

**Planning and Strategic Housing**

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**Your Ref:**  
**Our Ref:**  
**Date:** 23 October 2020

Dear Astrid

Thank you for the invitation to comment on the Submission Draft Charlbury Neighbourhood Plan. Set out in the response below are some general observations, followed by more specific comments. I trust these will be useful as part of the examination process.

On the whole, it is recognised that much work and effort has gone into the plan preparation resulting in a well-written document that is clear in its goals and objectives. The comments set out below are therefore generally positive, however I do have some concerns in respect of a number of the proposed housing policies and the extent to which they are consistent with the West Oxfordshire Local Plan 2031.

I note that the plan also has a considerable number of policies and in some instances, in particular some of the housing policies, I have suggested where, if merged, these may be become more succinct without losing their intent.

A further general comment I would like to make, is to express my support for the plan's recognition of the climate emergency, as declared by both Charlbury Town Council and West Oxfordshire District Council. Please see further comments below in relation to the specific objectives and policies of the neighbourhood plan which address this matter.

Basic Conditions Statement

One of the basic conditions the Neighbourhood Plan must meet is general conformity with the strategic policies of the development plan. The Statement clearly tables how the Town Council considers each of the draft Neighbourhood Plan policies conform to the policies within the adopted West Oxfordshire Local Plan 2031.

The Basic Conditions Statement also sets out a thorough analysis of how the Neighbourhood Plan has had appropriate regard to the National Planning Policy Framework (2019) and Planning Practice Guidance.

As set out below, I do have some concerns about the consistency of a number of the housing policies set out in the Neighbourhood Plan when set against the West Oxfordshire Local Plan.

Charlbury 2031 – Our Vision

The proposed vision is supported. I would however offer two suggestions, the first being to refer to 'achieving biodiversity net gain' rather than 'promoting biodiversity' which should serve to strengthen the statement and secondly to perhaps recognise in the second paragraph the status of Charlbury as a Rural Service Centre within the West Oxfordshire Local Plan.

For example it could state '*...as befits its good transport links, range of services and facilities and status as a designated Rural Service Centre within the West Oxfordshire Local Plan*'.

Underpinning the vision are a series of statements on housing, the economy, community, transport and so on.

In respect of housing, I note that the submission draft plan continues to use the phrase 'limited supply of new housing'. It is important to note in this respect that Charlbury is defined as a Rural Service Centre within the West Oxfordshire Local Plan and along with Burford, under Policy BCI of the Local Plan, is intended to be a focus for development within the Burford – Charlbury sub-area with a modest level of development of an appropriate scale and type that would help to reinforce the service centre role.

On this basis, it would be preferable to refer to 'modest' rather than 'limited' development in order to ensure consistency with the Local Plan.

### Section 5: Housing

Policy CHI of the draft Neighbourhood Plan is clear in its intentions to ensure proposals for new housing address the objectives as set out in paragraph 5.2.

However, at the previous consultation stage, the District Council raised concerns about Policy CHI and a lack of consistency with the West Oxfordshire Local Plan, in particular Policy H2 and these issues do not appear to have been addressed.

The first criteria of Policy CHI states that market housing schemes within the built up area will only be supported if they would assist in meeting the plan's housing objectives at 5.2 and where it can be convincingly demonstrated that the scheme would give rise to benefits to the town which would clearly outweigh any likely harms. No differentiation is made between previously developed land and undeveloped land so the assumption is that this criteria would apply to both.

Policy H2 of the West Oxfordshire Local Plan (which applies to all main service centres, rural service centres (including Charlbury) and villages states that permission will be granted for new dwellings on previously developed and undeveloped land within the built up area, provided the loss of any existing use would not conflict with other plan policies, in particular Policy OS2.

Importantly, it makes no mention of having to weigh up the benefits of the proposal against the likely harms. This creates a potential policy conflict insofar as Policy CHI of the Neighbourhood Plan could reasonably be argued as being more onerous than Policy H2 of the Local Plan.

The second criteria of Policy CHI states that housing proposals on undeveloped land adjoining the built up area will only be supported where there is convincing evidence that the scheme will meet specific local needs. This is consistent with Policy H2 of the West Oxfordshire Local Plan which includes similar wording.

Two issues arise however, firstly the fact that the policy makes no mention of previously developed land adjoining the built up area and secondly, the interpretation of 'local need'.

With regard to previously developed land, Policy H2 of the Local Plan allows for such proposals to come forward both within and adjoining the built up area, provided there is no conflict with other plan policies. Policy CHI should therefore reflect this and not deal solely with undeveloped land adjoining the built up area.

In terms of meeting specific local needs, it is evident that Policy CH1 and indeed the Neighbourhood Plan as a whole, are predicated on the basis of meeting the specific housing needs of the Parish as set out in the accompanying housing needs analysis.

It is important to note however that at paragraph 9.6.29, in setting out the circumstances in which speculative (windfall) housing proposals may be allowed, the Local Plan explains that each case will be considered on a case by case basis and it will need to be convincingly demonstrated that a scheme would give rise to benefits to the specific settlement **or the sub-area** (my emphasis) (e.g. meeting identified local housing needs) and which would clearly outweigh any likely harms.

As such, it might reasonably be argued that the Charlbury Neighbourhood Plan should recognise the housing needs of the Burford – Charlbury sub-area as a whole and not just the needs of the Parish.

Furthermore, the assumption embedded in Policy CH1 that 'mixed' proposals are to be the exception rather than the norm raises a potential conflict with Local Plan policies H3 and H4 which ensure that all residential developments either provide or contribute to a good, balanced mix of property types and sizes.

Specifically within the Cotswolds AONB, smaller schemes of 1-5 dwellings are not required to make provision for affordable housing and schemes of 6-10 units are only required a financial contribution to be made towards affordable housing rather than on-site provision.

In light of the various issues outlined above, consideration should be given to re-wording Policy CH1 along the following lines:

*'In accordance with the West Oxfordshire Local Plan 2031, a modest level of new housing development which helps to reinforce the existing role of Charlbury as a rural service centre will be supported.*

*In recognition of the housing affordability constraints identified in preparing the Neighbourhood Plan, particular support will be given to proposals which support those on lower incomes including smaller-scale and discounted market housing and new affordable homes of a range of different tenures including to buy and rent.*

*Within the built up area, in accordance with the Local Plan, housing proposals on previously developed land and undeveloped land will be supported in principle provided they support the Plan's housing objectives stated at paragraph 5.2 and raise no conflicts with other relevant policies as set out in the Neighbourhood Plan and Local Plan.*

*On land adjoining the built up area, in accordance with the Local Plan, housing proposals on previously developed land will be supported in principle provided they support the Plan's housing objectives stated at paragraph 5.2 and raise no conflicts with other relevant policies as set out in the Neighbourhood Plan and Local Plan.*

*Housing proposals on undeveloped land adjoining the built up area will be supported where there is convincing evidence that the scheme will meet specific local needs (either at the Charlbury Parish or Burford – Charlbury Sub-Area level) and where there is no conflict with other relevant policies as set out in the Neighbourhood Plan and Local Plan'.*

Housing affordability is a key issue in West Oxfordshire and the principle of Policy CH2 is therefore supported. However, some consideration does need to be given to the inter-relationship with Policy CH1 as currently worded. If for example a scheme came forward with 70% affordable housing and 30% market housing, would the applicant still be required to demonstrate that the benefits outweigh the likely harms or that there is a specific local need?

There is also the issue of overall housing mix and whether Policy CH2 is consistent with Policy H4 of the Local Plan which seeks to ensure a balanced mix of housing types to meet a broad range of needs. It may therefore be preferable to re-word the policy as follows:

*'All new housing schemes will be subject as appropriate to the Affordable Housing requirements of Policy H3 of the WOLP. Schemes which exceed the 40% minimum requirement for affordable housing set out in Policy H3 will be supported in principle, provided they would result in a good, overall balanced mix of housing opportunities.*

*Affordable homes should fall within one or more of the categories defined in the NPPF (2019) and remain affordable for future eligible households. In accordance with Policy CH3, where market housing is proposed, proposals which offer a significant discount from open market value to promote first home ownership will be supported in principle'.*

The principle of Policy CH3 is supported. The term "lower cost" housing and its definition is not specifically included in the definition of "affordable housing" as set out in national planning policy, however it is effectively a form of discounted market sales housing which is acknowledged in the NPPF as housing which is sold at a discount of at least 20% below local market value.

Policy CH3 usefully identifies a maximum sale price of £223,000 – which is presumably a much larger than 20% discount below local market value and should thus enable more people on lower incomes to purchase. The requirement for such housing to remain at a "lower-cost" in perpetuity is particularly supported.

Policy CH4 includes a 'local connection' test for housing on Rural Exception Sites. The principle is supported and is an approach taken by the district council, as set out in Local Plan policy H3. However, the neighbourhood plan's criterion of households who 'are either current residents or have an existing family or employment connection' is potentially inconsistent with the Local Plan which widens the test somewhat to include whether the applicant has a connection with the respective parish **or appropriate adjoining parishes** (my emphasis).

The inclusion of shared ownership in Policy CH5's exemption from 'right to buy' is not considered consistent with national objectives of seeking to increase home ownership. I would also reiterate our comments as set out in our previous response, in that we are unclear whether the neighbourhood plan can legally exempt shared ownership, given its purpose being to enable people to gradually acquire an increased share in their property over time. The neighbourhood plan policy's objective of ensuring particular forms of affordable housing remains affordable in perpetuity is similar to policies CH2 and CH3 and it might be considered appropriate to merge this with either of those two policies, whilst providing a clear indication of the type of affordable home products which are being particularly supported through the Neighbourhood Plan.

Policy CH6 is generally consistent with the indicative mix of housing sizes as set out in the Local Plan, albeit a marginally smaller proportion of 3 and 4+ bed properties in favour of more 1 and 2 bedroom homes compared to the Local Plan. The policy explains that 5+ bedroom houses will only be supported where a specific local need can be demonstrated. This is not consistent with the Local Plan which seeks to provide around 24% 4+bed properties (which may include a proportion of 5-bed units).

I note that the supporting text to Policy CH6 refers to the need for flexibility over time as needs may change however this is not reflected in the policy itself. It could therefore perhaps be re-worded along the lines of the following.

*'Current evidence identifies a particular need for smaller homes in Charlbury in particular one and two bedroom properties and as such, the following indicative mix of dwelling sizes should be used as a guideline to form the basis of any new housing proposals coming forward (recognising that these needs may change over the course of the plan period):*

- *At least 40% 1-2 bedroom*
- *Approximately 40% 3 bedroom*
- *20% 4+ bedroom.'*

The provision of specific Design Guidance for Charlbury is particularly supported. Policy CH6 could perhaps provide greater emphasis on the requirement for residential schemes in the built up area to have suitable regard to this guidance i.e. to embed this as a requirement of the policy itself.

Policy CH7, Mix of affordable rented housing, somewhat repeats Local and national policy and as such I consider the policy to be potentially surplus to the neighbourhood plan's role. The policy should either be deleted or potentially re-worded and combined with another policy (e.g. retaining the emphasis on properties suitable for older residents and those with disabilities).

Policy CH8 which seeks to provide additional requirements in relation to the sub-division of dwellings is supported and considered a particularly useful standalone policy.

I note that the policy wording within both policy CH9 and CH10 has remained largely unchanged from the Neighbourhood Plan draft submitted at the Regulation 14 stage (provided at Annex A) and therefore I would refer back to the comments provided in my response to the Regulation 14 consultation which are concerned with potential tensions with the Local Plan's housing objectives and suggests alternative wording to the final sentence of policy CH10.

#### Economy, Community, Transport and Movement

In relation to policy ECT1, I note that the policy and supporting text has not changed from the Regulation 14 draft neighbourhood plan, regarding which we had suggested it might have been necessary to set out specific employment uses which would be particularly supported through the neighbourhood plan.

Policy ECT2 seeks to ensure that any change of use of a former retail unit is supported where the proposed new use includes employment space or other uses that support the vitality and viability of the town centre. This is consistent with Local Plan policy E5.

The extra detail provided in Policy ECT4 to the policy as previously worded in the Regulation 14 draft neighbourhood plan, are welcome additions, providing reasonable examples of how a development scheme might accord with the policy requirements.

Both Policy ECT5 and Community Aspiration 2: Community Assets, work well in conjunction, the policy wording itself generally consistent with Policy E5 of the Local Plan. The addition of ensuring any viability assessment of a proposed loss of community facility includes consideration of the possibility of the service being maintained on a community-run basis seems reasonable.

Policy ECT6 is consistent with the Local Plan, particularly policies OS5 and EH5, insofar as ensuring new development is supported by provision of play and recreation facilities as appropriate. The neighbourhood plan provides an element of local distinction, drawing upon the District Council's Open Space Study and identifying through its supporting text the distances between particular areas of the town and existing play areas to justify the policy requirements.

The wording of Policy ECT7: Parking remains fundamentally the same as submitted through the Regulation 14 draft neighbourhood plan although I remain of the position that this is compatible with Policy T4 of the Local Plan. Again I would recommend that any comments from Oxfordshire County Council are taken into particular consideration.

I continue to support the inclusion of Policy ECT8 in the neighbourhood plan which can be applied alongside policies EH1 and EH8 of the Local Plan.

Policy ECT9 has been reworked somewhat and addresses the concerns I have previously raised in my response to the Regulation 14 draft neighbourhood plan, as well as taking into account the relevant LTP4 policies with which the policy accords. The policy sets out a reasonable approach which can be applied in conjunction with Local Plan policy T1 in respect of new development being required to maximise opportunities for walking and cycling and Local Plan policy EH4 in terms of contributions sought for local green infrastructure. Policy ECT10 is also considered to be consistent with Local Plan policies T1 and EH4.

I had previously raised concerns with Policy ECT12 on potential viability grounds, although I recognise the greater impetus in ensuring more widespread provision of electric vehicle charging points, as a key part of addressing the climate emergency and lowering carbon emissions.

Policies ECT13, ECT14 and ECT15 provide location specific requirements in terms of road safety improvements, all of which address important issues in the context of both the Local Plan and neighbourhood plan's objectives to promote greater levels of active travel.

#### Natural Environment and Green Space

Policies NE1 and NE2 concern the conserving and enhancing of the natural beauty, landscape, wildlife and heritage of the area. Both are consistent with policy EH1 of the Local Plan and policy NE2 in particular provides suitably detailed examples of locally important views that any new development should respect.

Policy NE3 also provides useful additional detail in relation to the particular landscape qualities of the Evenlode Valley that any harm to which would only be permitted if outweighed by public benefit from the proposed development. This re-worded policy and the addition of supporting paragraphs 7.2.5 – 7.2.7 suggesting that the test of public benefit be in line with national policy, have taken into account my previous comments and considered to be consistent with Local Plan policies EH1 and EH2.

Policies NE5 and NE6 of the submission draft neighbourhood plan present particular opportunities to achieve net gains in biodiversity and conserve and enhance blue/green infrastructure, expanding on Local Plan policy EH3 and EH4. The reference to specific green/blue corridors in policy NE6 benefits from the accompanying map 3 and the policy is supported.

Whilst I support in principle the neighbourhood plan being used to identify areas of local importance to designate as Local Green Spaces, some of my previous concerns remain. I note that the submission draft proposes four fewer Local Green Spaces than the draft neighbourhood plan consulted on at the Regulation 14 stage, however there remains one area, Grammar School Hill, which could fail to meet the criteria for Local Green Space designation if considered to be an 'extensive tract of land'.

Policy NE8 has been supplemented with an additional need to protect and improve water quality in the Evenlode Catchment Area and resist any development that would have an adverse effect. This addition is welcome and the policy remains consistent with Local Plan policy EH7.

Policy NE9 introduces a number of measures to ensure new development meets recognised environmental design standards. The neighbourhood plan offers an opportunity to address matters of energy efficiency in buildings at a local level and I particularly support the requirement for great weight to be given to the need for zero carbon homes and the application of the Future Homes Standard on its approval.

#### Historic Environment and Locally Appropriate Design

As a general comment on the historic environment section of the Submission Draft Neighbourhood Plan, we would have expected to see references within the evidence base, given its status as a technical document.

Policy HE1 is supported in principle but we would suggest its re-wording to read *“Significant weight should be given to the value of the non-designated heritage assets identified in the Local List attached as Appendix D both as heritage assets in themselves and in view of the contribution they make to the character of the conservation area”*

With regard to the Policy HE3, the comments of Oxfordshire County Council will be particularly relevant.

Referring back to NE2 and its focus on protecting important views, further reference could be made to views into and out from heritage assets, as well as the setting, given its particular importance as recognised in Local Plan policy EH9. This should be an assessment made to all new development, whether this is infill development in the town or on the outskirts of the town.

As a further general comment, this section of the plan could benefit particularly from photos or relevant maps in order to provide visual reference and to break up the text.

I hope these comments are useful to the examination process. Should you require any additional information or clarification, please let me know.

Yours sincerely



Claire Bromley

Planning Policy Officer

## ANNEX A:

WODC response to Pre-submission Draft Charlbury Neighbourhood Plan (Reg 14)

**Planning and Strategic Housing**

**Reply to:** Planning Policy  
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**Your Ref:**  
**Our Ref:**  
**Date:** 15 November 2019

Dear Mr Kenrick,

Thank you for the opportunity to comment on the pre-submission draft of the Charlbury Neighbourhood Plan 2031. Set out below are some general observations followed by some more specific comments on the proposed policies. I trust these will be useful as the Town Council takes the plan forward to examination.

Firstly the proposed plan period is supported which aligns with the West Oxfordshire Local Plan (WOLP) 2031. The intention to keep the plan under continual review is also welcomed and I would recommend that the Town Council ensures national planning guidance on material/non-material modifications is fully understood. The 'Updating a neighbourhood plan' section of the online Planning Practice Guidance<sup>1</sup> sets out helpful information on this.

In general the plan is clearly written, setting out a detailed description of the town as it is today and a succinct vision, aims and objectives to address identified local issues and challenges. One minor wording change to the vision could be considered, in that biodiversity in itself is not a challenge. Rather, the challenge is to resist biodiversity loss and where possible enhance biodiversity through net gain. I also have reservations against the use of the word 'limited' in the succeeding paragraph on housing. It is not within the remit of a neighbourhood plan to limit supply and this should be re-worded to refer to supporting the provision of an 'appropriate supply of housing, including affordable housing, to meet identified needs'.

The justification for each policy explained in the succeeding supporting text is particularly helpful, however there are some instances where this text might benefit from further clarification and expansion, as in some instances (e.g. Policies CH7, CH10) very little explanation is provided. These are suggested in my comments below, structured by section of the draft Neighbourhood Plan.

As a further general comment, the inclusion of a number of Community Aspirations is generally supported. This is a reasonable approach to include particular projects or intentions that cannot be required by a statutory development plan but might be used to inform the District Council's priorities on infrastructure funding. The draft Neighbourhood Plan's introductory text could usefully be more explicit in explaining that, unlike the policies

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<sup>1</sup> <https://www.gov.uk/guidance/neighbourhood-planning--2#updating-neighbourhood-plan>

in the plan, these aspirations will not be a material consideration in the determination of any planning application.

In general presentational terms, I would suggest that the paragraph numbering continues throughout the whole document and not just within the policy justification sections. This would be particularly helpful for ease of reference at examination stage.

### Housing

Section 5.1 sets out a list of specific challenges in relation to housing, followed by four principal conclusions, the main objectives of the housing policies, and the key elements of the plan's housing strategy. It is not entirely clear, the link between the housing objectives set out in this section and those set out in 3.2. In some instances they are similar, but worded differently e.g. 'to provide housing that supports a balanced demographic and a mix of household types' and 'to maintain a balanced age structure as far as possible'. It is therefore suggested that this format might be re-structured to provide a single coherent list of housing related objectives with clear reference to the evidence on which they are based.

The criteria-based policy approach to addressing the identified housing issues in the neighbourhood plan area is largely supported. The plan recognises and cites the WOLP's 'more restrictive approach to new housing development' in the Burford-Charlbury sub-area. In this context, it is considered reasonable that, where the WOLP requires new residential development to be determined on a case by case basis with no windfall allowance, that the neighbourhood plan provides further detail on what would be considered 'development of an appropriate scale and type' in this area (see further comments under policies CHI to CHI10 below).

Policy CHI seeks to ensure that all new housing development will meet the housing needs of the parish and this policy approach is broadly supported. However, there are a number of issues to consider.

Firstly, it is difficult to understand how development proposals should be assessed against the first requirement of the policy. It may for example be that a proposed housing scheme would present opportunities to meet some, but not all, of the plan's objectives and therefore the policy needs to be clearer as to the circumstances in which development would be supported. If for example the requirement to demonstrate 'need' is wider than just 'housing need' this needs to be more clearly explained.

More fundamentally, consideration needs to be given to potential conflict with the policies of the adopted West Oxfordshire Local Plan. For example, under Criterion 1 of Policy CHI, an applicant will be expected to demonstrate that there is a 'housing need' for their proposal despite falling within the built up area of Charlbury. This appears to be based on an interpretation of paragraph 9.6.29 of the Local Plan (as referred to in Appendix A of the draft Neighbourhood Plan) but is not consistent with Policy H2 of the Local Plan, which does not require 'need' to be demonstrated for housing proposals within the built up area.

Furthermore, the requirement for development to generally comprise affordable housing (with 'mixed' proposals the exception rather than the norm) also raises a potential conflict with Policy H3 of the Local Plan which, for proposals in the AONB, does not require smaller schemes of 1-5 dwellings to make provision for affordable housing and indeed for schemes of 6-10 units, only requires a financial contribution towards affordable housing rather than on-site provision.

The second requirement of Policy CH1 seems to be compliant with the WOLP, although unlike the Local Plan Policy H2, it does not differentiate between previously developed land and undeveloped greenfield land, so again there is some inconsistency. Paragraph 5.3.2 would also perhaps benefit from an accompanying plan setting out the extents of the built-up area.

Policies CH2 and CH3 are interdependent and the Town Council may wish to consider merging the two. However, the overall approach to both of these policies in particular CH2 is much more restrictive than Policy H2 and Policy H3 of the WOLP and its deliverability would likely be called into question at examination.

The supporting evidence on housing need identifies a need for 45 market dwellings and 45 affordable dwellings in Charlbury in the five-year period 2016 – 2021. Whilst existing commitments account for all of these market units and a proportion of the affordable units, clearly there will be additional needs beyond 2021, including for market housing, which need to be considered in a Neighbourhood Plan that runs to 2031. As worded, the policy is considered to be overly restrictive and inconsistent with both the Local Plan and the NPPF.

The concept of 'lower cost housing' set out in Policy H3 is supported and is likely to help meet the needs of key workers which are identified elsewhere in the document as a key priority. However, as currently worded, Policy CH3 infers that this is a less satisfactory alternative to social rent and shared ownership housing. It may be better for the policy to be combined with Policy CH2 and to simply set out the forms of affordable housing that will be sought in Charlbury including low cost housing, social rent and shared ownership.

As a general observation, the draft plan makes numerous references to 'social rent' as a form of affordable housing, but is largely silent on 'affordable rent' despite the approach set out in the Local Plan which favours two thirds affordable rent to one third intermediate housing such as shared ownership. This needs to be further considered as currently it presents a degree of inconsistency with the indicative requirements of the Local Plan.

Policy CH4 is largely compliant with the WOLP and a positive way of supporting the provision of 100% affordable housing schemes. The last clause of this policy, which seeks to make social rented housing exempt from the "Right to Buy" scheme is somewhat repeated through Policy CH5. We are unclear whether a neighbourhood plan has the legislative power to exempt social housing from right to buy. Furthermore, we are unclear whether shared ownership can or should be exempted. It is defined in the NPPF as one of the Government's affordable routes to home ownership so presumably the expectation is that people will 'staircase' up to full ownership as their circumstances allow.

Policy CH6 deals with the issue of housing mix, the intention being to address the predominance of larger properties built in recent years, by focusing on the provision of smaller properties. Whilst the rationale for the policy is understood, there is a lack of clarity and some inconsistency with the Local Plan which requires further consideration. The policy itself suggests that it applies to all new residential development except social rented housing. Social rented housing is one form of affordable housing with other forms including affordable rent and other low cost routes into home ownership such as shared-ownership. It is unclear whether Policy CH6 applies to market dwellings and all other forms of affordable housing except social rented. This should be made explicitly clear. Assuming Policy CH6 does refer to both market and other forms of affordable housing, there is some inconsistency with the housing mix requirements that are indicatively set out in the West Oxfordshire Local Plan.

In terms of market housing, the requirements set out in Policy CH6 are broadly consistent with the Local Plan in terms of 1 and 2-bed homes (at least 40% compared to 33% in the Local Plan). However, no provision is made for 3-bed properties, unlike the 43.4% set out in the Local Plan. This seems inconsistent with other references in the Neighbourhood Plan to the need for 3 bedroom bungalows for downsizers.

Furthermore, no provision is made for 5-bed properties in Policy CH6 despite the Local Plan seeking as an indicative guide, 23.9% 4-bed *and above*, which will inevitably include a proportion of 5-bed properties.

Assuming Policy CH6 does apply to all forms of affordable housing except social rented, the Local Plan identifies a much higher proportion of 1 and 2-bed properties specifically 65% one and two-bed properties compared to the minimum of 40% set out in the draft neighbourhood plan.

It will be important therefore that before formally submitting the plan for examination, there is confidence in the housing needs evidence that underpins the specific requirements set out in Policy CH6 including the absence of any requirement for 3 and 5-bed properties and the differences between market and affordable housing identified in the Local Plan.

The second element of Policy CH6 could also potentially be construed as too prescriptive and it may be better expressed in terms of seeking the most efficient use of land, with a particular emphasis on smaller higher density forms of accommodation such as terraced housing, semi-detached and flatted accommodation.

Policy CH7 appears to apply solely to social rented housing – although this should be clarified. It would perhaps be preferable to have two policies, one applying to market housing and one applying to all forms of affordable housing including social rent. The policy itself or the supporting text to the policy could usefully make reference to the indicative affordable housing mix requirements set out in the Local Plan. As worded, we also have some concerns that the policy infers that the needs of older people and those with disability would be in greater need than other households on the housing register which will not always be the case.

Policy CH8 is supported and considered to be compliant with Policy H6 of the WOLP. Parking requirements of new development should meet standards adopted by Oxfordshire County Council. The County Council's comments on this proposed policy will be particularly relevant. It may also be useful to include reference to the issue of amenity to ensure that any sub-divided properties retain decent room size standards in the interests of the health and well-being of future occupants.

The general thrust of Policy CH10 is supported in principle although in expressing particular support for older persons' accommodation, there is a tension with the stated plan objective of ensuring a good, balanced demographic mix for the town and a thriving, active community. Also, it is not abundantly clear what the first paragraph of Policy CH10 is setting out to achieve and would perhaps be better placed in the supporting text. Nevertheless, the objectives behind the second and third requirements of Policy CH10 are understandable and supported, notwithstanding the potential conflict with the plan's objectives highlighted above.

To provide flexibility, we would suggest that the final sentence is re-worded as follows: 'Redevelopment that results in the long-term loss of current or potential assisted living accommodation will be resisted *unless it can be demonstrated that the accommodation is no longer needed or commercially sustainable.*

### Economy, Community, Transport and Movement

The aspirations and objectives behind policy ECT1 are largely supported however the Town Council might wish to consider whether it is necessary to set out specific employment use classes, the increase / retention of which they wish to support.

ECT2 seeks to ensure that the change of use of former retail premises remains in employment land use unless there is evidence to demonstrate this is unviable. While the rationale behind this approach is reasonable, consideration should be had of how current Permitted Development rights, particularly for the conversion of office use to residential may conflict with the objectives of this policy. Potentially, the policy could also be broadened to include other uses that would contribute to the vitality and viability of the town centre e.g. community facilities, tourism.

As a final observation, the supporting text at paragraph 6.2.5 states that the policy seeks to maintain the ability to revert buildings back to retail or other employment uses in the future should the situation change – but this is not clear in the policy itself and it is not clear how it would be achieved once a change of use has been implemented.

Proposed policy ECT3 Home Working is supported and complements the WOLP's general principle that requires all development to be supported by necessary infrastructure including that which is needed to enable access to superfast broadband. It is noted that the related Community Aspiration 1 seeks to ensure that all properties will have access to superfast broadband. Although this will not form one of the policies of the Neighbourhood Plan, there would be merit in considering how this aspiration may be more measurable, such as the addition of a timeframe.

Charlbury understandably plays an important role for tourism, particularly with its AONB location, and this is reflected in the WOLP's approach which supports only a modest level of development in the town and requires the objectives of the Cotswolds AONB Management Plan to be supported. Policy ECT4 is compliant with WOLP Policy E4 but the final bullet point could go further to explain how this might be demonstrated through development proposals.

Proposed policy ECT5 also complies with the WOLP, Policy E5 in particular, and is supported however, whilst similar to Policy E5 of the Local Plan, includes different criteria. This should be made clear with a reasoned justification for the alternative approach taken in the neighbourhood plan. Furthermore, the Town Council should understand the limitations of Community Aspiration 2 that attempts to safeguard community facilities that are at risk of being lost or significantly harmed. A Community Asset designation would be among other considerations in the assessment of a development proposal which would result in its loss, and therefore Right to Bid opportunities would also need to be fully explored. The wording of the aspiration could be adjusted to reflect this, being mindful that the listing of a Community Asset does not in itself protect the Asset from change of use – it is planning policy which controls the use class of the asset.

The justification of Policy ECT6 is understandable and the broad thrust of the policy is generally compliant with WOLP Policies OS5 and EH5. The supporting text usefully identifies areas of the town considered to be underserved with play facilities, however further clarification would be welcomed on how new residential development proposals in such areas would need to demonstrate their improving of play space provision.

Oxfordshire County Council's response in relation to Policy ECT7 will be particularly relevant. The plan explains that because parking problems have been a top priority raised through consultation, this justifies a more stringent approach to parking than set out in the Local Plan and required by Oxfordshire County Council as highway authority. However, the fact that parking was raised as a key issue through consultation is unsurprising as it is often at the top of any such list. It does not necessarily mean that adopted requirements should be exceeded and we would suggest that greater clarity and justification is needed with input from OCC as highway authority.

As a minor observation, there appears to be a formatting error in paragraph 6.4.1 which refers to Policy ETM5 rather than ECT7.

ECT8 relates to specific development of Charlbury Station car park and presents a justified approach which can be applied alongside WOLP policy EH1, and EH8 in respect of light pollution. Community Aspiration 3 is reasonable in the context of increasing station parking pressures, however needs to be worked up in more detail for it to be implementable. These comments should also be read in conjunction with those provided on the proposed policy to designate Local Green Spaces set out later in this response.

Proposed policies ECT9 and ECT10 aim to achieve similar objectives but generally complement each other, albeit there is some overlap in the statement of support for development proposals that make the town centre more accessible to particular user groups as identified.

The first paragraph of Policy ECT9 may need to be re-considered. WOLP Policy T1 already requires all new development to maximise opportunities for walking and cycling and, where such opportunities are limited, policy T3 seeks other measures to help reduce car use as appropriate. WOLP Policy T3 also expects new development to contribute towards the provision of new and/or enhanced walking and cycling **infrastructure** (emphasis added for the purpose of this response).

The feasibility of the proposed policy approach in the Neighbourhood Plan, which places a further obligation on applicants to seek to effectively provide *safe and attractive walking and cycling routes to the town's main facilities*, could be questioned. What is particularly welcomed is the identification of the main facilities, the routes to which are considered important to be given particular regard. As an alternative approach to achieving the objectives, The Town Council might wish to explore in more detail how development of various scales / locations might be expected to provide the infrastructure to contribute to the wider strategic provision of pathways / cycleways / bridleways etc. The views of the County Council in this regard should be given due consideration.

In the same respect as set out in response to the proposed policies ECT9 and ECT10 above, the accessibility to public transport links requires a strategic direction which Policy T3 of the WOLP seeks to provide. The role of policy ECT11 of the draft neighbourhood plan should also be considered in light of the above suggestions.

While the WOLP recognises that incorporating facilities for charging plug-in and other ultra-low emission vehicles into new developments is an element of good design, the policies therein are silent on this issue. National planning policy requires that policies to set local parking standards for residential and non-residential development should take into account the need to ensure an adequate provision of spaces for charging such vehicles.

Oxfordshire County Council's adopted parking standards, in accordance with which WOLP Policy T4 requires parking in new developments to be provided, are also silent on the provision of electric vehicle charging. Policy ECT12 of the draft Neighbourhood Plan proposes a standalone policy to ensure all new residential development include electric vehicle charging provision. While the aspiration behind the policy is supported, I am concerned that this might not be upheld at examination on viability or deliverability grounds hence it would be appropriate to give further consideration to the supporting evidence on which the policy is based.

Policy ECT13 is concerned with addressing particular traffic and congestion issues in the areas of Sturt Road and The Slade in Charlbury.

Community Aspiration 7 offers support for projects which would likely provide a significant contribution in addressing identified safety issues around Charlbury Primary School. However, the need for the standalone policy ECT14 is questionable, which does not appear to propose anything substantially different, or additional to, policies ECT9 and ECT10.

ECT15 is supported in principle from a Local Plan compliance perspective, but would benefit from endorsement from the County Council.

#### Natural Environment and Green Space

Section 7 gives a comprehensive summary of the natural environment and green spaces within the town with specific reference to its importance within the Cotswolds Area of Outstanding Natural Beauty. The policies set out key considerations for strategic development in Charlbury leading me to make the following comments on this section.

Policy NE1 sets out a vision of conserving and enhancing the natural beauty, landscape and countryside of Charlbury within the designated AONB. The Policy is well presented and it is commendable that the Town Council have focused not only on conservation of this area, but in addition, focussed on enhancing the natural landscape of the town's setting within the AONB.

This policy complies with adopted Local Plan Policy EHI, but does not delve into significant detail and therefore struggles to develop on the policy set out in the Local Plan.

Protecting important views is very important, especially within the AONB. Policy NE2 sets out that proposals should be sympathetic to important views of, from and within the town. It goes on to mention particular areas of the town of which should be protected within this policy. This is considered to be a useful policy and if accepted, will be beneficial to the residents of Charlbury and the wider community. The final bullet point regarding views out from designated local green spaces is however very general, perhaps rather too general and therefore overly restrictive.

Policy NE3 aims to specifically protect certain designated areas within the remits of the Neighbourhood Plan, not permitting development in particular areas highlighted in the policy.

However, whilst the rationale for the policy is understood, we have concerns that as worded, it automatically assumes that development will be of detriment to the landscape. The policy should therefore perhaps be re-worded to state that *'the land west of the existing building line is sensitive to development and that landscape and visual impact will be a key consideration for any development and where potential harm is identified, that this should be outweighed by public benefit'* or words to that effect.

Concerns also arise where the policy is subjective in regards to gauging understanding of public benefits against detrimental impacts on the constrained landscape of Charlbury. The supporting text could usefully be clarified to explain what is meant by public benefit.

We also have concerns that the policy essentially introduces a form of 'sequential test' whereby other alternative locations for development need to be considered. It may be preferable to simply refer to the issues of public benefit and the mitigation of landscape harm, rather than requiring a consideration of alternative locations as well.

Retaining tranquillity and darks skies are a prominent issue in many communities. Policy NE4 sets out that no development should cause noise and light pollution and where possible, current pollution should look to be reduced.

Policy NE4 complies with, and adds to Policies EH2 and EH8 in the Local Plan and offers a degree of additional specificity to that of the policies set out in the local plan. Consequently, this policy is supported.

Policy NE5 relates to the protection and enhancement of Charlbury to create a net gain in biodiversity which is of high importance to the local community with this issue being a huge national concern. This policy complies with WOLP Policy EH2, and offers a specific improvement and aspiration for Charlbury.

As currently worded, the policy refers to development within Conservation Target Areas only being allowed where it helps to achieve the aims of the CTA. However, it could usefully include reference to development nearby that could also make a positive contribution. The supporting text to the policy could usefully be expanded to briefly explain the CTAs and their significance/primary aims and objectives. If possible it would be useful to understand how these could potentially be enhanced through development.

Support is offered for policy NE5 with specific reference to the following: "All new developments shall provide an enhanced wildlife friendly environment by installing such things as swift boxes, bat roosts and hedgehog gates where these are appropriate". This quote is clarified in paragraph 7.3.2 where reference should be made to the list of appropriate species in the 1993 Charlbury Nature Appraisal. This complies with the adopted Local Plan and NPPF policy on biodiversity. There should be consideration for ensuring that the policy is implemented in such a way that the most appropriate environmentally friendly enhancements are adopted, ensuring that they make the best use of the opportunity that this policy creates.

Policy NE6 complements WOLP Policy EH4 in respect to the significance of green infrastructure in the district and is therefore supported. A detailed map and/or photographs of proposed 'corridors' for green infrastructure would provide suitable context to this policy and give a visual appreciation of the policy's details. Additionally, by doing this, it will help to gauge a better understanding of the benefits that this policy has the potential to bring about.

Policy NE7 aims to enhance and protect designated local green spaces in the town from development unless there is a significant benefit to the local community that outweighs the harm to the greenspace. To reiterate comments made in regard to policy NE6, the neighbourhood plan should ensure that the maps presented more appropriately, to ensure that the boundaries are clearly illustrated using a more suitable scale, by doing this; the policy will ensure that there is no scope for misinterpretation from any stakeholders.

As a general observation, some of the proposed local green spaces are very large e.g. west of Grammar School Hill and Clarke's Bottom. Paragraph 100 of the NPPF states that local green space designations should only be used where the green space is local in character and 'is not an extensive tract of land'. It will be important to ensure that upon submission, each of the proposed local green spaces comply with the national criteria.

Policy NE8 states that development must not increase flood risk in Charlbury & Evenlode valley. There should be an alteration in the wording within the description of this policy. The town council should alter the word 'possibly' to 'possible' ensuring the correct sentencing form. It is also relevant to note that the requirement to not increase surface water run-off is actually a little weaker than the Local Plan which requires a reduction in surface water run-off for greenfield sites.

Policy NE9 aims to safeguard new buildings ensuring that they are developed to an excellent environmental standard, using the 'Home Quality Mark' to rate proposals. The policy raises concerns over the ability to include the incorporation of energy/water efficiency measures on developments and proposals should demonstrate how this will be done. It lacks a degree of clarity and fails to specifically name what efficiency measures do or do not fit in with this policy. As the policy is being finalised, it would also be sensible to take into account emerging measures set out in the Government's recently published 'Future Homes standards' consultation paper.

#### Historic Environment and Locally Appropriate Design

The policies set out in section 8 aim to conserve and enhance the historic environment of Charlbury ensuring that it remains a sustainable place to live and work, and retains its intrinsic character quality within the setting of the Cotswold AONB. I have made the following comments on this section.

Policy HE1 looks to give value to non-designated heritage assets in Charlbury as a method of conserving the intrinsic character of the town. This is supportive of policies EH1, EH9, and EH16 in the Local Plan where 'the quality, character and distinctiveness of West Oxfordshire's natural environment, including its landscape, cultural, and historic value' 'will be conserved and enhanced'.

This policy could look to focus on appropriate measures to enhance (where appropriate) the protection of non-designated heritage assets, such as categorising them as 'locally listed buildings' within the conservation area as part of Conservation Area Appraisals.

Policy HE2 looks to sustain or enhance the character and quality of Charlbury's built character in regards to development opportunities using the Design Guide. This policy enables Charlbury to protect its intrinsic character by ensuring that development can help the town to retain this character, and where appropriate enhance it in accordance with Policy OS4 in the Local Plan.

Support is offered for Policy HE3 as it goes some way to ensuring that possible development impacts are mitigated by gauging a better understanding of any areas of archaeological significance within the historic town centre as shown in Appendix D and is in compliance with policy EH15 in the Local Plan.

#### Article 4 Direction

The Council does not support the inclusion of an Article 4 Direction request in the Neighbourhood Plan. The appropriate mechanism for securing Article 4 Directions over

each of the properties would be via a formal written request to the District Council – a decision on such a request would be taken by the Membership of the Council who would consider the legal, resource and procedural implications of restricting Permitted Development Rights on the properties to which the Article 4 Direction would relate. The Council advises that this formal written request be sent after the Neighbourhood Plan is made and has legal weight so that the Local List and Local Character Area assessment to which the Article 4 Direction relates has status.

Conclusion

On the whole, this pre-submission draft neighbourhood plan is well-written covering a range of topics of importance to the local community. I trust that this representation enables the Town Council to carefully consider the range of issues raised and assists in finalising the Neighbourhood Plan prior to submitting to WODC for examination. The Council looks forward to receiving the Submission Neighbourhood Plan (and supporting documentation) and remains committed to assisting you in meeting your aim of a 'made' Neighbourhood Plan for Charlbury.

Yours sincerely

A handwritten signature in blue ink that reads "C. Bromley". The signature is written in a cursive, slightly slanted style.

Claire Bromley

Planning Policy Officer