3. Organisation details	
Title	-
First name	Lynette
Last name	Hughes
Job title	Senior Planning Officer
Organisation	Oxfordshire County Council
Address line 1	New Road
Address line 2	-
Address line 3	-
Postal town	Oxford
Postcode	OX1 1ND
Telephone number	-
Email address	Lynette.Hughes@oxfordshire.gov.uk

Your comments

Q5. You can provide your feedback on the draft Brightwell-cum-Sotwell Neighbourhood Plan below. If you are commenting on a specific section or a supporting document, please make this clear. Please note that it would be helpful to provide evidence and any supporting documents to support/justify your comments. After this stage, further submissions will be only at the request of the independent examiner, based on the matters and issues he/she identifies through the examination.

We have reviewed the Submission Draft Neighbourhood Plan and are content that any issues relating to the Basic Conditions will be addressed by the Examiner. We note that not all of our advice provided in January 2017 at Pre-Submission stage has been taken on board and we hereby attach that for the Examiner as a comment for consideration.

In addition to the attached comments we note that the plan could usefully make reference to the Special Area of Conservation (SAC) designation of Little Wittenham in addition to the mention of the Sites of Special Scientific Interest, particularly as the SAC is referenced directly in the revised HRA Screening Assessment.

Q6. You can upload supporting evidence here

- File: 2017_04_28_OCC.pdf

Public examination

Q9. The majority of examinations are expected to be through written representations, however the independent examiner will decide whether there is a need for a public examination. Please indicate below whether there should be a public examination on the draft Brightwell-cum-Sotwell Neighbourhood Plan:

No, I do not request a public examination on the draft Brightwell-cum-Sotwell Neighbourhood Plan

Notification

Q11. Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?

Yes

**County Hall
New Road
Oxford
OX1 1ND**

Brightwell Cum Sotwell Neighbourhood Plan
By email: jjrdebney@gmail.com
Copy: planning.policy@southoxon.gov.uk

**Director for Planning and
Place (Interim) – Susan
Halliwell**

Attn: Jason Debney

30 January 2017

Dear Jason Debney

Brightwell Cum Sotwell Neighbourhood Plan Pre-Submission Draft

Thank you for the opportunity to comment on your pre-submission draft, albeit late as your original deadline for comments was 11 January.

The following draft allocations are noted as included in the plan:

1. BCS2 – Land at Bosley’s Orchard – 20 dwellings
2. BCS3 – Land at Little Martins Home Farm Barns – 30 dwellings
3. BCS4 – Land at Thorne’s Nursery – 4 dwellings
4. BCS5 a – Slade End Green – Slade End Farm – housing and business use
5. BCS5 b – Slade End Green – Strange’s Nursery – 6 houses
6. BCS5 c - Slade End Green – South to West of Green Lane – 1 house

Sites 2, 3 and 4 are all located towards the northern edge of the village, within reasonable walking distance of the primary school and stops served by the X2 bus service. Sites 5a, 5b and 5c at Slade End Green are located on the north-eastern edge of the village, 400 to 500m from the primary school but still within comfortable walking distance. These locations can be considered sustainable given their proximity to these facilities.

Given the relatively small quantum of development proposed by the plan, it should be noted that the CIL contributions that will be generated by this volume of development may not enable the delivery of a wide variety of local facilities and infrastructure improvements as appears to be envisaged in this draft.

Attached are some comments from departments of Oxfordshire County Council.

Yours sincerely

Lynette Hughes
Senior Planning Officer

Email: Lynette.Hughes@oxfordshire.gov.uk
General Email: southandvale@oxfordshire.gov.uk

Property

I have reviewed the draft Neighbourhood Plan in light of the County Council's property interests in the Neighbourhood Plan area. I note that the list of community facilities covered by Policy BCS17 includes the village school and pre-school. The County Council owns the school playing field.

As draft policy BCS17 would be a relevant policy in relation to the school field, I have considered whether it is appropriately worded.

Firstly there appears to be a degree of duplication of saved Local Plan policy CF1 in the first part of draft policy BCS17, and therefore it is questionable whether the first part of the policy is necessary.

Second, draft policy BCS17 more generally is very similar to guidance in the NPPF at paragraphs 69-70 and Core Strategy policy CSR3, and therefore again there are elements of duplication which suggest that the policy may not be necessary.

Third, draft policy BCS17 (first bullet point) is more restrictive than saved Local Plan policy CF1. CF1 introduces three scenarios (either / or options) where loss of a facility will be permitted, whereas BCS17 only envisages one scenario – financial viability. That is overly restrictive and inconsistent with the strategic policy in the Local Plan as it does not contemplate facilities being re-provided elsewhere in the locality, nor indeed does it contemplate the demand for facilities disappearing. Additionally whereas CF1 refers to economic viability, BCS17 refers to financial viability. These two words may be argued to be similar in meaning, but the terminology is inconsistent. As a consequence it is recommended that the first bullet point be either removed completely (as it duplicates elements of local and national planning policy) or it be reworded to be consistent with the strategic policy (policy CF1).

Fourth and finally, the last bullet point of BCS17 does not recognise the fact that such facilities may be able to change use without requiring planning permission, via the permitted development route. It might be sensible to reflect that point in the wording of the policy.

Public Health

Although 'protecting healthy communities' is included within Section 3 Planning Policy Context, neither section 5.1 Vision nor section 5.2 Objectives make overt reference to improving the health and wellbeing of residents. Key general points to consider including and linking in with the Planning Policies that follow might include encouraging the development of an environment which:

- provides opportunities for people to be more active (this could be linked with CIL objectives for new and repaired footpaths and a cycleway to Didcot)
- provides opportunities to make healthier food choices (this could be linked to the aspiration for a community orchard)
- fosters good mental health and wellbeing by increasing opportunities for social interaction/reducing social isolation and loneliness (this could be linked to the protection of Local Green Space)
- enables people to maintain their independence for longer (this could be linked with CIL objectives for accessible gates and styles)

The above are supported by NPPF paragraphs 7, 35, 50, 69, 156 and the PPG 'Health and Wellbeing' chapter.

Some of the 'Site Allocation Policies' state that the road layout will only be supported if they are "*designed in a way that follows the traditional 'lane' type found elsewhere in the village without pavements*" whilst section vii in the 'Design Principles' states that development proposals will not be supported if they "*include installing pavements or kerbs to existing village lanes*" (Policy BCs8). To enable people to be more active Paragraph 35 of the NPPF states that developments should be located and designed where practical to give priority to pedestrian movements, create safe and secure layouts which minimise conflicts between traffic and pedestrians and consider the needs of people with disabilities (all modes). If no pavements are to be provided it is strongly recommended that this is accompanied with appropriate measures to limit the volume and speed of traffic (such as extended 20mph zones) so that the mobility of more vulnerable road users such as children, parents with push chairs, disabled people and older people is not impaired.

Transport

Brightwell-cum-Sotwell is currently defined as a 'smaller village' (South Oxfordshire Local Plan 2032 Settlement Assessment: June 2016). However as part of the 'preferred options' consultation it has been asked whether a 'medium-sized' village category should be introduced. Were this to be the case Brightwell could potentially be considered a suitable candidate for inclusion given its half-hourly Monday to Saturday and hourly Sunday bus service to Wallingford, Didcot, Abingdon and Oxford and proximity to services and employment in Wallingford and Didcot (based upon the existing scoring system). This may have a bearing on the quantum of development sought: 'smaller villages' are currently expected to deliver 5 percent growth, while 'larger villages' are expected to deliver 10 percent growth. We note that the quantum of development provided for in this draft Neighbourhood Plan may be over 5 percent and therefore a change of status to 'medium' would be unlikely to attract an additional allocation requirement.

The funding of cycle links from Brightwell-cum-Sotwell to Didcot is suggested as part of the suggested CIL 'wishlist'. OCC has no plans for delivery of a cycle facility along the A4130 at this time: NCN route 5 offers a recommended route from Brightwell to Didcot along quieter roads, though it is appreciated that this is via a circuitous route. If this is something that remains in the Neighbourhood Plan and the Parish Council seek to use their funds in future for, then OCC would be interested in discussions as to how funds might be best used.

It is noted that the A4130 effectively bypasses the village, meaning that there is little cause for traffic to enter the village road network unless needing to visit destinations in the village itself or in the village of Mackney to the south. This in conjunction with the style and arrangement of buildings in the village, plentiful footways and a 20mph zone is helpful in terms of maintaining a safe road network within the village. However frequent references to a 'shared space' approach with regard to accesses to new developments are made within the pre-submission document: this is understood in the context of the village but further consideration and clarification of what is sought may be helpful.

Transport Comments Provided October 2016

Little Martins and Home Farm Barns – 30 dwellings

Question over whether access is achievable

The access can be made acceptable in highways terms. The site access is on the outside of a bend and therefore visibility is much greater than might be assumed and so is acceptable in highways terms, given a number of provisos.

The provisos are that:

- the levels are altered such that they are within the recommendations of Inclusive Mobility,
- footways are provided to link the site to the existing village, although shared surfaces may be acceptable within the site, as is common in Brightwell-cum-Sotwell,
- a retaining wall is used to widen the access,
- the track is protected at all stages of construction,
- Acceptable drainage is provided such that spoil is not exported to the newly created metalled access.
- The access way will require that the tracked movements of HGVs and cars would overlap but this factor is deemed acceptable for low frequency movements in the Manual for Streets. However, this will cap the site in terms of housing to no more than the 30 proposed additionally:
- This list is not necessarily exhaustive and will potentially be added to at later stages of analysis of the development through the Transport Statement.

Thorne's nursery – 5 dwellings

Access required from Old Nursery Lane: very narrow with pinch point outside 'Woodleys'. Is a maximum of 5 houses OK in highways terms if we there is an assurance that there would be no more development on the site? Would the road require widening/improving for access by refuse vehicles? Is the road adopted?

There are already houses being served by Thorne Lane and therefore this could not be construed as a private drive (over 6 dwellings), by serving 5 additional houses. The road would need upgrading therefore, but this may be possible in sympathetic materials to the context and be hardwearing and of an adoptable standard. There have been applications on this site previously for a modest number of dwellings, which the Highways Authority did not object to. Widening is recommended where possible. With the level of intensification proposed, a number of judicious passing spaces would be consistent with the grain of development elsewhere in Brightwell-cum-Sotwell rather than two-way transit throughout. Within the SODC area the default position is that refuse vehicles do not enter small developments. This would mean that it would be an imperative that the surfacing of the road would be metalled so wheeled bins can be brought to a suitable location. No condition would be required, people would have to bring bins to a location of acceptable wheeling distance (a refuse consultant can give recommendations regarding the extent of this distance). Regarding adoption, enquiries will need to be made with the county Highways Records team (highway.records@oxfordshire.gov.uk). If this road is adopted, then any development that requires alterations to the road would need to be under agreement. If not then it could be offered for adoption, although we may be unlikely to adopt, in which case maintenance would be a under a management company.

Bosley's orchard – 20 dwellings

In principle there is no objection to this development: could access be from the old spur of the High Road or does it need to come off the highway?

Access is recommended to be as far down the spur as possible, as the spur is an existing feature, to serve a modest number of dwellings it would seem appropriate. Intensification of the use of the spur may mean that it would be appropriate to install some psychological speed reducing feature near the junction with the A4130, such as visual narrowing. The inclusion in the Local Plan (Policy BCS2) means the site is in principle acceptable but this does not mean that in highways terms it is. A lower density of development, of about 10 dwellings only. The last application on the site was back in 2003 (P03/W0329 - Erection of two detached houses and garages. The Old Orchard, High Road, Brightwell-cum-Sotwell): this was refused but not on highways grounds, although it was for 2 houses.

A pre-application submission was made on this site in December 2015. The county's Ecologist Planner stated in their response that SODC ecology's officer should comment on the ecological implications for this site. Page 24 of the 'design report' submitted with the pre-application submission documents indicates that the suggestion of a 30m buffer zone has resulted from discussions between SODC ecology officers and the design team's ecologists. An outline planning application has since been submitted for this site (P16/S3958/O) for 13 dwellings, a reduction of 7 on the 20 that are proposed to be allocated in the neighbourhood plan. It is understood that issues relating to the proposed buffer zone are the reason for the suggested reduced quantum of development, which has raised concerns within the Neighbourhood Plan group over the viability of the plan should a reduction be necessary. It is suggested that discussions take place with the Local Planning Authority and the developer to seek a resolution to this issue.

Slade End Green – up to 15 dwellings

Access to this site is narrow and down an unmade road. There is also a question of whether it is adopted or not.

Sotwell Street is narrow and already serves a number of dwellings so I could not endorse intensification of the use of the road to the extent of 15 dwellings without extensive works to produce a shared surface of 6.0m wide (with some local narrowings acceptable). This would generate a situation consistent with Slade End. Highways Records can inform of the adopted nature or not – it seems doubtful but is possible.

The above advice represents the informal opinion of an Officer of the Council based upon the information submitted. This is given entirely without prejudice to the formal consideration of any planning application which may be submitted.

Response 17

Respondent Details

Information	
Respondent Number: 17	Respondent ID: 56856177
Date Started: 02/05/2017 15:00:46	Date Ended: 02/05/2017 15:04:07
Time Taken: 3 mins, 21 secs	Translation: English
IP Address:	Country: Unknown

Consultation on the draft Brightwell-cum-Sotwell Neighbourhood Plan

Q1. After extensive engagement with their local community, Brightwell-cum-Sotwell Parish Council has developed and submitted the draft Brightwell-cum-Sotwell Neighbourhood Plan to South Oxfordshire District Council. There is now an opportunity to comment on the plan and supporting documents during a six week consultation period running from Thursday 16 March until 5pm on Friday 28 April 2017. You can view the draft Neighbourhood Plan and supporting documents below: Neighbourhood Plan Consultation Statement Basic Conditions Statement Site Assessment Sustainability Appraisal Revised HRA Screening Determination Once the consultation has closed, all of the comments will be sent to an independent examiner for consideration. 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 above. Please note that you must provide your name and address for your comments to be considered. All responses received will be available for the public to view and your name may be displayed. (* denotes mandatory question) Are you completing this form as an:

Agent

Your details

Q4. Agent details Please state the name of the person or the organisation you are representing and give your full details below.

Name of person or organisation you are representing	Barberry Brightwell Limited
Your name	John Pearce
Your organisation	Harris Lamb
Address line 1	75 – 76 Francis Road
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Postal town	Birmingham
Postcode	B16 8SP
Telephone number	-
Email address	John.Pearce@harrislamb.com

Your comments

Q5. You can provide your feedback on the draft Brightwell-cum-Sotwell Neighbourhood Plan below. If you are commenting on a specific section or a supporting document, please make this clear. Please note that it would be helpful to provide evidence and any supporting documents to support/justify your comments. After this stage, further submissions will be only at the request of the independent examiner, based on the matters and issues he/she identifies through the examination.

Survey administrator comment - please refer to uploaded document on next page for full comments.

Q6. You can upload supporting evidence here

- File: 2017_04_28_Harris Lamb.

Public examination

Q10. Please state your specific reasons for requesting a public examination below

n/a

Notification

Q11. Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?

Yes

clearthinking

COMMERCIAL PROPERTY ADVICE



Town and Country Planning Act 1990
Planning and Compulsory Purchase Act 2004
Localism Act 2011

Brightwell-cum-Sotwell Neighbourhood Plan 2016 - 2032
Submission Plan Consultation

Representations on Behalf of Barberry Brightwell Ltd.
Land off High Road, Brightwell-cum-Sotwell

Prepared By:

John Pearce

Harris Lamb | Grosvenor House | 75-76 Francis Road | Edgbaston | Birmingham B16 8SP

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Job Ref: P1301 Date: 27th April 2017

**BRIGHTWELL-CUM-SOTWELL NEIGHBOURHOOD PLAN 2016 - 2032
SUBMISSION PLAN CONSULTATION**

Land off High Road, Brightwell-cum-Sotwell

Main Contributors

John Pearce BSc (Hons) MTPL MRTPI

Issued By

Signature....

Print Name..... JOHN PEARCE

Date..... 28/4/17

Approved By

Signature.

Print Name..... Simon Harley

Date..... 28/4/17

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APPENDIX 1 – SITE LOCATION PLAN

1.0 Introduction

- 1.1 These representations are submitted in response to the Brightwell-cum-Sotwell Neighbourhood Plan 2016 – 2032 Submission Version consultation by Harris Lamb Planning Consultancy (HLPC) on behalf of Barberry Brightwell Ltd. Barberry Brightwell Ltd are promoting land at High Road, Brightwell-cum-Sotwell for residential development and are seeking support for their proposals through the allocation of the site in the Neighbourhood Plan (NP). A site location plan is attached at Appendix 1.
- 1.2 We support the NP's recognition that additional housing should occur within the village and welcome the allocation of sites for new residential development in the Plan. However, we consider that Brightwell-cum-Sotwell is a sustainable settlement and that it has capacity to accommodate additional residential development over and above the level that is identified within the NP. Corresponding representations are being prepared to the South Oxfordshire Local Plan 2033 Second Preferred Options Consultation that runs until the 17th May, making the case that Brightwell-cum-Sotwell should be elevated up in the settlement hierarchy and that in doing so it could accommodate a greater quantum of development than is currently envisaged for it. Notwithstanding this point, we consider that further land could be released in the context of the current emerging Local Plan position.
- 1.3 We therefore contend that the land at High Road is suitable for residential development and would make a significant contribution to meeting the housing needs of the Parish through the delivery of new and affordable housing as well as delivering other benefits and contributing to sustainable development.
- 1.4 Below, we set out how the development of the High Road site accords with national and local planning policy and the contribution that it would make to sustainable development. We acknowledge that the site lies within the Chilterns and North Wessex Downs Area of Outstanding Natural Beauty (AONB) and we set out how development of the site would respond to this designation and the tests set out in the National Planning Policy Framework.

2.0 SITE AND SURROUNDINGS

- 2.1 The site is located to the north of the built-up edge of Brightwell-cum-Sotwell, between it and the A4130 that curves around the site's northern boundary in an east – west alignment. It extends to approximately 4.12 hectares and is comprised of three smaller parcels of land, the eastern most of which is currently used for grazing, whilst the other two appear to be unused. The eastern most parcel is separated from the balance of the site by existing properties on the north side of High Road. A site location plan is attached at Appendix 1.
- 2.2 The boundary between the site and the A4130 on its north side is comprised of mature planting and trees, that provide an effective screen to views into the site from the north. The southern boundary, whilst well enclosed at its western extent, is more open towards the centre of the site, being a mix of hedging and post and wire fencing. The eastern parcel of land is very well enclosed with mature hedgerows and trees restricting views into and out of the site.
- 2.3 On the southern side of High Road are existing residential properties that are a mix of styles, ages and sizes, providing a mixed character to the street. A range of services are present within the settlement including a primary school, post office and shop, public house, village hall and existing recreation ground and pavilion, which are all within close walking distance of the site.
- 2.4 A footpath runs north south through the central part of the site. Access to the site is envisaged off High Road. It is currently subject to a 30 mile per hour speed limit, has street lighting and has footpaths on both sides in places along the site's southern boundary.
- 2.5 Bus stops are located on High Road and provide services to Wallingford and Didcot. Wallingford and Didcot are approximately 2.5 and 5 kilometres away respectively, which offer a greater range of shops, services and facilities along with employment opportunities. A train station is present in Didcot, allowing access to local and national train services.

2.6 The settlement is therefore well served by existing facilities and infrastructure to serve the needs of existing and new residents, whilst also enabling convenient and sustainable access via public transport to the larger settlements of Wallingford and Didcot, where higher order shops, services and employment opportunities are available.

3.0 PLANNING POLICY BACKGROUND

National Planning Policy Framework

- 3.1 The National Planning Policy Framework (NPPF) was introduced in March 2012 and replaced all previous Planning Policy Guidance Notes and Planning Policy Statements. At the heart of the Framework is the presumption in favour of sustainable development which is set out at paragraph 14 and states that in respect of plan making this means that local planning authorities should positively seek opportunities to meet the development needs of their areas and that local plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change.
- 3.2 The Framework identifies three dimensions of sustainable development as follows:
- A) An economic role – to contribute towards building a strong, responsive and competitive economy by ensuring land of the right type is available in the right place to support economic growth and innovation.
 - B) A social role – contributing to the building of strong, vibrant and healthy communities by providing housing to meet present and future needs, by the creation of a high quality built environment with accessible local services and facilities.
 - C) An environmental role – protecting and enhancing the natural, built and historic environment.
- 3.3 The Framework also identifies twelve core planning principles, the following of which are considered directly relevant:
- o To proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made

objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.

- To seek and secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- Actively manage patterns of growth to make the fullest positive use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

3.4 One of the core planning principles of the Framework is that planning should 'proactively drive and support sustainable economic development to deliver the homes.... And thriving local places that the country needs' (see paragraph 17, bullet 3). In order to achieve this, it is imperative that the right amount of housing, in the right location and of the correct size and tenure is planned.

3.5 The thrust of the guidance in the Framework relating to housing development is that everyone should have the opportunity to live in a high quality, well designed home which is affordable and in a community where they wish to live. Specifically, the Framework at paragraph 47 encourages local planning authorities to significantly boost the supply of housing and to use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area.

3.6 The Framework also requires local planning authorities to deliver a wide choice of high quality homes and widen opportunities for home ownership (paragraph 50).

3.7 In relation to rural areas, paragraph 28 states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.

3.8 Paragraph 54 advises local planning authorities to be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing. Furthermore, they should also consider whether allowing

some market housing would facilitate the provision of significant additional affordable housing to meet local needs.

- 3.9 Guidance in paragraph 55 advises that to promote sustainable development in rural areas, housing should be located where it will enhance and/or maintain the vitality of rural communities.
- 3.10 The Framework at paragraph 56 confirms that the Government attaches great importance to the design of the built environment and how good design is a key aspect of sustainable development and how it should contribute positively to making places better for people.
- 3.11 Paragraph 115 stated that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty. Paragraph 116 goes on to state that planning permission for major development should be refused in these designated areas except in exceptional circumstances and where it can be demonstrated that they are in the public interest.

South Oxfordshire Core Strategy (2012)

- 3.12 The Core Strategy was adopted in December 2012 and covers the period up to 2027. Policy CSS1 sets out the overall development strategy for the district, which seeks to focus major new development in Didcot and the main towns. Development in the larger villages is also supported whilst more limited housing and employment will be permitted in the smaller villages, of which Brightwell-cum-Sotwell is one.
- 3.13 Policy CSH1 identifies a housing requirement of 11,487 dwellings to be provided in the District over the period 2006 – 2027, taking into account completions to date, a further 2,330 are allocated in Didcot and 2,884 are to be delivered in the remainder of the District.

- 3.14 Policy CSR1 seeks to guide new housing in the villages. Villages are identified as either a larger, smaller or other village. According to the size of the village they are deemed suitable for housing allocations or infill development up to a certain size. Brightwell-cum-Sotwell is a smaller village and therefore no allocations are proposed and infill development on sites up to 0.2 hectares (equivalent to 5 or 6 dwellings) would be supported.
- 3.15 Policy CSEN1 seeks to protect the district's distinct landscape character and key features will be protected against inappropriate development and where possible enhanced. High priority will be given to conservation and enhancement of the Chilterns and North Wessex Downs Areas of Outstanding Natural Beauty (AONBs) and planning decisions will have regard to their setting.
- 3.16 The adopted Core Strategy identifies a spatial strategy for development that seeks to direct major new development to the main towns in the District. Notwithstanding this, it recognises that some development should also occur in the smaller villages, although the amount envisaged is small and limited primarily to infilling.

South Oxfordshire Local Plan 2033 – Second Preferred Options Document Consultation

- 3.17 The Council are currently consulting on the Local Plan – Second Preferred Options document until the 17th May. The spatial strategy proposed reflects that of the adopted Core Strategy, in seeking to direct most new development to the larger settlements whilst acknowledging that the smaller villages should accept modest levels of new growth.
- 3.18 Policy STRAT2 identifies a housing requirement of 17,050 dwellings over the period 2011 – 2033, along with a requirement of 30 hectares of employment land. Policy H1 confirms that housing development will be permitted on the strategic allocations and on sites that are allocated in Neighbourhood Development Plans.
- 3.19 Policy H10 states that a minimum of 500 new homes will be delivered in the smaller villages through Neighbourhood Development Plans, infill development,

and/or small suitable sites of up to 10 dwellings. The policy expresses the overall number of dwellings as a minimum and confirms that this should be viewed as the minimum level of growth.

3.20 The emerging Local Plan therefore remains supportive of new housing development in the smaller villages such as Brightwell-cum-Sotwell, which we welcome, albeit that corresponding representations are being prepared to the Second Preferred Options consultation where we are seeking the elevation of Brightwell-cum-Sotwell to the larger village category due to its relative sustainability and, hence, ability to accommodate a greater quantum of development.

4.0 The Case for Housing at High Road, Brightwell-cum-Sotwell

4.1 The NP sets out, at paragraph 5.1, the vision for Brightwell-cum-Sotwell is:

“To retain our separate identity as a rural parish set within open countryside, conserving the character of the various settlements; in a way that allows the community to evolve whilst sustaining our core vital services.”

4.2 To achieve the vision, the NP identifies 6 key objectives at paragraph 5.2. we consider that the site would make a significant contribution to delivering these objectives and, in doing so, contribute to sustainable development. We set out below the benefits that the site will deliver.

a) Contribute to the five year supply of housing

4.3 The NPPF is clear that local planning authorities should seek to boost the supply of housing and that they should use their evidence bases to ensure that the full housing and affordable housing needs of the whole HMA are met. The adopted Core Strategy and emerging Local Plan both support, in principle, new residential development in the smaller villages, of which Brightwell-com-Sotwell is one. In light of the need to boost the supply of housing, the housing requirement for the smaller villages in the emerging Local Plan is expressed as a minimum figure. As such, the policy is permissive to further new housing development coming forward, if it is located in a sustainable location and where the benefits of granting permission would outweigh any adverse impacts of doing so.

4.4 Brightwell-cum-Sotwell is a sustainable settlement and is well served by existing facilities and services, that would help minimise the need to travel. In allowing further development in such a sustainable location, it would contribute to the supply of housing in the District and ensure the Council were able to demonstrate a five year supply of housing sites.

b) Sustaining local services

- 4.5 Guidance in paragraph 55 of the NPPF states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Whilst the NP has sought to accommodate some growth within the village, we contend that additional housing growth would help sustain the existing shop, post office and public house.
- 4.6 Furthermore, we note that the most recent Pupil Place Plan 2016 – 2020 published by Oxfordshire County Council in November 2016 identifies Brightwell-cum-Sotwell Primary School as having a capacity for 140 pupils but that only 97 were currently on the role as of May 2016 and that only 16 places had been allocated for the current year's intake. The primary school clearly has capacity and is currently underutilised. Further housing in the village will help with securing a higher intake of pupils and thereby ensuring the long term future of this important community facility. Directing new development to rural areas such as this in order to secure the longer term future of local services is entirely in accordance with the guidance in the NPPF.

c) Location of site in AONB

- 4.7 The site is located in the AONB as shown on the adopted Core Strategy Proposals Map. The AONB abuts the northern edge of the built-up area of the settlement. The A4130 has subsequently been constructed to by-pass the village and take traffic out of the centre. This has effectively created a new urban edge to the settlement, which no longer correlates with the AONB boundary.
- 4.8 The existence of mature hedges, shrubs and trees along this boundary provides a strong degree of screening along its northern boundary. As a result, intervisibility with the AONB to the north is very low. This is also likely to be the case during winter months when vegetative cover is reduced. Furthermore, medium to long range views from the north into the site are also heavily screened, and where these are possible, they are set in the context of the existing built form in the village. Retention of existing Green Infrastructure

around the site coupled with a sensitive design, would exert a very low/barely noticeable effect on the AONB or its identified special qualities.

- 4.9 It is also of note that there is existing residential development that has taken place on the north side of High Road, between it and the A4130. The additional development we are now seeking would not encroach into the AONB further than that which already exists in this gap, and which would be contained by the existence of the road to the north anyway.
- 4.10 Policy BCS6 of the NP seeks to protect the local gap between Brightwell-cum-Sotwell and Mackney to the south. Clearly, in seeking to protect this gap, it means that any future development in Brightwell-cum-Sotwell can only go east or west, or northwards into the AONB. Development to the east would raise issues of coalescence with Wallingford, whilst development to the west would result in the elongation of the village. In going north, this would help contain the village and prevent its elongation either east or westwards, whilst the presence of the A4130 will help round off the settlement and contain any future expansion by providing a strong and defensible boundary to further development.
- 4.11 In light of the above, and having regard to paragraph 116 of the NPPF, we consider that there is a need for further development in the village, and that, in looking to bring forward additional sites, the High Road site would not impact on the local gap between Brightwell-cum-Sotwell and Mackney. Clearly, if development was directed away the AONB i.e. towards the south of Brightwell-cum-Sotwell, then this objective of protecting the local gap may be compromised and could lead to coalescence between the two settlements. Furthermore, we do not consider that development of the site would have an adverse effect on the environment, the landscape or recreational opportunities.
- 4.12 We therefore contend that a well-designed and high quality residential development, that was of an appropriate density for the site's location on the edge of the settlement, could come forward, resulting in little or no adverse impact on the AONB.

d) Contribution to Sustainable Development

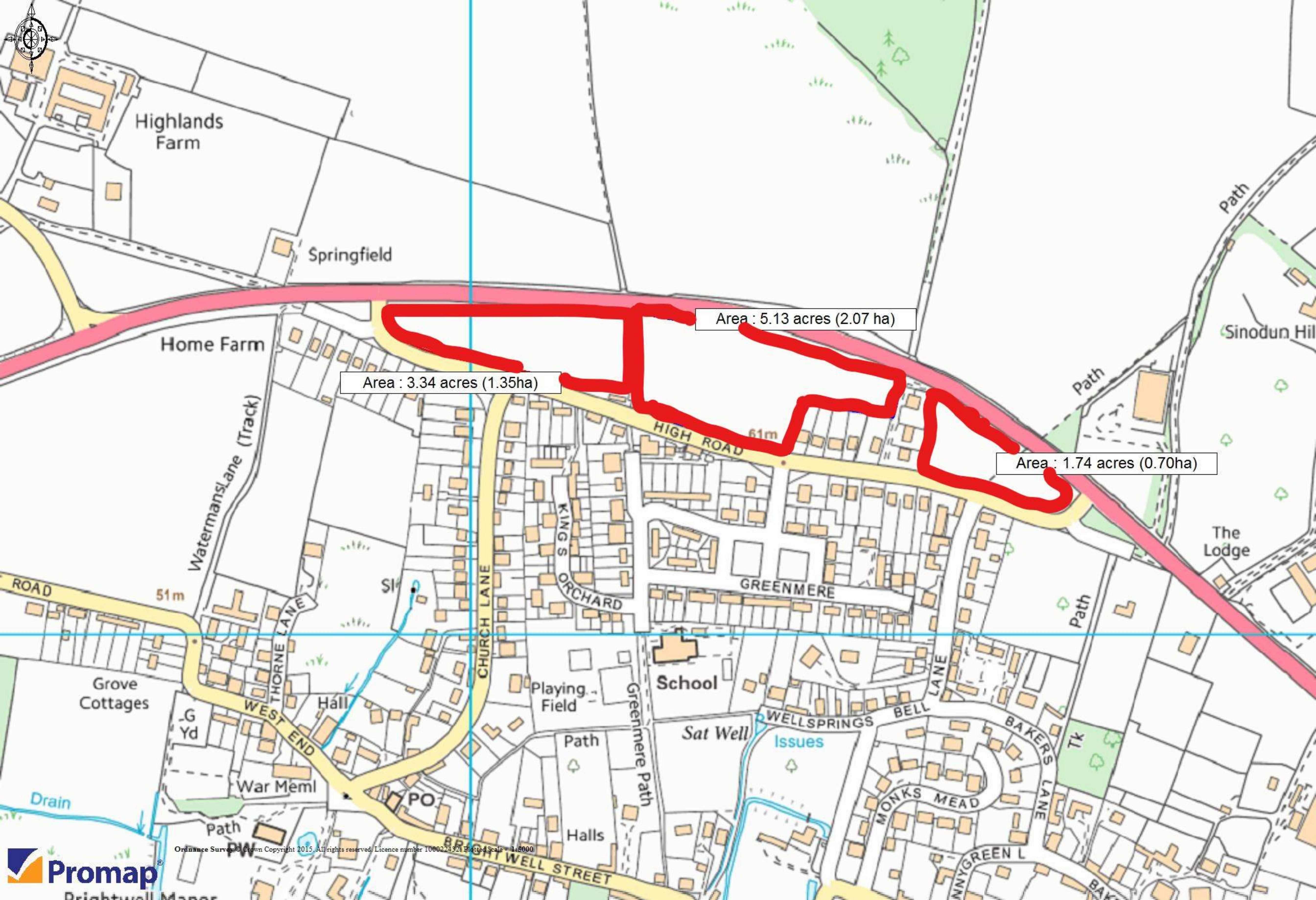
- 4.13 As noted above, Brightwell-cum-Sotwell is a sustainable settlement, with a good range of services and facilities already present. New development would not only help sustain these but may also allow them to grow, thereby ensuring their future long term survival.
- 4.14 In bringing forward additional housing to the village, this would also have other benefits that would help contribute to sustainable development. There would be short term benefits during the construction of any new dwellings in terms of construction jobs and use of local trades people and services/materials required during the construction process. Furthermore, new dwellings would help contribute to the range of housing on offer in the village, thereby allowing existing residents to trade up so that they can remain in the village, or conversely for older residents to down size and free up larger family housing.
- 4.15 Similarly, the delivery of additional market housing would also result in the provision of further affordable housing. Guidance in the NPPF at paragraph 54 advises that this is one way of helping increase the provision of affordable housing in rural areas, and is a significant benefit in looking to bring the site forward. The provision of a mix of market and affordable housing would help meet housing needs and contribute to the creation of a mixed and balanced community.

5.0 Conclusions

- 5.1 The site at High Road, Brightwell-cum-Sotwell is promoted for inclusion as a housing allocation within the NP, in addition to the draft allocations that have already been identified. The adopted and emerging local planning policy position both acknowledge that some growth in the smaller villages is required and that to facilitate this, the NP is seeking to accommodate growth in the NP area.
- 5.2 Whilst we are clearly supportive of this, we note that the emerging housing requirement is expressed as a minimum figure and, therefore, where proposals for residential development come forward that are sustainable and would contribute to the supply of housing to meet the District's needs, we contend that these should be supported. This approach is wholly consistent with the aims of the Framework in seeking to meet the full and objectively assessed housing needs of the District and to significantly boost the supply of housing.
- 5.3 New residential development at the site would not only contribute to new market and affordable housing available to meet local needs, but would also have other economic benefits to the local area in terms of construction jobs and use of local trades and suppliers, thereby contributing to the GDP of the local area.
- 5.4 In addition, we consider that the site is well screened by existing vegetation and boundary trees, which would help minimise any landscape and visual impact arising from its development. As such, we consider that a well-designed and high quality scheme could be brought forward on the site, that would round off the village envelope, be enclosed by a strong landscaped buffer and would not adversely impact on the AONB.
- 5.5 In light of the clear and tangible benefits that development of the site could deliver, we seek the support of the Parish Council through the allocation of approximately 4.12 hectares of land at High Road, Brightwell-cum-Sotwell for residential development, which could deliver in the range of approximately an additional 45 – 60 dwellings.

APPENDIX 1

SITE LOCATION PLAN



Area : 5.13 acres (2.07 ha)

Area : 3.34 acres (1.35ha)

Area : 1.74 acres (0.70ha)

Highlands Farm

Springfield

Home Farm

Sinodun Hill

Watermans Lane (Track)

HIGH ROAD

GREENMERE

KINGS ORCHARD

CHURCH LANE

ROAD

THORNE LANE

WEST END

School

Playing Field

Grove Cottages

Drain

War Meml

PO

Path

Sat Well

WELLSPRINGS

BELL LANE

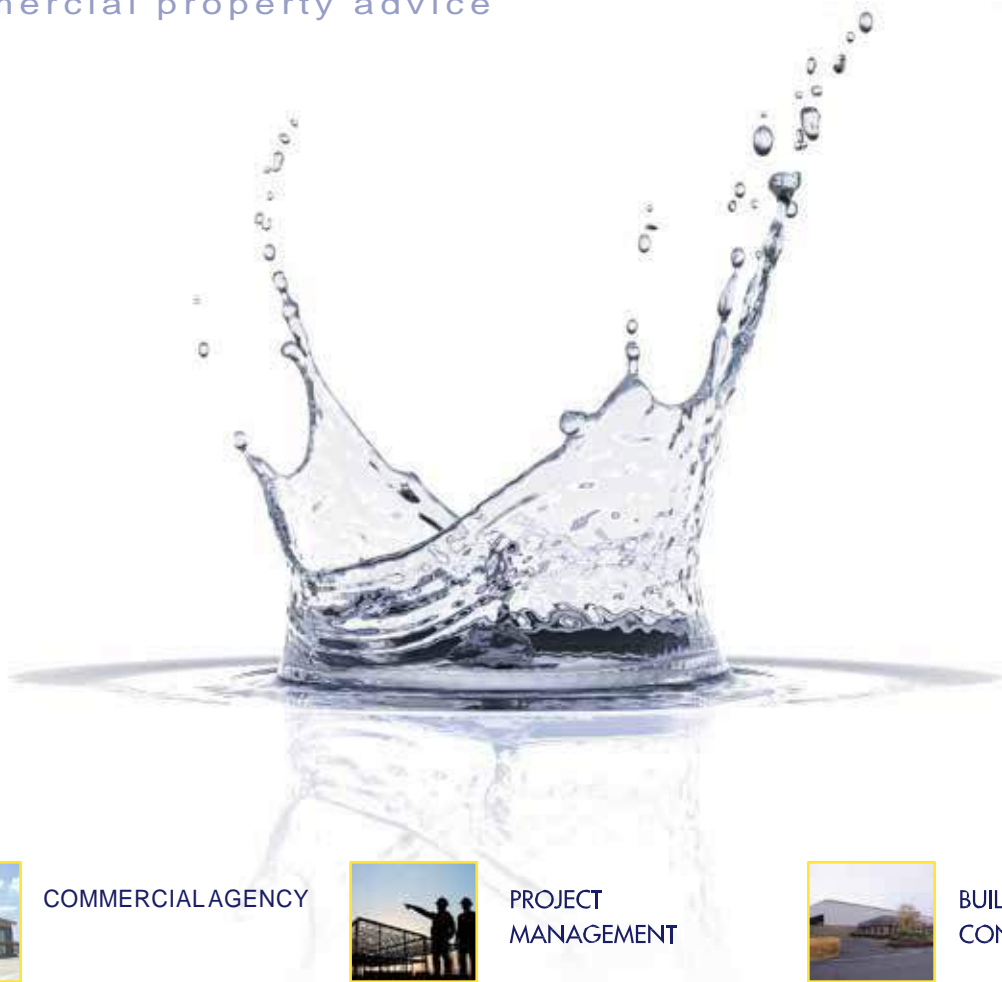
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COMMERCIAL AGENCY



PROJECT
MANAGEMENT



BUILDING
CONSULTANCY



PROFESSIONAL
SERVICES



LAND & DEVELOPMENT



CORPORATE
SUPPORT



VALUATION



INVESTMENT



RATING



PLANNING
CONSULTANCY



PROPERTY
MANAGEMENT

Response 18

Respondent Details

Information	
Respondent Number: 18	Respondent ID: 56856554
Date Started: 02/05/2017 15:04:17	Date Ended: 02/05/2017 15:06:13
Time Taken: 1 min, 56 secs	Translation: English
IP Address:	Country: Unknown

Consultation on the draft Brightwell-cum-Sotwell Neighbourhood Plan

Q1. After extensive engagement with their local community, Brightwell-cum-Sotwell Parish Council has developed and submitted the draft Brightwell-cum-Sotwell Neighbourhood Plan to South Oxfordshire District Council. There is now an opportunity to comment on the plan and supporting documents during a six week consultation period running from Thursday 16 March until 5pm on Friday 28 April 2017. You can view the draft Neighbourhood Plan and supporting documents below: Neighbourhood Plan Consultation Statement Basic Conditions Statement Site Assessment Sustainability Appraisal Revised HRA Screening Determination Once the consultation has closed, all of the comments will be sent to an independent examiner for consideration. 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 above. Please note that you must provide your name and address for your comments to be considered. All responses received will be available for the public to view and your name may be displayed. (* denotes mandatory question) Are you completing this form as an:

Organisation

Your details

Q3. Organisation details	
Title	Mr
First name	Robert
Last name	Lloyd-Sweet
Job title	-
Organisation	Historic England
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Address line 2	195 – 205 High Street
Address line 3	-
Postal town	Guildford
Postcode	GU1 3EH
Telephone number	-
Email address	Robert.LloydSweet@HistoricEngland.org.uk

Your comments

Q5. You can provide your feedback on the draft Brightwell-cum-Sotwell Neighbourhood Plan below. If you are commenting on a specific section or a supporting document, please make this clear. Please note that it would be helpful to provide evidence and any supporting documents to support/justify your comments. After this stage, further submissions will be only at the request of the independent examiner, based on the matters and issues he/she identifies through the examination.

Thank you for consulting Historic England on the Brightwell-cum-Sotwell Neighbourhood Plan. As the government's advisor on planning for the Historic Environment Historic England's remit is to consider what effects the plan will have for the conservation and enjoyment of heritage assets or the delivery of well-designed development in historic places. As such we have restricted our comments to these areas of the plan.

Policy BCS2: We support the requirement to provide a community orchard that interprets the role of this land as part of the village's historic character. We are pleased to see the Council have incorporated our recommend text on Choice of housing sites. We feel that, on the basis of impacts on designated heritage assets, the community have chosen the most sustainable selection of available options to meet their housing need. Whilst the site assessment document pays particular attention to listed buildings and the conservation area we note that the area also contains a number of archaeological monuments that could be negatively affected by housing development in their setting, including the moated sites at Brightwell Manor and Sotwell House. These reflect the multiple foci of a dispersed settlement pattern that can be traced to the medieval period. We consider that maintaining the rural settings of these monuments is important to maintain understanding of their significance as separate points of early settlement within a rural landscape, between which settlement developed along a network of narrow lanes.

Policy BCS14: We recommended at the pre-submission stage that the plan needs to define better what solar energy developments need to be screened from. This is a relatively imprecise phrasing at present, although we would support a policy that identifies the need to avoid or minimise the potential for solar development to have a jarring or incongruous impact in views either to or from heritage assets, and in particular in views across the rural landscape area south and west of the conservation area identified earlier in the plan as making an important contribution to its character and appearance.

We hope these comments are helpful to the examiner but would be pleased to answer any queries you may have about them or to provide further information that may be needed.

Public examination

Q10. Please state your specific reasons for requesting a public examination below

n/a

Notification

Q11. Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?

No

Response 19

Respondent Details

Information	
Respondent Number: 19	Respondent ID: 56858545
Date Started: 02/05/2017 15:30:02	Date Ended: 02/05/2017 15:36:45
Time Taken: 6 mins, 43 secs	Translation: English
IP Address:	Country: Unknown

Consultation on the draft Brightwell-cum-Sotwell Neighbourhood Plan

Q1. After extensive engagement with their local community, Brightwell-cum-Sotwell Parish Council has developed and submitted the draft Brightwell-cum-Sotwell Neighbourhood Plan to South Oxfordshire District Council. There is now an opportunity to comment on the plan and supporting documents during a six week consultation period running from Thursday 16 March until 5pm on Friday 28 April 2017. You can view the draft Neighbourhood Plan and supporting documents below: Neighbourhood Plan Consultation Statement Basic Conditions Statement Site Assessment Sustainability Appraisal Revised HRA Screening Determination Once the consultation has closed, all of the comments will be sent to an independent examiner for consideration. 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 above. Please note that you must provide your name and address for your comments to be considered. All responses received will be available for the public to view and your name may be displayed. (* denotes mandatory question) Are you completing this form as an:

Agent

Your details

Q4. Agent details Please state the name of the person or the organisation you are representing and give your full details below.

Name of person or organisation you are representing	Trustees of the land at Five Acres, High Road Brightwell-cum-Sotwell
Your name	Tim Spencer
Your organisation	DPP Planning
Address line 1	66 Porchester Road
Address line 2	-
Address line 3	-
Postal town	London
Postcode	W2 6ET
Telephone number	-
Email address	info@dppukltd.com

Your comments

Q5. You can provide your feedback on the draft Brightwell-cum-Sotwell Neighbourhood Plan below. If you are commenting on a specific section or a supporting document, please make this clear. Please note that it would be helpful to provide evidence and any supporting documents to support/justify your comments. After this stage, further submissions will be only at the request of the independent examiner, based on the matters and issues he/she identifies through the examination.

Survey administrator comment - please refer to uploaded document on next page for full comments

Q6. You can upload supporting evidence here

- File: 2017_04_28_DPP Planning_REDACTED.pdf

Public examination

Q9. The majority of examinations are expected to be through written representations, however the independent examiner will decide whether there is a need for a public examination. Please indicate below whether there should be a public examination on the draft Brightwell-cum-Sotwell Neighbourhood Plan:

Yes, I request a public examination on the draft Brightwell-cum-Sotwell Neighbourhood Plan

Public examination

Q10. Please state your specific reasons for requesting a public examination below

We formally request that we be afforded the opportunity to make representations in person when the Neighbourhood Plan is examined, in order to provide additional evidence in respect of the site selections and the process related thereto, in light of the shortcomings and potential prejudice which have been suffered to my client in the site selection and consultation process to date.

Notification

Q11. Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?

No

DPP Planning

66 Porchester Road
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info@dppukltd

www.dppukltd.com



Planning Policy
South Oxfordshire District Council
135 Eastern Avenue
Milton Park
Abingdon
OX14 4SB

Date: 28 April 2017

Ref: 2610LO-0009

Dear Sir or Madam

Brightwell-cum-Sotwell Neighbourhood Plan 2016-2032

1.0 Introduction

Please find herewith comments on the draft Neighbourhood Plan 2016 – 2032 for Brightwell-cum-Sotwell. This submission is made on behalf of the Trustees of the land at Five Acres, High Road Brightwell-cum-Sotwell,.

Neighbourhood plans are prepared in terms of the Localism Act of 2011, which enables communities to shape development within their areas through the production of Neighbourhood Development Plans. Neighbourhood Plans become part of the Local Plan and the policies contained within the Neighbourhood Plans form material considerations in the determination of planning applications.

A neighbourhood plan should support the strategic development needs set out in the Local Plan and plan positively to support local development (as outlined in paragraph 16 of the National Planning Policy Framework).

In terms of the NPPG a neighbourhood plan is required to take into account the latest and up-to-date evidence of housing need.

The Neighbourhood Plan preparation process has been led by the Parish Council, as the 'qualifying body' under the 2012 Regulations. A Steering Group manages the ongoing management of the plan preparation.

In 2013 the Brightwell-cum-Sotwell Parish Council embarked upon the process of preparing a Neighbourhood Plan in order to manage the Parish's housing needs and to guide sustainable development. The purpose of the Neighbourhood plan is to establish planning policies that can be used in the determination of planning applications in the area as part of the Development Plan.

The NP is strongly informed by the Parish Plan 2014 -24. The Parish Plan was designed at the outset to provide a strong evidence base for the NP. The 2014 Parish Plan provided an update to the 2004 Parish Plan: Vital Villages Report, which was one of the first community led plans in the UK. As such the draft Neighbourhood Plan has its origins in the 2004 The vision of the draft Neighbourhood Plan is:-

“To retain our separate identity as a rural parish set within open countryside, conserving the character of the various settlements; in a way that allows the community to evolve whilst sustaining our core vital services”

The above vision is intended to be achieved via the following key objectives (emphasis added): -

- *Conserve and enhance the essential rural character of the Parish and its settlements by growing the main village in small places that form part of the established pattern of development and by conserving the existing network of trees, hedgerows, wetlands and wildlife sites*
- *Sustain the sensitive landscape setting of the main settlement and the intrinsic relationship between ‘village’ and ‘working farmland’ by avoiding harmful development in the AONB and by preventing any further elongation of the settlement into the countryside or precious village green spaces.*
- *Encourage the use of well-located, non-productive, agricultural or horticulture land on the periphery of the main village to minimise the need for building on open / green field land*
- *Sustain and enhance the character and appearance of the Conservation Areas and Listed Buildings of the Parish and their settings*
- *Protect the remaining community core facilities and services from unnecessary loss and encourage proposals to sustain and improve their viability*
- *Rebalance the community profile of the main village to help sustain the core village facilities by planning for new homes suited to first time buyers and young families and by enabling older residents to remain in the village and to make their larger homes available to new residents*

2.0 Plan Preparation

The key stages in the preparation of a Neighbourhood Plan are as follows:-

- Step 1: Designating neighbourhood area
- Step 2: Preparing a draft neighbourhood plan
- Step 3: Pre-submission publicity and consultation
- Step 4: Submission of a neighbourhood plan
- Step 5: Independent Examination
- Steps 6 and 7: Referendum and Making the neighbourhood plan

The Brightwell-cum-Sotwell is currently undergoing Stage 4 in the above process. Throughout the above stages extensive consultation with the community and statutory consultees is required. Stage 2 requires, in terms of the NPPG, that Land Owners are consulted and site options are identified and assessed. It should be noted that a no time were our clients consulted in respect of the inclusion of their land, despite having submitted the site to the District Council during their call for sites process.

Stage 3 requires that the draft plan is publicised, consulted on and, following consideration of consultation responses amended as appropriate.

In the preparation of the Neighbourhood Plan, the Parish Council are required to have considered the emerging local plan, as well as the associated site allocations local plan, in order to inform the site allocation process, the Development Plan and SHLAA should also have been considered.

The Site Assessment Report, forming a component of the evidence base of the Neighbourhood Plan, states that the availability and capacity for sites, was drawn from the District Council's 'call for sites exercise'. The Site Assessment report states further that land that was beyond the main village was excluded at the outset for being contrary to a range of national and adopted Cores Strategy policies. The Site Assessment report states that the Sustainability Appraisal has informed the choice of its spatial strategy and its specific site allocation policies.

3.0 Consultation Process

The Neighbourhood Plan preparation process commenced in spring 2013. The designated area for the Neighbourhood Plan was agreed in 2015.

In October 2013, a survey of residents was undertaken for the basis for a Parish Plan. The Parish Plan has served to establish the general principles for the Neighbourhood Plan and has set out the issues that were to be addressed in the forthcoming plan. In August 2014, the Brightwell-cum-Sotwell Community Led Parish Plan was published, this plan followed two years of consultation and forms an important component of the evidence base for the Neighbourhood Plan.

The consultation process for the Neighbourhood Plan included meetings with landowners and interest groups, leaflet drops, public meetings and posters displayed in the village as well as the display of information on the parish council website. Public meetings were held in September 2014, March 2016 and on 4 October 2016 with subsequent consultation process running from 23rd November 2016 until 11th January 2017, including a meeting in December 2016. Two drop in sessions were held on Saturday 10th December 2016 and Wednesday 14th December 2016.

The consultation elicited a total of 42 public responses as well as comments from Statutory Bodies. In consideration of the comments received from the public consultation several changes were made to the wording of the Pre-Submission Draft. The extent of the changes made following the consultation process led to a small number of changes, which are listed as follows:

- The pre-submission Policy BCS1 A Spatial Plan for the Parish has been renamed Brightwell cum Sotwell Village Boundary.
- The pre-submission Policy BCS 6 Landscape Character has been divided in to two sections BCS6 Local Gaps and BCS7 Landscape Character and the Villages
- The pre-submission Policy BCS12 has been renamed and modified to include Biodiversity in its title to reflect the comments from Natural England.
- The pre-submission Policy BCS BCS13 Horticulture was removed as it did not add anything not covered by the SODC Local Plan and/or NPPF.
- The pre-submission Policies BCS15 Tourism Facility, BCS16 Natural Burial Ground and BCS17 Community Facilities were reordered.

It is noted that no material changes have been made to the Draft Plan and none of the previously promoted sites have been altered or omitted and none of the suggested additional sites have been included in the draft Neighbourhood Plan. Essentially the Draft Plan remains fundamentally unchanged from its pre-submission form.

As can clearly be seen from the Consultation Report: February 2017, there were a significant number of comments raised in concern with the use of the village boundary as a mechanism to control development. In particular, the concern, which was shared by planners of the South Oxfordshire District Council, was that such a mechanism could serve to limit housing development to the sites which have been proposed, and the impact that this may have should those sites not come forward or their identified yield be reduced.

It is of concern that while most comments received were provided with some form of response, those relating to the settlement boundary or the allocation of additional sites simply stated 'Please refer to evidence base'. This is however

deemed to be an inadequate response. Based on the shortcomings of the evidence and the lack of a robust justification for the omission of various sites that these comments were raised, and the parish council have failed to provide an adequate, in fact, any meaningful response to these comments.

Item 19b in the Consultation report raises serious concerns in respect of the consultation process and the way the site selection process was carried out. My clients, who own a site which has been included in the information contained in the emerging local plan's call for sites (information of which is available from the District Council), have not been approached or given the opportunity to make representations to promote the inclusion of their site within the Neighbourhood Plan. It is apparent, from comments received, that this opportunity may have been extended to the owners of sites which have been included in the Neighbourhood Plan.

It is normal practice that when undertaking a call for sites process, plan makers should, as set out in the NPPG, work with developers; those with land interests; land promoters; local property agents; local communities; partner organisations; Local Enterprise Partnerships; businesses and business representative organisations; parish and town councils; neighbourhood forums preparing neighbourhood plans. It is evident that the Parish Council have not made reasonable attempts to work with the aforementioned parties.

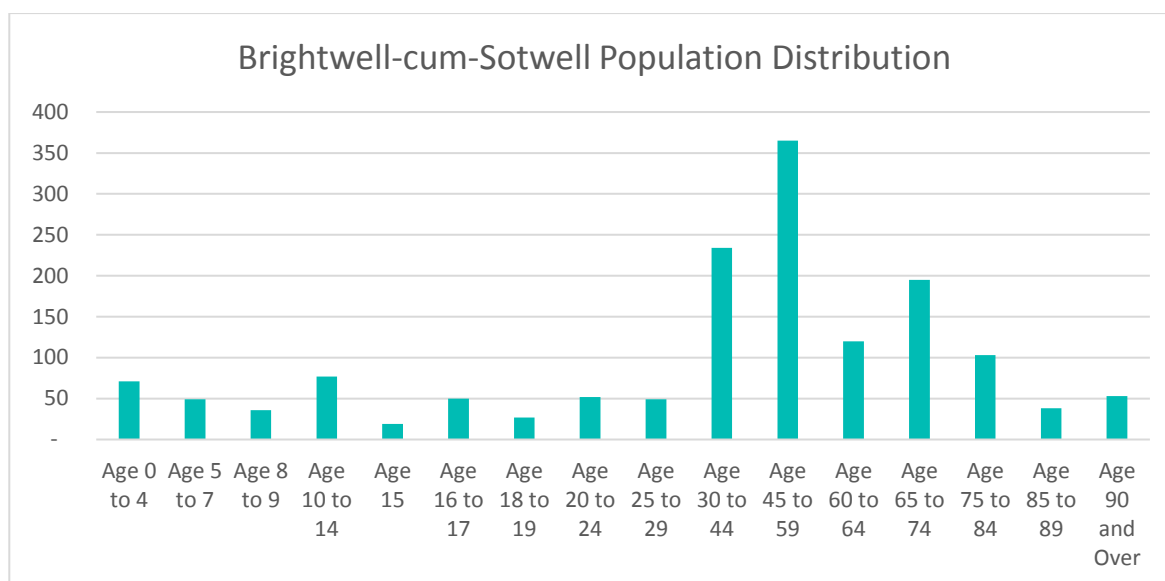
4.0 Village form

Brightwell-cum-Sotwell is a linear village stretching some 2km along the southern flank of the Sinodun Hills. The Northern extent of the town is defined by both the boundary of the Area of Outstanding Natural Beauty and the High Road (A4130), the eastern and western edges of the villages are bookmarked by Slade End to the east and Manor Farm / the Manor House to the west.

The village evolved from the settlements of Brightwell, Sotwell and Slade End, with the gaps between these settlements filled in over time, notable after 1930 the village began to extend up towards the High Road. Between 1945 and 1990 various residential developments were built between the historic village cores and the High Road. Notably the village has almost exclusively only expanded in a northerly direction towards and has been contained by the High Road.

There has been very little, if any notable, eastward and westward expansion of the village with the Manor Farm / Manor House and St Agatha's church bookending the western edge of the village and the eastern side of the village defined by Slade End, which has remained largely unchanged since the 19th century. A handful of dwellings have been built east of Slade End in the last few decades and the Grove Cottages were built on the western edge of the village between 1900 and 1938.

As at the 2011 census the Brightwell-cum-Sotwell contained a total of 612 homes of which 559 were listed as permanent (with 53 caravans or other mobile or temporary structures). The total population of Brightwell-sum-Sotwell was 1,538 with a notable aging population with the largest age band being 45 -59 years comprising 23.7 % of the population, followed by 30 – 44 and 65 – 74 comprising 15.2% and 12.7 % respectively.



Source: ONS

5.0 South Oxfordshire Local Plan

South Oxfordshire are in the process of preparing a new Local Plan for the period until 2032, the local plan sets out the strategy for delivering growth, managing change and protecting the natural and built environment. Land for housing, employment and retail is to be identified and included in the Local Plan. The vision of the Local Plan is intended to be delivered primarily via Neighbourhood Plans. Neighbourhood plans must be in general conformity with the Local Plan. The Brightwell-cum-Sotwell neighbourhood plan is thus intended to fulfil the vision of the emerging local plan and is intended to contribute to the fulfilment of housing delivery to meet the local housing need.

The emerging South Oxfordshire Local Plan takes into account the Oxfordshire Strategic Housing Market Assessment (SHMA) which identifies the need for housing in the area, these housing figures are the most up to date as have accordingly formed the basis for establishing the housing targets for Brightwell-cum-Sotwell. As the City of Oxford has indicated that they could have difficulties in meeting the need for housing within the city boundaries, other districts across the county have been requested to aid in meeting housing need, which has increased the housing targets for the South Oxfordshire District Council.

The vision for South Oxfordshire is as follows:-

- Support rural communities and their way of life, recognising that this is what attracts people to the district
- Meet identified housing need by delivering high-quality, sustainable, attractive places for people to live and work
- Deliver a wide range of housing options to cater for the housing needs of our community
- Champion neighbourhood planning, empowering local communities to direct development within their area and provide support to ensure Neighbourhood Plans are deliverable, achievable and sustainable.

The Preferred Options consultation for the emerging South Oxfordshire District Plan proposes to make provision for 15,750 homes to meet the identified housing need for South Oxfordshire over the plan period (2011 to 2032), which equates to 750 homes per annum. This reflects the committed economic growth housing requirement for the district identified in the SHMA and falls within the Objectively Assessed Need (OAN) range.

The following table represents the likely sources of new homes for the emerging plan period. As can be seen 785 homes are to be provided on sites in smaller villages, supported by Neighbourhood Plans and windfall sites.

The SHMA also identifies a significant OAN for Oxford City. The city considers it does not have the available land to deliver its full OAN. For working purposes, the Oxfordshire Growth Board has agreed an assumption to assist Oxford’s unmet housing need of 15,000 homes to 2031, the following table provides an overview of the likely distribution of new homes up to 2032 including the additional homes which are to be provided to meet the OAN for Oxford City.

Table 1: Proposed housing distribution

Supply of new homes to come forward by 2032	Net number of units
Completions 2011 - 2016	2,634
Commitments at 31 March 2016 - sites under construction, with planning permission or resolution to grant planning permission and allocations carried forward from the Core Strategy	8,795
New strategic allocation in the Local Plan 2032	3,500
Brownfield allocations (Oxford Brookes University, Wheatley & Culham No.1)	800
New allocations at Thame and Wallingford for their Neighbourhood Plans	1,025
New allocations in the Larger Villages (inc. 707 roll forward from Core Strategy) for their Neighbourhood Plans	2,465
Sites in smaller villages (Neighbourhood Plans) and windfalls	785
Total	20,004

The proposed policy on affordable housing is to provide 40 percent of dwellings for affordable housing where there is a gain of 11 or more dwellings, subject to viability. A tenure of 50% social rented and 50% intermediate housing should be sought for the affordable element.

The proposed housing strategy is to deliver 10 percent growth in larger villages and 5 percent growth, in the number of dwellings in the 2011 census, in smaller villages. This translates to a growth of between 28 and 56 new homes in the village.

South Oxfordshire has some 140 rural communities, which vary in size and character. The existing settlement hierarchy is being reviewed as part of the emerging local plan. Brightwell-cum-Sotwell is designated as an ‘Other Village’ in the current Core Strategy, the emerging local plan proposes to designate Brightwell-cum-Sotwell as a ‘Smaller Village’, the village would thus be suitable for the accommodation of 5 percent growth in dwelling numbers.

6.0 Vision and Key objectives of the Village Plan

The Vision for the village is *“to retain our separate identity as a rural parish set within open countryside, conserving the character of the various settlements; in a way that allows the community to evolve whilst sustaining our core vital services”*

The following summarised objectives seek to achieve the above vision:-

- Retain the character of the village by limited infilling within the pattern of development and conserving key landscape features
- Avoid development in the AONB and avoid elongation [east and west] of the village and development of village green spaces
- Use well-located, non-productive agricultural or horticultural land on the edge of the village to minimise building on open green field land
- Protect the conservation areas and listed buildings and their settings
- Protect facilities and services and encourage proposals to sustain and improve their viability
- Rebalance the community profile to sustain facilities by providing new homes for first time buyers and young families and to allow the larger homes of older residents to become available to new residents.

7.0 Sustainability Appraisal

The allocation of sites as well as Policy BCS1: Village Boundary have been informed by the Draft Sustainability Appraisal. The Sustainability Appraisal states that:

“By defining a new Village Boundary to contain new development to that which is plan-led, this policy establishes the principle of new development being focused on the main village, unless suited to a countryside location elsewhere in the Parish. It is the outcome of decisions made on the preferred spatial strategy and subsequent site allocations for growing the main village with housing development.”

It is stated in paragraph 8.3 of the Sustainability Appraisal that the preferred spatial strategy was derived from the vision and objectives and comprises land within the village envelope that is:

- Entirely or partially enclosed within the existing settlement envelope to sustain the landscape setting to the village and to prevent any further elongation of the settlement or harm to the proposed ‘Green Heart’; and
- allows for the development of small sites around the periphery of the village to avoid any further densification of the older parts of the village that will lead to traffic congestion and will compromise pedestrian safety in its narrow lanes
- A key component of the NP is the allocation of sites and the site selection process that has informed this process. The Department for Communities and Local Government (DCLG) has produced guidance on neighbourhood planning, including on how to allocate sites in a neighbourhood plan

The Sustainability Appraisal states that the above strategy also provides opportunities to reuse land that has been previously used for agricultural or horticulture purposes but is no longer viable as such and can be brought back into beneficial use.

The origin of the settlement boundary is contained in the Parish Plan, which states that the edge of settlement has been identified and mapped, informed by the Parish Plan consultation. The Parish Plan recognises that there are no South Oxfordshire District Council policies that refer to an edge of settlement in the parish. The use of a settlement boundary is thus an entirely foreign mechanism in planning policy for the South Oxfordshire District Council.

8.0 Comment on the Neighbourhood Plan Policies

The following chapters set out the respondent’s comments on the draft Neighbourhood Plan’s policies, particularly in respect of the policy BCS1: Village Boundary and the policies relating to the Site Allocations.

It is welcomed that the Neighbourhood Plan seeks to positively respond to the objectives of the emerging local plan by acknowledging the need to provide additional housing to address the district’s housing need within smaller villages. The plan does not reference to a target number of homes, but seeks, as set out in paragraph 3.10 of the Neighbourhood Plan

to provide housing in line with a growth of 5 to 10 percent in the existing housing stock, as per the advice of the District Council. The Site Assessment reports states that the indication is that the village may need to plan for 50 to 60 homes.

8.1 Comment on the Village Boundary

Policy BCS1 has been renamed from the Spatial Strategy, in the pre-submission report, to Village Boundary, in response to an acknowledgement that the previously named policy was in fact a simple delineation of the proposed edge of the settlement. The village boundary intends to distinguish between the built-up area of the main village and its surrounding countryside in order to manage development proposals accordingly.

The Neighbourhood Plan states that *The Boundary has been drawn to reflect the present observable, developed edge of the village and makes provision for the proposed development schemes of policies BCS2, BCS3, BCS4 and BCS5. As such, it is the outcome of the preferred spatial strategy for growing the village, having been tested in the Sustainability Appraisal against a variety of alternative strategies.*

These alternative strategies, referred to in the Sustainability Appraisal as options A, B, C and D, are simplistically for the extension of the village to the north, south, east and west. The selection of these strategies are not based on a rational selection process and have not considered community engagement and accordingly are not sufficiently robust. An alternative of not using a settlement boundary was discussed in the Sustainability Appraisal and was disregarded on the basis of negative landscape and heritage effects, which would ‘miss the point of a plan led system where the device is used to contain the unnecessary sprawl of settlements’.

The Sustainability Appraisal states that the device is flexible *in its support in principle of development proposals that are respectively necessary or suitable to a settlement or countryside location.* It is however clear that this does not represent flexibility as its intention is thus to preclude housing development to come forward which are not one of the four proposed site allocations. It is noted that the development plan for the district as well as the emerging local plan does not contain any policies relating to setting settlement boundaries, and in this respect the Neighbourhood Plan is a deviation from existing planning policy. The inclusion of a settlement boundary policy will result in a plan which is less flexible and restrictive to development.

It is considered that the neighbourhood planning area has sufficient existing controls to restrict undesirable development within the countryside / beyond the village of Brightwell-cum-Sotwell, such as;

- The designated AONB
- Local plan policies such as *CSEN1 – Landscape* which protects AONB and the River Thames corridor
- Saved policy G Policies of the South Oxfordshire Local Plan which protects the districts countryside and settlements from adverse development
- Saved Policy G4 which protects the countryside for its own sake
- Saved Policy D1 which states that *‘the principles of good design and the protection and reinforcement of local distinctiveness should be taken into account in all new development through [inter alia]*
 - the provision of a clear structure of spaces
 - Respecting existing settlement patterns
 - Respecting the character of the existing landscape
 - Respecting distinctive settlement types and their character

In light of the policy direction of the local plan and the saved polices, which do not prescribe settlement boundaries, it is considered the proposed BCS1 is inconsistent with the Development Plan within the district. As a result of this fundamental conflict, the Neighbourhood Plan is considered to fail to meet the basis conditions as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004: including

- a) *having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan). Read more details.*
- b) *having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders. Read more details.*
- c) *having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders. Read more details.*
- d) *the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development. Read more details.*
- e) *the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area). Read more details.*
- f) *the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations. Read more details.*
- g) *prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).*

In respect of point a) above, the NPPG states the NP must not constrain the delivery of important national policy objectives, notably the NPPF.

The edge of the settlement is referenced in the 2004 Parish Plan, which describes the edge of the settlement as the village envelope of the 1970's. It is notable that this settlement edge excludes the land at Little Martins and Home Farm Barns and land at Boseley's Orchard.

In terms of the NPPG 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.

The Local Plan Policies map does not define a development boundary for the Village. The emerging Local Plan similarly steers away from defining boundaries for villages and settlements and seeks to control inappropriate development through policies which protect the scale and character of towns and villages and which enhance the character of settlements and surrounding countryside, as set out in Objective 5.2 of the preferred options document.

The Neighbourhood Plan states that it proposed to include a Village Boundary in the Neighbourhood Plan in order to provide clarity for those proposing development schemes. It is considered that this is not necessary, and will, as guarded against in the NPPG result in ambiguity. The simple allocation of the proposed sites, along with the stated capacity will provide sufficient clarity for decision makers. The delineation of a settlement boundary simply precludes other potential sites coming forward which may have a negative impact on the ability of BCS to meet its minimum housing targets.

It is of concerns that the settlement boundary offers no scope for permitting further growth or housing delivery. Should one or more of the proposed site allocations not come forward, (a reasonable prospect considering that a number of applications have been refused at appeal), or should the development yield be reduced (again a reasonable prospect in light of the reduction of Boseley's Orchard from 20 to 13 units) the village may face a significant under-delivery of homes, which would exacerbate the District Council's existing under-delivery of homes.

The Sustainability Appraisal states that each site was assessed based on its comprising one of five spatial options:-

- Within the Village Envelope – defined as land contained within the observed settlement edge of the village
- West of the Village – defined as extending the village from its eastern boundary along Didcot Road to its west
- North of the Village – defined as extending the village from its northern boundary towards the by pass
- East of the Village – defined as extending the village from its eastern boundary towards Wallingford
- South of the Village – defined as extending the village from its southern boundary towards Mackney

These areas and the assessed sites are set out in the image below

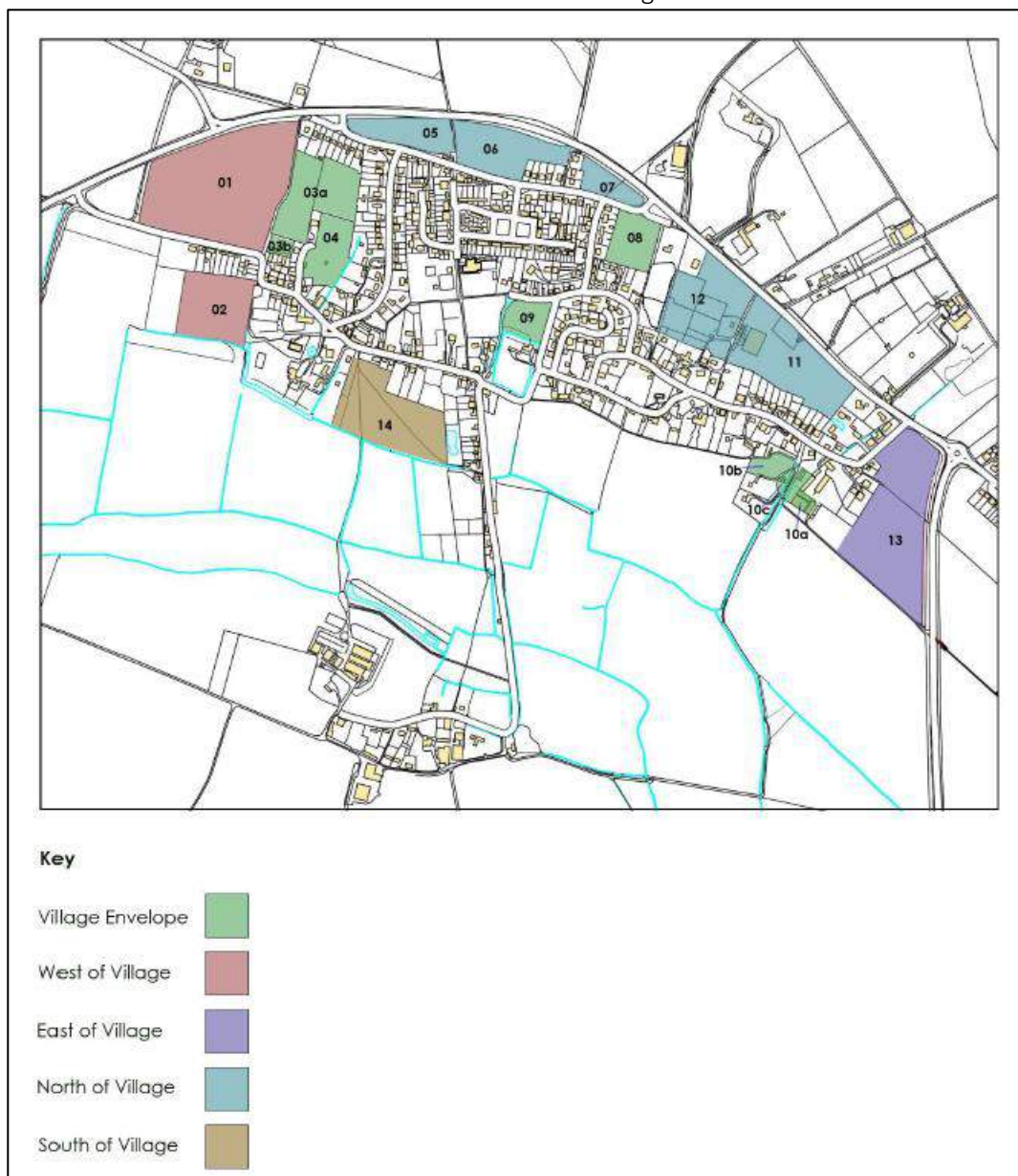


Figure 1: Location of Sites Assessed (BCSNP Site Assessment Report)

The Sustainability Appraisal states that the preferred option is the allocation of sites within the village envelope. The other options A-D were thus considered to be less favourable options which were not taken forward as they were deemed to be inconsistent with the spatial policy / settlement boundary (Policy BCS1).

The Sustainability Appraisal confirms that the contrast between the preferred option and the alternative locations is not stark, this is clearly evidenced in the Sustainability Appraisal which reflects that it is only on landscape grounds that each

option displayed a negative impact on sustainability objectives, with option C (North of the village and containing the land at five acres) being the only of the four alternatives not displaying any further negative impacts. It is notably that the sustainability impacts for option C reflects that all other impacts are either neutral or positive. It is therefore apparent that option C reflected a sustainable alternative, however this has been disregarded with little, if any further consideration.

The assessment of options is furthermore questionable as the inclusion of the land at Little Martins and Home Farm Barns within the village envelope is dubious based on the origin of the village envelope being the current observable extent of development. It is clear that the development of the land at Little Martins and Home Farm Barns represents a western extension of village boundary.

The relationship of the land at Little Martins and Home Farm Barns to the settlement edge is not materially different to the position of the land at Five Acres / Sotwell Manor Fruit Farm. No compelling evidence has been provided to substantiate the inclusion of the land at Little Martins and Home Farm Barns within the settlement boundary while excluding Five Acres / Sotwell Manor Fruit Farm.

It is further submitted that the location of the land at Five Acres / Sotwell Manor Fruit Farm forms a more rational component of the settlement by virtue of their position south of the A4130 which forms a hard edge between these sites and the AONB to the north, whereas the land at Little Martins and Home Farm Barns has not such hard boundary and simply extends the village westward into the adjacent countryside.

It is further submitted that the inclusion of sites 5, 6, 7, 11 and 12 as a single option (Alternative C in the Sustainability Appraisal) is dubious due to the marked differences between sites 5, 6 and 7 and sites 11 and 12. Sites 11 and 12 are clearly contained within development to east, west and south, whereas sites 5, 6 and 7 are island sites, isolated to the north of the village and sandwiched between High Road and the A4130 and most notably these sites are situated within the AONB, whereas Five Acres and Sotwell Manor Fruit Farm are situated outside of the AONB.

It is considered that the land at Five Acres / Sotwell Manor Fruit Farm bears a far closer relationship to the land at Bosleys Orchard rather than the three sites to the north of High Road (sites 5, 6 and 7).

The Sustainability Appraisal considers several expansion / development options of the village against a range of sustainability objectives, including the provision of homes, enhanced quality and character of the parish, conserving the rural nature of the parish, managing flood risk, conserving and enhancing biodiversity, conserving built heritage, managing parking and traffic congestion and promoting walking and cycling and retaining trees and hedgerows.

As a result of the adoption of the settlement boundary, i.e, the preferred option, development outside of the settlement boundary would be restricted to developments which are necessary or suited to a countryside location and are consistent with local development plan policies on landscape protection and the protection of the natural environment. Within this statement there is an inherent contradiction insofar as the Neighbourhood Plan seeks to control development via a settlement boundary, which is a mechanism not supported by the local plan, but then seeks to employ local plan policies to determine whether development outside of the boundary would be appropriate.

The alignment of the Village Boundary as proposed furthermore omits various portions of land which could be developed in accordance with the vision and objectives of the Neighbourhood Plan, notable the Land at Five Acres, which is outside of the AONB, south of the High Road, outside of the conservation area, is, non-productive agricultural land and does not build on village green spaces.

It is clear that the land at Five Acres does not form a component of the countryside surrounding the village by virtue of its location south of the High Road, and as it is encircled by village development to the south and west and further to the east at Slade End.

A review of the evolving historical development pattern as shown on Ordnance Survey Maps from 1877 to 2016 highlights that the land at Five Acres forms a rational extension to the linear village, contained within the bounds of the High Road and Slade End to the east. The inclusion of the land at Five Acres, echoes the development of Greenmere and Kings Orchard south of the High Road.

The existing village form wraps around the western, southern and eastern sides of the land at Five Acres, with the northern boundary of the site defined by the High Road. The proposed Village Boundary seemingly ignores the existing spatial pattern of the village, which joins the High Road at Slade End and immediately to the west of Five Acres.

As such it is considered that the proposed Spatial Plan and associated Village Boundary is inconsistent with the objectives of the Neighbourhood Plan, in particular the objectives of avoiding development in the AONB, the prolongation of the village, the use of non-productive land and the protection of the conservation area. The land at Five Acres in particular has the ability to provide much needed housing to sustain existing services and facilities and to provide accessible housing to families and the elderly. It is therefore considered that the current proposed settlement boundary is counter to the objectives of the Neighbourhood Plan, the guidance of the NPPG and the principles of sustainable development.

8.2 Site Allocation Policies

The Neighbourhood Plan allocates a number of sites for housing, it is clear that a number of the proposed site allocations have various constraints or shortcomings or are not able to meet the 50 to 60 dwelling units to be delivered in the Neighbourhood Plan. The following chapters provide comment on these proposed allocations.

It is not clear from the evidence base, how the availability of the four proposed sites was established. The assessment does not reflect that the land at Five Acres is available for development, when in fact the Parish Council had been advised that the site is available. The justification for the density, deliverability and viability of the sites are also unclear and there is a wide variation between the proposed density of the remaining sites, as per the table below.

Table 3: Density of Proposed Sites

Site	Density
Slade Farms	13 du / ha
Bosley's Orchard	16 du / ha
Little Martins and Home Farm Barns	12 du / ha
Thorne's Nursery	5.7 du / ha

In order to demonstrate that there is a good prospect that a site can be delivered, there should be evidence that it is suitable, available and economically viable. The Site Assessment however appears to focus on firstly with alignment with the Neighbourhood Plan objectives, then planning history and finally the suitability of the site.

8.2.1 Land at Bosley's Orchard (BCS2)

This site is allocated for up to 20 dwellings and is situated south of the High Road entrance to the village, the site is contained within a high perimeter of trees and has been extensively colonised by scrub areas.

The policy description in paragraph 5.14 states *"The Neighbourhood Plan has reviewed the most sustainable edges of the village to plan for new homes"*. The Sustainability Appraisal set out to establish the most sustainable development option for the village, however it is clear that Bosley's Orchard bears several similarities to the land at Five Acres, in terms of

location in respect of village services (the sites are some 60 metres apart), the position on the northern side of the village, the location within a portion of the village with housing to the east, west and south and position relative to the AONB.

The site is considered to be a well-located portion of land, with good access to the village's services and facilities, the Neighbourhood Plan calls for the site to deliver up to 20 homes, however this is considered to be difficult to achieve while maintaining a development form which is consistent with and complimentary to the development pattern of the village and retaining conservation worthy landscape elements such as green buffers and hedges.

An application for planning permission for 13 dwellings has been submitted for this site, which is yet to be determined.

The application for 13 dwellings represents a shortfall of 7 units to the proposed allocation, a shortfall which would need to be met on alternative sites or by allocating further land for housing.

8.2.2 Land at Little Martins and Home Farm Barns (BCS3)

The land at Little Martins and Home Farm Barns is proposed to be allocated for a development scheme comprising approximately 30 dwellings.

This site is located on the far west side of the village and is some distance from the school, pub and bus stop. This site is constrained by houses which back directly onto the site, which could be affected by potential development. Care will need to be taken to mitigate impact on the adjacent homes and gardens.

This site is considered to represent a westward expansion of the village and represents an elongation of the settlement into the countryside, as specifically guarded against in the Neighbourhood Plan's key objectives.

This site is located adjacent to the Conservation area and has the potential to impact on the setting of various listed buildings such as St Agatha's and Brightwell Manor.

The site currently has poor access, with the only access being Waterman Lane which is an unmade bridleway. Upgrading the bridleway to permit access to this large development site has the potential to significantly impact the rural character of the area.

The proposal that this site is suitable for approximately 30 dwellings is questioned in light of the above constraints, the objectives of retaining landscaped buffer areas, hedgerows and treelines, and maintaining the lower density nature of the western side of the village which has a more rural character.

8.2.3 Land at Slade End (BCS5a, BCS5b & BCS5c)

The land at Slade End comprises three portions (Slade End Farm, Strange's Nursery and Slade End South to West of Green Lane), each within separate ownership. The Neighbourhood Plan intends that these three portions of land be developed via a single planning application or a masterplan covering all three sites. The intention is to recreate one of the original nuclei of the village. The draft Neighbourhood Plan acknowledges that land assembly is an impediment to these sites coming forward for development.

There are concerns about the deliverability of these sites, notably a Planning Appeal relating to the erection of a single dwelling was dismissed in 2003 citing impact on the conservation area. It is therefore clear that there remain material impediments to the delivery of housing at Slade End.

The Sustainability Appraisal's assessment of Slade End is questionable; the assessment reflects that there is a neutral impact on roads. The Site Assessment report however reflects that "*access needs to be considered*" and "*the land is not close to the village facilities*", there are furthermore numerous objections to the allocation of this site on the basis of inadequate access.

The Sustainability Appraisal's assessment of Slade End also reports a positive impact on heritage and a neutral impact on rural character, however, the planning history reveals that, as stated in the Site Assessment Report *"There have been several planning applications made since at least 1982 for housing which were refused for reasons including, in an appeal of 2003, impact on the rural character, extension of development in to the countryside and impact on the conservation area."*

It is further noted that the land at Slade End is subject to surface water flooding, which will need to be resolved as part of any development.

The land at Slade End furthermore abuts the Grade II listed cottages at Chapel Land and Slade End House, which has listed barns and Triangle Cottage. The site is furthermore constrained by areas of scrub which have established on derelict portions of the land.

Access to the site is somewhat constrained by the narrow width of Green Lane which would have to be improved to permit development.

The Transport Comments Provided by OCC in October 2016 reflect that

"Access to this site is narrow and down an unmade road. There is also a question of whether it is adopted or not. Sotwell Street is narrow and already serves a number of dwellings so I could not endorse intensification of the use of the road to the extent of 15 dwellings without extensive works to produce a shared surface of 6.0m wide (with some local narrowings acceptable). This would generate a situation consistent with Slade End. Highways Records can inform of the adopted nature or not – it seems doubtful but is possible."

The land at Slade end is furthermore located on the far eastern side of the village, far from the shops, post office, pub and school and bus stops and is therefore not located in a sustainable and accessible area.

Due to potential flooding, land assembly constraints, access considerations and potential ecological impacts, it is submitted that the Land at Slade End is less favourable for residential development and may not come forward during the plan period.

8.2.4 Land at Five Acres

Considering the shortcomings of the above sites there are several impediments to achieving the delivery of homes in the village, as summarised below: -

- The development at Bosley's orchard is 7 units short of the 20-unit target
- The development at Slade farm is unlikely to progress, particularly in the short term, due to, among others, land assembly constraints and flooding considerations. Furthermore, this site does not offer a significant number of opportunities which further serves as a barrier to sustainable delivery.
- The land at Little Martins and Home Farm Barns is constrained by its access and position on the western, rural edge of the village, along with the requisite buffer areas this site may not be capable of delivering 30 units.
- The land at Thorne's Nursery aims to deliver only four units

The site at Five Acres is considered to be a suitable site for the delivery of housing in the village, which can provide a meaningful and predictable delivery of homes as a contribution to the objectives of delivering 50 to 60 new homes in the

village. The site is immediately deliverable, in under single ownership and can provide a development which is consistent with the vision and objectives of the neighbourhood plan. The owners who have been landowners in the village for several generations have successfully gained planning permission (without going to appeal) for three dwellings at Five Acres, Appleby and Ticklebelly Lodge.

The use of Five Acres for housing is consistent with the key objectives of the Neighbourhood Plan insofar as it provides for the use of well-located not productive agricultural land on the periphery of the main village, which minimises the need to build on open or precious village green spaces.

Five Acres is contained within the eastern edge of the village and is south of the AONB and the High Road and the development of the site would not result in a harmful northwards expansion of the village and would be considered a rounding off of the existing village form. The village presently wraps around the site, leaving the site a vacant portion or gap of redundant agricultural land within the village edge.

As Brightwell-cum-Sotwell is a linear village which extends some distance to the east, beyond the site, and up to the High Road which forms the northern boundary of the site, the allocation of the site for housing would not alter the linear nature of the village, would not extend the northern boundary of the village north of the High Road and beyond the northern alignment of the village into the AONB and as such the inclusion of the site within the Village Boundary and its allocation for housing would not alter the overall appearance of the village within its rural setting

The site is illustrated below.

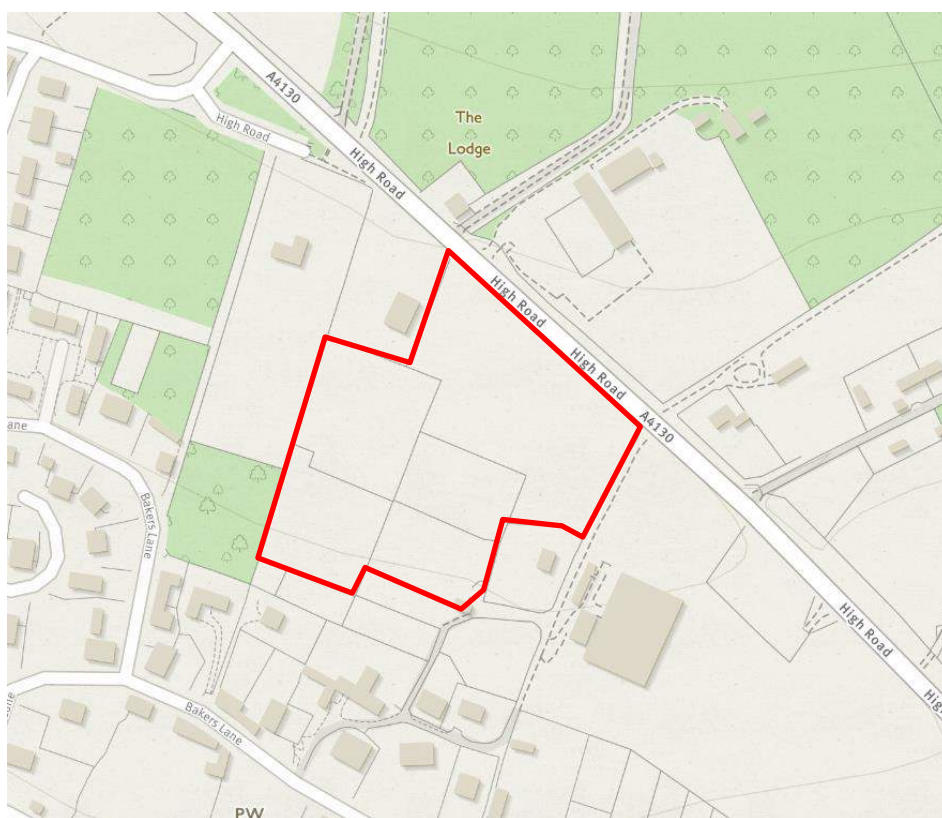


Figure 2: Land at Five Acres

While a comparatively large site at some 2.3 hectares, albeit too small for agriculture, a lower density is considered appropriate for the site considering the lower density development to the west, agricultural land to the east and more recent residential development to the south. A lower density development for the site reflects the existing settlement pattern in the area and allows for the retention of existing hedges and vegetation, the creation of substantial buffer areas to the High Road and the provision of generous landscaped areas, which would retain the rural character by enhancing the network of trees, hedgerows and wildlife areas.

It should be noted that the development of the land at Five Acres would neither elongate the settlement, as would the development at Little Martins, nor harm the Green Heart and would allow for the development of a smaller site on the periphery of the village and avoid densification of the older parts of the village, this is with direct reference to paragraph 8.3 of the Sustainability Appraisal.

Notwithstanding the location of the site within the village, the site benefits further from frontage to the High Road to the north and Five Acres lane to the east, as well as a comparatively low number of residential neighbours to the west and south, due to the large properties to the west and the generous width of the properties to the south. As such the site is not significantly constrained by potential impacts arising from a large number of immediately abutting neighbours such as the sites at Bosley’s Orchard or Little Martins and Home Farm Barns.

The site is presently unutilised agricultural land. The site is well contained within boundary trees and hedges which encircle the site aside from some small gaps, particularly along the Five Acres lane to the east of the site.

The site does not form a component of the Green Heart of the village which comprises two large portions of land south of Brightwell Street and Sotwell Street, the land forming the primary school and playing fields to the south and west and the land west of Bell Lane. The Green Heart of the village forms a network of green spaces within and to the south of the village. A small portion of land to the southwest of the site also forms a component of the Green Heart, proposals are intended to be structured to align a portion of publically accessible space with this component of the Green Heart, thus expanding and enhancing the Green Heart.

The small size of the site, lack of agricultural water supply, and high flint content of the soil renders the site largely unsuitable for productive agriculture or the keeping of livestock

The site offers easy access either directly from the High Road or from Five Acres lane to the east of the site, traffic accessing the site would not need to penetrate the village. Existing lanes and narrow roads can be retained, in keeping with the character of the village.

The site is very well positioned to deliver new dwelling houses within the short term and has good proximity and accessibility to the village’s post office, pub, hall and school. The site furthermore has excellent access to the High Road which affords rapid access to Didcot and Wallingford and the associated commuter routes into the London.

As set out above the site is well located in respect of services and facilities in the village, the following table sets out a of these distances between the land at Five Acres, Slade End and Little Martins to Brightwell Primary School, the Post Office and The Village Stores, the Red Lion, St James Church, St Agatha’s church and Local bus stops.

Table 3: Comparative Distances of Sites to village services and facilities

	Little Martins	Slade End	Five Acres
Primary School	610 m	1000 m	745 m
Bus Stop	740 m	330 m	250 m
Red Lion Pub	610 m	850 m	880 m
St James Church	1100 m	350 m	250 m
St Agatha’s Church	240 m	1200 m	1100 m

Post Office / Store	210 m	1250 m	1200 m
Average Distance	585 m	830 m	737 m

The site presents an opportunity for a range of materials, building styles and types, which can be provided due to the position of the site abutting different character areas, ranging from the historic village, contemporary developments to the east and the High Road to the north.

The site presents an opportunity for high quality design, use of varied and local materials such as red brick, flint and clay tiles.

The site is immediately available for development and can be brought forward for development within the plan period. The owners of the site have been local residents in the village for a number of years and have contributed to the development of the village through the construction of a number of homes, notably Sotwell Manor and at Five Acres as well as the construction of the bell tower of St James' Church.

The development of the site is to be in accordance with the following key principles

- Conserve the rural character of the village
- Maintain the village settings
- Provide a mix of home sizes
- Respect the historic boundaries of the village and the site
- Provide for shared surfaces
- Provide an informal layout reflecting the form of the village and its lanes (avoiding an estate like appearance)
- Provide a sense of place
- Make use of appropriate materials
- Provide for complimentary tree and hedge planting
- Provide ecological areas
- Provide and strengthen pedestrian linkages

As the site is not clearly visible from the Area of Outstanding Natural Beauty, screened by hedge rows, yet nestling within the village, south of the High Road, with a public cycle/footpath to the central parts of the village, the lack of its inclusion in the Neighbourhood Plan is questionable. No adequate substantiation for the omission of this site has been provided, and the Parish Council's referral to the evidence base as its response to objections to the omission of this site are sorely lacking.

The consideration of the evidence base reveals that that the sole basis for the rejection of the site is on the basis of the Sustainability Appraisal, which has failed to provide an objective and reasoned rationale behind the delineation of the village boundary, which appears to have been put in place to cement the prominence of the selected site at the exclusion of any other development opportunity.

9.0 Conclusion

It is clear from the Consultation Statement, Sustainability Appraisal, Site Assessment Report, all of which form part of the evidence base for the draft Neighbourhood Plan, there are serious concerns about the consultation process, the methodology behind the site selection process, sustainability and the proposed village boundary.

The proposed site allocations are furthermore constrained or have shortcomings which cast uncertainty on the ability to achieve the delivery of 50 to 60 units in the village, this in conjunction with the restrictive village boundary could

compromise the ability of the Neighbourhood Plan to meet its sustainability obligations and the delivery of housing for the district.

The allocation of the site at Five Acres is considered to fulfil the objectives of the neighbourhood plan by:

- Retaining the character of the village and the pattern of development and conserving key landscape features
- Developing outside of the AONB, preventing the elongation of the village
- Developing well-located, non-productive agricultural land on the edge of the village, thus protecting open green field land
- Preventing impact on conservation areas and listed buildings
- Providing new homes to sustain and improve the viability of services and facilities.
- Providing new homes for a range of buyers including first time buyers, young families and older residents.

The site presents a viable opportunity for the short term realisation of a significant component of the village's housing need and the housing needs of the district. The site is well located in respect of the school and village services and is not constrained by the AONB or landscape ecological or other considerations. It is accordingly recommended that the Neighbourhood Plan be amended to include the site in its site allocation policies and furthermore the Village Boundary be reconsidered to include the site or omitted in its entirety.

We formally request that we be afforded the opportunity to make representations in person when the Neighbourhood Plan is examined, in order to provide additional evidence in respect of the site selections and the process related thereto, in light of the shortcomings and potential prejudice which have been suffered to my client in the site selection and consultation process to date.

Yours sincerely

Tim Spencer
(Tim.spencer@dppukltd.com)

DPP

D: 0207 706 6293

M: 078 565 29771

Response 20

Respondent Details

Information	
Respondent Number: 20	Respondent ID: 56859209
Date Started: 02/05/2017 15:38:59	Date Ended: 02/05/2017 15:41:11
Time Taken: 2 mins, 12 secs	Translation: English
IP Address:	Country: Unknown

Consultation on the draft Brightwell-cum-Sotwell Neighbourhood Plan

Q1. After extensive engagement with their local community, Brightwell-cum-Sotwell Parish Council has developed and submitted the draft Brightwell-cum-Sotwell Neighbourhood Plan to South Oxfordshire District Council. There is now an opportunity to comment on the plan and supporting documents during a six week consultation period running from Thursday 16 March until 5pm on Friday 28 April 2017. You can view the draft Neighbourhood Plan and supporting documents below: Neighbourhood Plan Consultation Statement Basic Conditions Statement Site Assessment Sustainability Appraisal Revised HRA Screening Determination Once the consultation has closed, all of the comments will be sent to an independent examiner for consideration. 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 above. Please note that you must provide your name and address for your comments to be considered. All responses received will be available for the public to view and your name may be displayed. (* denotes mandatory question) Are you completing this form as an:

Organisation

Your details

Q3. Organisation details	
Title	-
First name	Philippa
Last name	Lay-Kishon
Job title	-
Organisation	Philip Lay Trust and Monica Lay Estate
Address line 1	Not provided
Address line 2	-
Address line 3	-
Postal town	-
Postcode	Not provided
Telephone number	-
Email address	pippakishon@hotmail.com

Your comments

Q5. You can provide your feedback on the draft Brightwell-cum-Sotwell Neighbourhood Plan below. If you are commenting on a specific section or a supporting document, please make this clear. Please note that it would be helpful to provide evidence and any supporting documents to support/justify your comments. After this stage, further

submissions will be only at the request of the independent examiner, based on the matters and issues he/she identifies through the examination.

With regards to the Brightwell-cum-Sotwell Neighbourhood Plan 2016-3032, I would like to introduce myself as a Trustee of The Philip Lay Trust, who own the Land at Five Acres, and to make some further comments on this emerging plan.

From my understanding of the very limited information that has been available on the Parish Council web site, a steering group was formed in July 2015 to identify the availability, sustainability and deliverability of sites for the emerging Neighbourhood Plan in a democratic and transparent manner with the public involved at every stage, community led - not followed.

1. Failure to be Approached.

I would like to bring to your attention that despite making representations for our land to the Local Plan in 2013 and 2016, at NO TIME did any member of the steering group contact myself or any member of my family to assess our redundant agricultural land and pack house at Five Acres, which clearly meets the criteria above.

After the deaths of my father and brother who had farmed this land, it was held in a life time Trust for my mother who had instigated it's submission before she died in last year. While she was able to continue living at Five Acres, she used the water supply from the house to allow grazing of horses on this land but with old age was forced to sell the house, leaving the field and pack house with no use or purpose. It has been available, sustainable and deliverable since she left in 2001. Despite my living in London, many developers have managed to find me to seek consent for a planning application but it was our wish to work with the emerging plan in the best interest of the village.

Whilst visiting Five Acres for the purpose of Probate, I found out by chance that a meeting was to be held at the Village Hall on October 4th 2016 to discuss the selection of sites. I went to that meeting in order to make sure that our land was being looked at, after a robust submission for the SODC call for sites.

I was therefore very surprised that all the sites had already been chosen by the comity, with no consultation to the village and despite great opposition to some of these sites at the meeting. I tried to explain how our site would be more beneficial but was told it was too late to do so. When I asked for clarity as to why they thought other sites preferable to ours, they told me that I would see this on line the following week when the minutes from this meeting were published. Nothing appeared on line for nearly 3 months and all I could ascertain was our proximity to AONB and distance to the heart of the village, which again I questioned, as other sites are less fitting, namely Little St. Martins and Slade End.

The comity then informed the village that they should support this plan in order to move forward swiftly to consultation, or the developers would move in quickly. I do not believe this to be democratic, transparent or community led but fear tactics.

2. Restrictions on Making Comments at Public Meetings only.

Following this public meeting, I email the chairman of the comity to ask that they reconsider and explaining my families history in the village, which include many self-builds. We also wish to include a memorial garden for our parents, re-instated my grandfathers nut walk, along with wild life corridors, bird boxes etc but again was told it was too late and was given no meeting to make any further representations.

I then went to the public meeting in December but was told that the site selection was done and this was a policy meeting.

I emailed the Parish council to see if I could make representation at their next meeting and they informed me that there was a 10 minute public slot, so I drove from London to make representation again. Again I was informed that the sites had been chosen and we would not be included.

I then looked for a developer who would share our vision for the land and took them to the public drop in session for the NP in December but again we were given no other feedback. They asked to make representation at a Parish Council Meeting where again they were told that all sites were selected.

3. Inappropriate Use of Village Envelope/Boundary.

At the Parish Council meeting I attended, I asked that if they would not consider this site, could they reconsider the boundary to include us, as may be not all the housing required can be achieved by these sites and the knowledge that they wish to protect the Green Heart of the village, which we are not in.

Again, I was told it was too late for them to make any changes.

The emerging Local Plan has made no requirement of a village boundary and I have noticed on the letter from SODC offering a constructive contribution to help the plan meet basic conditions, that they are unsure if this boundary is in the villages best interest. This letter also states concerns to how sites have been selected or excluded solely on the basis of whether they fit within the NDP preferred strategy, without regard to how the sites fare against other criteria.

Natural Britain has also commented on their concern about the number of sites chosen in case 1 or more is undeliverable.

4. The lack of Justification in the Evidence base to support Selected Sites

Please note that any comments we have made to this consultation have been referred back to the evidence base but this is deeply flawed and in some cases completely wrong. Most notably

The area of the site measures 2.3 ha, not 1.6 ha as stated.

It is not currently used as paddock due to the lack of water supply.

The report makes no mention of a derelict building on the site but does on other sites.

The report makes no mention that my family have build 3 houses on the site, without appeal. Other sites have recently lost at appeal.

The report is silent to the availability of the site when we have confirmed on a number of occasions that it is available.

Rather than assessing sites in terms of suitability, availability and economic viability, it appears that they have been assessed based on NP objectives. The assessment furthermore fails to put in place a comparative criteria or scoring method, which would ensure consistency. Such a scoring criteria would highlight the sites beneficial aspect in comparison to the other sites.

I would ask that we may be allowed the opportunity to make representation in person at the examination stage

5. Benefits of the Land at Five Acres

The Land at Five Acres lies inside the confines of the village, as defined by the A4130, outside of the AONB and conservation areas, with no impact on any listed buildings and a lack of ecological impact. It has an existing substantial hedge row of native plants screening it from the AONB, which would be further enhanced to create a buffer zone and wild life corridor.

It is within easy proximity of the village with the boundary 200m from the bus stop at Bell Lane and 600m from the village school, which I walked to as a child.

It would bring existing redundant agricultural land and building back into sustainable use with a lack of visual impact.

We would incorporate the wishes of the emerging NP to include public space in the form of a memorial garden/orchard to our parents. Re-instate historic elements known to our family including the well for Sotwell Manor, the nut walk and planting completely native to the village.

For all of the reasons stated above, we believe that we have been wrongly excluded from the process of selection.

This land is available, suitable and deliverable.

Kind regards

Public examination

Q9. The majority of examinations are expected to be through written representations, however the independent examiner will decide whether there is a need for a public examination. Please indicate below whether there should be a public examination on the draft Brightwell-cum-Sotwell Neighbourhood Plan:

Yes, I request a public examination on the draft Brightwell-cum-Sotwell Neighbourhood Plan

Public examination

Q10. Please state your specific reasons for requesting a public examination below

I would ask that we may be allowed the opportunity to make representation in person at the examination stage

Notification

Q11. Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?

No

Response 21

Respondent Details

Information	
Respondent Number: 21	Respondent ID: 56859420
Date Started: 02/05/2017 15:41:21	Date Ended: 03/05/2017 09:12:34
Time Taken: 17 hrs, 31 mins, 13 secs	Translation: English
IP Address:	Country: Unknown

Consultation on the draft Brightwell-cum-Sotwell Neighbourhood Plan

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Individual

Your details

Q2. Personal details

Title	
First name	Richard
Last name	Lay
Address line 1	
Address line 2	
Address line 3	
Postal town	
Postcode	
Telephone number	
Email address	

Your comments

Q5. You can provide your feedback on the draft Brightwell-cum-Sotwell Neighbourhood Plan below. If you are commenting on a specific section or a supporting document, please make this clear. Please note that it would be helpful to provide evidence and any supporting documents to support/justify your comments. After this stage, further submissions will be only at the request of the independent examiner, based on the matters and issues he/she identifies through the examination.

Survey administrator comment - please refer to uploaded document on next page for full comments

Q6. You can upload supporting evidence here

- File: 2017_04_27_ R J Lay_.REDACTED.pdf

Public examination

Q10. Please state your specific reasons for requesting a public examination below

n/a

Notification

Q11. Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?

No

27th April 2017

BRIGHTWELL CUM SOTWELL NEIGHBOURHOOD PLAN CONSULTATION WITH SODC

Dear Sirs,

I appreciate that a lot of time and energy has gone into the compiling of the Neighbourhood plan. I feel that it is important that the plan is seen as fair, democratic and transparent. I am afraid that the plan has failed these criteria at the site selection stage.

It has become obvious from the minutes and talking to the developers that the committee has been in discussion with developers for over two years on two of the chosen sites, long before site selection was put to the village meetings. The two sites in question are The Old Orchard and Little Martins. The developers produced plans that the committee found of interest but instead of asking other land owners if they would like to submit plans for consideration they were excluded from the process and even ignored other developers requests for meetings while the site selection process was meant to be in progress.

The committee were not at all helpful in providing the public with information, indeed documents were only made available at the last minute in many circumstances. The documents used at the public meeting on the 4th October 2016 regarding site selection are not available online now, though I know they were just before the village consultation started. You will see on the parish council web site that minutes were meant to have been recorded for every meeting of the committee and yet there are gaping holes with nothing being recorded for the period of 6/04/16 to 15/9/16, some five months , and yet the committee states they met monthly, how can this be transparent?

At the end of the consultation period on the 11th January 2017 the village plan was then altered by the committee, 6 houses were added at Slade End and then the plan was presented to the parish council and accepted all without any further involvement from the public. We were told all this at a public meeting on the 7th February 2017, surely it cannot be acceptable that the plan is altered without the public knowledge.

The reasons why other sites were not selected were only made public just before the start of the consultation period . Yet after this period ended the reasons on a lot of sites have been watered down and are now quite comparable to the sites selected. The public should have been made aware of these facts.

The parish council are already finding it impossible to work with the plan, a policy for The Old Orchard site is having to be ignored as the developer can not meet the policies requirements with regards to number of houses and the size of the dwellings, hedges not connected to the site are having to be removed for site lines to the access, something that the committee are strongly against. The policy to protect the gap between the village and Mackney has been compromised by a planning approval of P16/S3875/FUL, to which the Parish council only recorded an opinion of no strong view.

In the consultation results report under 19a I complained that the minutes of the neighbourhood plan committee meetings had only been made available for public scrutiny ONE day before the end of the consultation period. In April 2016 the minutes state that the Old Orchard site plans had been shown to the committee and accepted. The plans had not been shown to the parish council as stated in the steering group response, there is no mention of this happening in any of the parish council minutes.

I attach a copy of my letter to the chair of the neighbourhood plan and an acknowledgement from the parish council which should be dated November and not December. To this day I have not received a reply. I also attach a screen print of the parish council documents dated 8th February 2017, you will note that the parish council minutes are not up to date and the minutes for the neighbourhood plan meetings are very sparse, note the gap between April and September 2016. There are no minutes for meetings after this date. Surely this cannot be seen as acting in a way conducive to forming such an important and far reaching document as the neighbourhood plan.

I notice in the document titled Site Assessment Report handed to SODC on page 3 it states that all the sites were visited by the Neighbourhood plan project team and accessed. No one visited Sotwell Manor Fruit Farm, how can this be fair?

So that I don't repeat myself can I please ask you to read my comments under 19b in the 'Brightwell cum Sotwell Neighbourhood Plan Consultation Report' dated February 2017.

I would like to recommend a public examination as the plan is in conflict with the basic conditions, in particular national policies and basic guidance because of the way in which sites have been selected for residential development,

Yours faithfully

MR R J LAY

28TH OCTOBER 2016

COMMUNITY LED PARISH PLAN

Dear Mr Debney,

I was hoping to have the documents used at the meeting on the 4th October before compiling this letter but they are not available for some reason. The meeting was advertised in the village in a way that suggested that the potential sites would be made public, you spoke to my mother the day before the meeting and it transpired that you misunderstood my mothers willingness and agreement from an earlier meeting with her in July to have the land at Sotwell Manor Fruit Farm included for consideration for development, indeed you told her that anyway it was too late as the sites had been allocated and you would put her on the list for ten years time. At the meeting you displayed a plan showing the areas of land that owners were prepared to have development , and to my surprise my mothers land was shown as being one of these, please explain as both stories cannot be correct.

From the way the meeting was introduced stating that the sites were not just picked at random, am I correct in thinking that this plan was used by the committee to select the potential sites without any further input from the community? No information was supplied to back up the selection of these sites. It is imperative that the village community is seen to be involved in such an important process.

I look forward to your written reply,

Yours sincerely

Brightwell cum Sotwell Parish Council
Brightwell cum Sotwell
Oxfordshire

19th December 2016

Dear Richard,

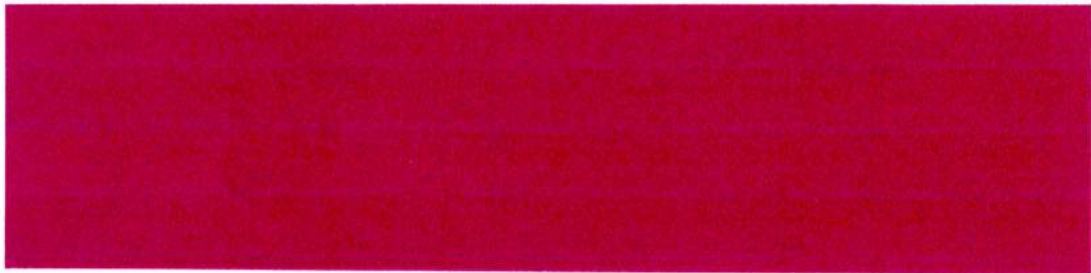
Jason has asked me, as chair of the Parish Council, to reply to you. Thank you for your letter and comments therein which the Neighbourhood Plan committee has been made aware of. As you know we are an elected committee of villagers who are doing our best to bring about the best result regarding the future development of the village we can. It has been a very busy time as we are all trying to fit in work and family life as well. The Neighbourhood Plan Committee will be in touch regarding the points you made as soon as possible.

Many thanks,

Sue Robson

WV DATED
NOTED 28/3/17.

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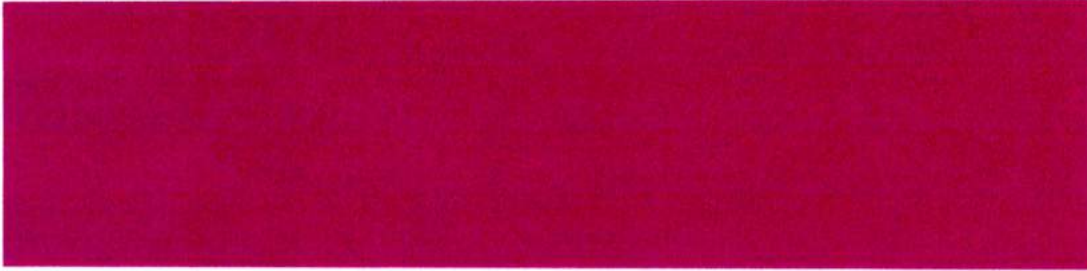
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ID number	Part of Pre submission plan. Figures in (x) indicate revised Policy number where different.	Comments Received	Steering Group Response
19b	General	<p>I understand that the process for compiling the document should be seen as democratic and transparent and that the public should be involved at every stage.</p> <p>My main concern is the way the site selection for development was carried out. I have been studying the parish council minutes and it states in the July 2015 minutes “that the steering group were beginning to identify sites and mentions also that two developers have approached the committee”. In September 2016 the minutes state that the steering group have chosen sites and agreed allocation and that the residents affected would be given a private meeting, all this without any input from the village. The public meeting of the 4th October was advertised as introducing the potential sites to the village, various documents were used at the meeting and the public were told not to try to read them all word for word as they would all be out on line in the next few days. This was not the case and my feeling is that they were deliberately withheld, as I was fobbed off by the Chairman claiming that it was not an easy process converting the files used at the meeting from power point to pdf. The documents have only become available just prior to the start of the consultation period.</p> <p>On the 28th October 2016 I wrote to the Chairman asking very simple questions about the site selection process used and to this date I have received no answer only an acknowledgement from a third party some three weeks later. At the public meeting on the 2nd November we were told that the site selection was done and dusted and when I complained that the documents used were not made available to the public I was told I was too late. Other people at the meeting agreed with me that the documents had not been made available. The two main sites selected namely The Old Orchard and Little Martins both have developers interested and indeed I am told that both have had plans ready to submit for sometime. It appears that the steering group were guided to these</p>	<p>Noted. There were opportunities to comment throughout the development of the Neighbourhood Plan.</p>

		sites because of this, for fear that if the sites were not selected the plans would be submitted to SODC anyway	
	Site Assessment Report	<p>Thorne’s nursery site has have been selected from what the chairman has stated at the public meeting so that the village hall car park can be extended, as confirmed in BcSS 04. This is not a sound reason to select the site. The land could be purchased without the need for houses. The site lies in the conservation area which is there to protect the listed buildings that surround the site. All the sites will put more traffic directly into the village which already is a nightmare to negotiate with the increasing numbers of parked cars on the roads and lanes as well as the longer queues at the exits. How long will it be before potential house buyers are put off by this dilemma? We have been told at various meetings about the presence of wildlife on Little Martins and Thorne’s nursery, this includes badgers, nesting kites and buzzards. Is the village so short of potential building sites that these creatures cannot be protected?</p> <p>I understand that the proposal is to have a village envelope re-instated around the village. This will only put more pressure on the green areas that are left in the village something that cannot be good for the quality of life for the villagers and wildlife.</p> <p>Item 4.4 staes that the minutes of the monthly steering group meetings are available online, this is not the case, not even all the parish council minutes are available as October and November minutes for last year are absent. I note that under Green infrastructure and Biodiversity Policies it is stated that “Scrub is an important habitat in the village particularly on redundant nursery sites”, and yet you propose to develop on two of these sites. These can not be replaced quickly so wildlife will suffer. Policy BCS13 no iv needs clarification as it is too ambiguous at the moment.</p>	Policy has been amended in response to Natural England Comments
	BcS13 (Policy deleted)	It is crucial that this process is community led and not seen as a process that the community just follows.	Policy deleted

Draft Brightwell-cum-Sotwell Neighbourhood Plan

Page 1: Consultation on the draft Brightwell-cum-Sotwell Neighbourhood Plan

Q1. After extensive engagement with their local community, Brightwell-cum-Sotwell Parish Council has developed and submitted the draft Brightwell-cum-Sotwell Neighbourhood Plan to South Oxfordshire District Council. There is now an opportunity to comment on the plan and supporting documents during a six week consultation period running from Thursday 16 March until 5pm on Friday 28 April 2017. You can view the draft Neighbourhood Plan and supporting documents below: Neighbourhood Plan Consultation Statement Basic Conditions Statement Site Assessment Sustainability Appraisal Revised HRA Screening Determination Once the consultation has closed, all of the comments will be sent to an independent examiner for consideration. 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 above. Please note that you must provide your name and address for your comments to be considered. All responses received will be available for the public to view and your name may be displayed. (* denotes mandatory question) Are you completing this form as an:

Organisation

Page 2: Your details

Q2. Personal details

No Response

Page 3: Your details

Q3. Organisation details

Title	Mr
First name	Ricardo
Last name	Rios
Job title	Senior Planning Officer (Neighbourhood)
Organisation	South Oxfordshire District Council
Address line 1	135 Eastern Avenue
Address line 2	-
Address line 3	-
Postal town	-
Postcode	OX144SB
Telephone number	-
Email address	ricardo.rios@southandvale.gov.uk

Page 4: Your details

Q4. Agent details Please state the name of the person or the organisation you are representing and give your full details below.

No Response

Page 5: Your comments

Q5. You can provide your feedback on the draft Brightwell-cum-Sotwell Neighbourhood Plan below. If you are commenting on a specific section or a supporting document, please make this clear. Please note that it would be helpful to provide evidence and any supporting documents to support/justify your comments. After this stage, further submissions will be only at the request of the independent examiner, based on the matters and issues he/she identifies through the examination.

South Oxfordshire District Council has worked to support Brightwell-cum-Sotwell Parish Council in the preparation of their neighbourhood plan and compliments them on a very 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 BcSNDP on a number of occasions. We note that the qualifying body has taken the council's advice on board and largely addressed most of the concerns previously raised.

We are committed to helping this plan succeed. In order to achieve this, we offer constructive comments on issues that are considered to require further consideration. To communicate these in a simple and positive manner; we produced a table containing an identification number for each comment, a copy 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 meets the basic conditions.

Q6. You can upload supporting evidence here

- File: 217_05_08_SODC.pdf - [Download](#)

Page 6: Your comments

Q7. 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.

No Response

Q8. You can upload supporting evidence here

No Response

Page 7: Public examination

Q9. The majority of examinations are expected to be through written representations, however the independent examiner will decide whether there is a need for a public examination. Please indicate below whether there should be a public examination on the draft Brightwell-cum-Sotwell Neighbourhood Plan:

No Response

Page 8: Public examination

Q10. Please state your specific reasons for requesting a public examination below

n/a

Page 9: Notification

Q11. Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?

No

	Section/Policy	Comment	Recommendation
1	Plan period	It would be helpful to have the neighbourhood plan period aligned with that of the district council's emerging local plan.	Extend plan period to 2033
2	<p>Paragraph 3.3</p> <p>The development plan for the Parish currently comprises the South Oxfordshire Core Strategy of December 2012 (covering a plan period to 2027) and a number of saved policies of the South Oxfordshire Local Plan 2011 adopted in January 2006 (covering the plan period to 2011). The emerging South Oxfordshire Local Plan 2032, which is expected to be adopted in late 2017 or early 2018, will replace the Core Strategy and older saved policies. The BCSNP will also replace some non-strategic Local Plan policies as they relate specifically to this Parish. The plan also includes minerals and waste plan documents adopted by Oxfordshire County Council.</p>	The information highlighted is out-of-date.	<p>Amend section to:</p> <p>The development plan for the Parish currently comprises the South Oxfordshire Core Strategy of December 2012 (covering a plan period to 2027) and a number of saved policies of the South Oxfordshire Local Plan 2011 adopted in January 2006 (covering the plan period to 2011). The emerging South Oxfordshire Local Plan , will, when adopted, replace the Core Strategy and older saved policies and will cover the period 2011-2033. The BCSNP will also replace some non-strategic Local Plan policies as they relate specifically to this Parish. The development plan in this context also includes minerals and waste plan documents adopted by Oxfordshire County Council.</p>
3	<p>Paragraph 3.5</p> <p>The essence of the overall planning strategy for the District has been and will continue to be to focus</p>	It is important that we take any opportunity to show that the NDP views appropriate development in a positive light. The NPPF support for prosperous rural communities	<p>Amend section to:</p> <p>3.5 The essence of the overall planning strategy for the District has been and will continue to be to</p>

	<p>development on the main towns and larger villages of the District and to maintain the rural character of the open countryside that makes up the majority of the area. The Parish does not lie within an area planned for growth and is currently considered a 'smaller village'.</p>	<p>envisages a level of growth, the local policy context indicates that this level of growth should be limited or lesser than the levels expected for larger villages and towns.</p>	<p>focus development on the main towns and larger villages of the District and to maintain the rural character of the open countryside that makes up the majority of the area. It also identifies sites for strategic allocations and development at Science Vale. The Parish does not lie within an area planned for significant growth and is currently considered a 'smaller village'.</p>
4	<p>Paragraph 3.6 The rural economic development strategy favours rural diversification, tourism development and home working, provided proposals respect the quality of their countryside location. There is no specific policy proposal in the new Local Plan to this effect but it is not expected the strategy will change, thus encouraging BCSNP policies to promote appropriate proposals to support local jobs in the Parish.</p>	<p>This information is now out-of-date, please see Chapter 6 of South Oxfordshire District Council Local Plan 2033 Second Preferred Options Document.</p>	<p>Please review and amend this section.</p>
5	<p>Paragraph 3.9 The District Council has yet to determine in its emerging Local Plan how it will meet its objectively assessed housing need over the plan period. Its Draft Local Plan of 2016 indicated that it will maintain the spatial</p>	<p>References to earlier iterations of the emerging local plan may date the neighbourhood plan.</p>	<p>Please review and amend this section. The District Council has set out its preferred approach to meeting its objectively assessed housing need over the plan period in the emerging Local Plan. The</p>

	<p>strategy of the Core Strategy in focusing housing and economic development on the main towns of the District, and then distribute growth across its rural areas in relation to the hierarchy status of its villages. This is a conventional and reasonable approach, and there is nothing to suggest that its adopted plan in due course will differ greatly.</p>		<p>emerging local plan indicates that the spatial strategy of the Core Strategy will be maintained, focusing housing and economic development on the main towns of the District, and then distributing growth across its rural areas in relation to the hierarchy status of its villages. It also directs development to strategic allocations and at Science Vale. This is a conventional and reasonable approach, and there is nothing to suggest that the final version of the adopted plan will differ greatly in terms of spatial distribution.</p>
6	<p>Paragraph 3.12 The Core Strategy and saved policy both seek to prevent the unnecessary loss of valued community facilities. This provides an opportunity for the BCSNP to identify those community facilities in the Parish that warrant protection from these policies.</p>	<p>For clarity we suggest the addition of “the” before “protection from these policies”.</p>	<p>Please review and amend this section.</p>
7	<p>Paragraph 3.15 These heritage assets will very much shape the site selection and other policies of the BPNP. The BPNP may also define the special character of the local Conservation Areas and raise the status of current supplementary</p>	<p>NDPs can direct developers to supplementary planning guidance, in effect raising awareness of guidance tackling specific issues. This however, does not change the status of individual documents.</p>	<p>Amend section to: Although these policies now repeat national policy guidance (and so are therefore unlikely to be included in the emerging Local Plan in these forms), they reinforce the importance of proposals having full</p>

	<p>guidance to carry the full weight of the development plan.</p>		<p>regard to heritage assets, whether formally designated or not. The Parish generally, and the village specifically, contains a significant number of listed buildings, as well as two Conservation Areas. These heritage assets will very much shape the site selection and other policies of the BPNP. The BPNP may also help define the special character of the local Conservation Areas and guide developers to existing supplementary guidance.</p>
8	<p>Policy BCS1</p>	<p>The Sustainability Appraisal referred to the Judicial Review ruling in relation to the Tattenhall Neighbourhood Plan in May 2014 highlighting the role of community engagement in setting a framework for <i>“deciding the reasonable alternative options for the policies in the Neighbourhood Development Plan and informing the decisions taken on what the draft policies would contain.</i></p> <p>The Council welcomes the fact that Brightwell-cum Sotwell Parish Council requested that the Sustainability Appraisal looked at the technical attributes of identified options to enable a comparison.</p> <p>The preferred option defines a settlement boundary, generally welcoming development</p>	<p>Please review and amend this policy and supporting text to address the potential conformity issues highlighted by the Council.</p>

		<p>within and restricting development outside the identified boundary. New housing development is distributed across a range of small sites around the periphery of the village following a number of principles.</p> <p>The identified alternative options (A, B, C and D) mainly differ from the preferred option insofar as it focuses growth on a particular direction, i.e. South, East, West etc. We note that following the council's advice, consideration has been given to the likely effects of combining a settlement boundary with the preferred distribution strategy.</p> <p>Whilst it is clear that consideration has been given to housing provision within the settlement boundary throughout the plan period, the consideration of whether other forms of development (i.e. employment, community facilities, etc) could be accommodated within the boundary appears weak. Having regard to paragraph 28 of the NPPF, restricting other types of development to within the settlement boundary (Paragraph 5.12 of BcSNDP and paragraph 8.5 of the Sustainability Appraisal) may be inappropriate.</p> <p>The judgment of Patterson J in R (Stonegate Homes) v Horsham DC, 13th October 2016 is very pertinent to the issues outlined above. A copy of the decision is available here.</p>	
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		<p>It is also important to note that there are no policies setting settlement development limits within the development plan for the District. Emerging local plan Policy H10 – Housing in Smaller Villages sets out that a minimum of 500 new homes will be delivered in the smaller villages through Neighbourhood Development Plans, infill development, and/or small suitable sites of up to 10 dwellings. The proposed settlement boundary could result in a less flexible and more restrictive approach to development at the neighbourhood level.</p> <p>Although a draft neighbourhood plan is not tested against the policies in an emerging Local Plan 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. The council has sought to work with the qualifying body to produce complementary neighbourhood and Local Plans. In doing so, we discouraged the introduction of a settlement boundary to ensure the housing supply policies of the BCSNDP are flexible enough to deal with the latest and up-to-date evidence of housing need and capable of contributing to the achievement of sustainable development.</p>	
9	Policy BCS1 explanatory text	Please see comment 8	Please see recommendation 8

13	<p>Site Allocation Policies</p> <ul style="list-style-type: none"> • Policy BCS2: Land at Bosley's Orchard • Policy BCS3: Land at Little Martins & Home Farm Barns • Policy BCS4: Land at Thorne's Nursery • Policy BCS5: Slade End Green • <i>BCS5A: Slade End Farm</i> <p><i>BCS5B: Strange's Nursery</i></p>	<p>Development Management Officer Comments <u>Potential conflict with Oxfordshire County Council Highways</u></p> <p>There is a number of site allocations for 5 or more dwellings with the following requirement: <i>There is no street lighting, the road layout being designed in a way that follows the traditional 'lane' type found elsewhere in the village without pavements, providing eclectic verge side boundary treatments and varying road widths to minimise the impression of an 'estate build'.</i></p> <p>Such requirement, particularly for allocations of 5 or more dwellings could cause highway safety problems.</p> <p>Housing Development Officer Comments</p> <p>Our comments on the submission version are: A requirement/need for affordable homes has been recognised and is detailed in policies BCS2, BCS3 and BCS4 the Neighbourhood Plan refers to National, County and District housing policies as well as the Local Plan to set the context and framework for the proposed policies. However in appendix 3 of the submission the proposed policy on affordable housing does not reflect the requirements of District Policy CSH3 in the correct tenure mix of sites that deliver a net gain of 11 or more dwellings.</p>	<p>Please review and amend the site allocation policies to address the concerns raised by the Council.</p>
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It is our recommendation that is proposed policy is amended to reflect the district tenure requirement of 75% affordable rented and 25% intermediate housing thus bringing the proposed Neighbourhood Plan into broad conformity.

Jan Phillips
Housing Development Officer
South Oxfordshire District Council

Conservation Officer Comments
BCS3: Land at Little Martins and Home Farm Barns

A high amount of site and surroundings assessment would be required for this site to be deliverable. Whilst the brief in the policy states that proposals will need to have full regard to sustaining the character of the village and semi-rural entrance, the existing limitations for possible highways upgrading are notable constraints along with existing trees on the site and views from the north-west. Assessment of all these should inform proposals, even at outline stage.

BCS4: Thorne's Nursery

As above but more constrained by limits to access between listed buildings, increased visibility from within the conservation area and contribution made by significant trees which may require retention. Suggest that part of the policy for this site should state that outline applications

		<p>would not be appropriate here owing to high level of constraints which should inform proposals. Perhaps policy could include requirement for Full Applications only* in order to ensure full assessment of site is made in advance of the application being submitted to ensure due regard to all constraints is given and informs proposals – also applications should enter into pre-application discussion with the council.</p> <p>BCS5: Slade End Green As above, proposals should be submitted as full applications only* – not eligible for outline permission – owing to the high level of constraints and necessary informed assessment to be certain the site(s) are deliverable.</p> <p>The overarching policy requiring a masterplan for the whole area is to be welcomed but It is unclear how that will be achieved in reality. We are pleased that the policy wording and supporting text make it clear that the area is very constrained by heritage and environmental character which at least provides a good baseline from which to require a detailed impact assessment to inform proposals.</p>	
10	Policy BCS6: Local Gaps	Policies that seek to introduce blanket restrictions to rural areas, and which go beyond normal countryside policies, are unlikely to meet basic conditions.	This policy could be reworded in a positive way, highlighting the role and function of “open countryside” in protecting the separate identity of individual settlements and their

		<p><u>Local Gaps</u> The examiner of the Sonning Common neighbourhood plan deleted a similar policy. Please see Policy DS1 on page 16 of the Examiner's Report</p> <p>Such approach could be viewed as overly restrictive as it does not allow for special circumstances and does not recognise the kind of development that would not necessarily be inappropriate development.</p> <p><u>Views</u> It is important that locally important public views are identified on a map (please also see section on views in comment and recommendation 17). As worded the policy seeks to place a blanket restriction on any development that obstructs or harm any long distance view. Similar to the issues raised with the local gaps policy, this approach may excessively restrict and inadvertently prohibit sustainable development.</p>	<p>valuable contribution to the character of the area.</p> <p>Example from a made NDP The parcel of land identified as XXX performs the important function of preventing the coalescence of two distinct settlements. In this location the following uses are considered to enhance the area without compromising its important role and function:</p> <ul style="list-style-type: none"> a) sustainable farming enterprises, b) recreation, c) essential community facilities
11	Policy BC7: Landscape Character & the Villages	<p>The council previously advised the neighbourhood planning group to identify the key views affected by this policy. We note that paragraph 5.41 indicates that some specific views have been identified in the Landscape & Green Space Study and in Appendix B of the BCSNP. The council maintains that all key views should be clearly identified in the NDP and that the NDP</p>	<p>Please review policy wording.</p>

		and/or its evidence base should provide a clear explanation of what makes these views significant.	
12	Policy BC7: The Green Heart of the Village	<p>This policy identifies a network of open spaces within and adjoining the village, which individually and combined perform valuable roles and functions.</p> <p>The council advised the neighbourhood planning group that policies seeking blanket restrictions are unlikely to meet basic conditions. We cited the Sonning Common examination where a policy with similar objectives (Policy DS1: Gaps between villages) was deleted due to an irreconcilable conflict between its objectives and the very nature of development, which tends to be urbanising.</p>	<p>If the intention of the policy is to protect valuable green spaces, it would be more appropriate for a local green space designation (LGSD) to be pursued.</p> <p>If a LGSD is not an option for these sites, the policy could be revised into a positively worded policy that identifies their special value, individually and as a network, and requires the preservation and enhancement of their role and function.</p>
13	Policy BCS13: Footpaths & Bridleways	It may not always be possible and practical prevent the obstruction, diversion or urbanisation of a public footpath or bridleway. As worded the policy is overly negative and lacks flexibility. Care should however be given to ensuring that new or diverted routes are designed to maintain their ambiance.	The first sentence of the policy should be deleted.
14	Policy BCS15: Community Facilities	It would be helpful if the core community facilities affected by the policy were identified in the plan, this could be within an appendix.	
15	Monitoring & Review Policy The BPNP will be monitored by the District Council and the Parish Council	This section is not clear on what aspects will be monitored or who will monitor them.	This section should be reviewed and clarified.

	<p>using data collected in planning monitoring reports. The objectives will form the core of the monitoring activity but other data collected and reported at a scale relevant to the Plan may also be included. It is expected that the BPNP will be formally reviewed on a five-year cycle or to coincide with the review of the development plan.</p>	<p>It is reasonable to expect the District Council to monitor the strategic elements of the NDP, such as housing numbers, employment land, retail provision and other aspects that have been delegated to the neighbourhood level.</p> <p>However, monitoring of the achievement of the NDP's objectives and locally specific policies, should done by the parish council.</p> <p>This process should enable the parish council to see whether the NDP policies are working and whether they are achieving their main objectives for the future. This provides the opportunity for the parish council to decide if their plan requires a review.</p> <p>It also enables the qualifying body to check whether the affects predicted as part of any SEA or SA are in line with expectations and whether mitigation measures are having the desired effect, thus ensuring the protection of the environment, as the SEA Regulations intend.</p> <p>Monitoring is usually done on an annual basis, but this is dependent on the indicator that you are monitoring.</p>	
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