

## STONESFIELD NEIGHBOURHOOD PLAN

### SPC Responses to Regulation 16 comments, April 2026

#### Comment

- Representation 21; Unidentified author

#### Response

This Representation addresses matters, all of which have been individually dealt with in Responses to other Representations focusing on the land or issue in question. The content of those Responses will not therefore be repeated here and the absence of repetition should not be taken as an acceptance of anything within Representation 21. It is hoped that what follows is helpful though brief.

1. The way in which each proposed designation meets the NPPF criteria has been thoroughly dealt with in Appendix C to the proposed NP. This has been expanded upon in the Parish Council's Responses to Representations in respect of each proposed designation. The fact that a piece of land "is currently under consideration for a planning application" does not make "its designation inconsistent with development needs." Powerful testimony to the fact that the "Manor House Field" is "demonstrably special to the local community" and "holds a particular local significance" resides in the number of objections from residents to the planning application displayed on the District Council planning website, i.e. over 160, and the comparison between that figure and the number of submissions in support, i.e. approximately one quarter of those objecting. The reasons for the proposed designation of this land are clearly set out in Appendix C and further submissions by the PC.
2. There has been no "blanket designation" and there is room within any constraints within the proposed NP for development to satisfy housing needs. Relevant housing needs have been addressed in a multitude of submissions in support of the proposed NP and the Housing Needs Assessment prepared for the purposes of the proposed NP is the clearest of evidence that relevant needs may be satisfied in accordance with the proposed NP. The writer fails to explain why or how he/she considers LGS designations "may hinder sustainable growth in Stonesfield." Nor indeed is what is meant by "sustainable growth" explained.
3. Councillor Early's land does not currently satisfy the NPPF criteria, whereas the Manor House Field clearly does. It is simply and plainly untrue that "many residents expressed concerns over fairness and potential conflicts of interest." The process has been far from "opaque" and has included the Village Survey, two public exhibitions and many other consultations and regular discussion at Parish Council meetings. Preparation of the proposed NP, including proposed LGS designations, has been carried out by a steering group comprising a statutory subcommittee of the PC, including parish councillors and non-SUSTO members. SUSTO members (i.e. those interested in a SUSTainable STOnesfield) have been a small minority of that subcommittee and were invited due to their relevant expertise. It is bordering defamatory, if not defamatory, to suggest "questions about bias" concerning volunteer, unpaid members of the community and it is notable that the author of this Representation fails to disavow any financial interest and on the available information is not identified.

#### Comment

- Carter Jonas (Representation 26);

## Response

This response addresses the points made as numbered by Carter Jonas: –

1. The PC contends that the land is visible from the bridleway 208/3/10. The Examiner will form his opinion from his own inspection.
2. The land is also significantly visible from the Oxfordshire Way. That visibility is not accurately characterised by ‘In a short gap.’ The photograph is a fair representation of that which may be seen from the Oxfordshire Way. Again, the Examiner will form his own view from his inspection. Hedging is unlikely significantly to inhibit the view. The land forms a crucial part of the rural setting of Stonesfield when viewed from the bridleway and the Oxfordshire Way. That setting, in close proximity to the community, holds special local significance because of its beauty when viewed from the rights-of-way by users of those in pursuit of recreation and because it contributes significantly to the tranquillity and wildlife-friendly qualities of the village setting. Both of these public rights of way are intensively used by residents of Stonesfield and the wider public, to whom views of the land itself and the wider setting are indisputably ‘special.’
3. This is not disputed, i.e. it is agreed there are no public rights of way across the land, but the existence of such rights of way is not a precondition of LGS designation.
4. This is not disputed. The land forming proposed LGS 11 is however a significant proportion of the landscape setting of Stonesfield as viewed from the relevant public rights of way. Its protection as a Local Green Space is crucial to the preservation of the beauty, recreational value, tranquillity and wildlife-friendly quality of this part of the landscape setting.
5. There is nothing in the protections afforded by designation as a Local Green Space which would interfere with the existing use of the land for agricultural and recreational purposes.

More generally any current ‘lack of access’ and technical inhibition of development by virtue of a ‘sharp incline’ are not a warranty against future inappropriate development. Rights of access can change overnight and technical progress can render construction which is apparently difficult eminently possible.

The presence of the land within the statutory AONB is no guarantee of the appropriate protection of land fulfilling the necessary criteria for LGS designation but not so designated, because it is land immediately adjacent to the limits of the built development of Stonesfield. The vagaries of policy modification render land of this kind which is of special local significance vulnerable to development proposals in the future.

## Comment

- Representation 27; (Manor field)

## Response

1. The ‘approach within the plan’ has decidedly not been ‘to seek to ring fence all open spaces as outside of any potential for community or housing purposes.’ The Examiner will see from the plan within Policy SEL4 that there is no ‘ring fence.’
2. The plan shows green spaces other than those proposed for designation, and some of the proposed LGSs are indeed spaces used for community purposes, which it is proposed to continue to be so used and indeed that community use substantially gives rise to fulfilment of the criteria for designation.
3. Failure to propose land as LGS is not of course an acknowledgement that the land in question is suitable for development but it is indisputable that:

- Land adjacent to and north of proposed LGSs 14 & 15 and south of existing development adjoining Farley Lane, is not proposed as an LGS.
  - Land north and east of the existing development north of Farley Lane is not proposed as an LGS.
  - Land immediately to the east of proposed LGS15 and south of Farley Lane is not proposed as an LGS.
  - Land immediately east, south and south-east of Charity Farm is not proposed as an LGS.
  - Land south-east of Brook Lane and south of the Stonesfield Manor House is not proposed as an LGS.
  - The land forming the overwhelming majority of Stockey Bottom and Banks including the dry dip-slope valley up to the Fawler Road is not proposed as an LGS.
4. Each individual proposed LGS has been chosen by strict application of the criteria for designation required to be fulfilled by paragraph 107 of the NPPF. Thus, each proposed designation is of green space: –
    - a. in reasonably close proximity to the community it serves;
    - b. demonstrably special to the local community and hold a particular local significance because of its beauty, historic significance, recreational value, (including as a playing field), tranquillity or richness of its wildlife and;
    - c. local in character and not an extensive tract of land.
  5. Each designation has been justified in Appendix C with reference to these criteria.
  6. The ‘demonstrably special to the local community’ requirement is indisputably confirmed by the very high levels of support for each and every proposed designation within the Village Survey. It is clear also from the high levels of support that the green spaces hold ‘a particular local significance.’ The criteria for designation were carefully specified and explained within the relevant Village Survey question and there can therefore be no suggestion that those expressing support failed to understand the requirements for designation.
  7. The suggestion that the proposed LGS designations amount to ‘a blanket embargo on any development or partial development’ is palpably false. The proposed NP advocates an emphasis upon provision of social housing/affordable housing for those in housing need with a connection to Stonesfield and indeed the Parish Council has been for some time, and continues to be, engaged in attempts to identify suitable sites for such development. In particular, the PC has encouraged the Stonesfield Community Trust to facilitate such development on the Glover’s Yard site within the village core, which has recently become available after the re-siting of the village pre-school from Glover’s Yard to the Primary School.
  8. It is a matter of some concern that the author of this Representation goes on principally to address and dispute the designation of the ‘Combe Road site’ without declaring what is believed to be his professional and financial interest in the issue. It is believed that he is a planning consultant employed by the landowners to negotiate the granting of planning permission for a ‘major development’ (as defined by the NPPF) on the site. Whilst he acknowledges that he comes within the category ‘we planners’ he fails to make it clear that he has such an interest in the question of designation.
  9. The ‘PC meeting’ to which he refers was indeed a forum for the expression of objection to LGS designations. He gives, however, a grossly misleading impression. The ‘many landowners’ in attendance to express opposition were fewer than a handful and the overwhelming majority of the considerable number of residents attending the meeting expressed firm support for the proposed Neighbourhood Plan including the designations. Whilst the landowners expressing opposition were relatively few, some of them were strident in their opposition.
  10. The suggestion that the ‘open space’ in Combe Road ‘is a field that cannot be seen from any public viewpoint at present’ is false. There are several, much cherished, public views

through the vegetation bordering Combe Road to the west throughout the year and particularly during the late autumn, winter and early spring months when the vegetation is not in leaf. There are also clear public views across the site from the access road to the Stonesfield Manor. There are significant views towards the site from the Oxfordshire Way/Akeman Street bridleway which passes in the dip slope valley, Bagg's Bottom, across the field adjoining the proposed LGS. There are also views of the proposed LGS from the Combe Road on the far side of Bagg's Bottom on the approach to Stonesfield from Combe. These views may be obtained on foot, from passing cars and from passing buses (it is on the main bus route), particularly from the upper deck of these buses. Finally, the LGS forms a crucial part of the AONB setting of Stonesfield when viewed, not only from these vantage points, but also from the crest of the land on the Combe side of Bagg's Bottom. Whilst fulfilment of the designation criteria is not dependent upon these views, they are particularly attractive. The fact that they do take advantage of this is evident from an examination of the evidence of de facto access to the vantage points from the west side of Combe Road.

11.
  - a. The suggestion that 'Any proposal for the Combe Road site enables the public, the villagers of Stonesfield, opportunity to experience via footpaths etc., the retained field site and views over it' betrays the author's undeclared professional and financial interest in the issue.
  - b. Moreover, detailed examination of the proposed site layout in the current Manor Field planning application demonstrates the falsity of the claim. The 'footpaths etc' constitute a single proposed footpath alongside the western edge of Combe Rd from which any view towards the 'retained field site' would be blocked by the proposed housing development. No footpath is proposed in that part of the proposed development site behind the proposed dwellings looking over the 'retained field site.'
  - c. Moreover, the use of 'retained' and 'site' betrays the clear intention of the current applicant that the field remaining will indeed at some future date be a further development 'site' and this is confirmed by inclusion within the site layout plan of a potential vehicular access to the residual 'site.'
  - d. The community which has proposed the Neighbourhood Plan views the land and not as a 'site' but as an open green space paddock, demonstrably special to the community because of its beauty, historic significance as part of the close setting of the adjacent Manor House and as a tranquil and rich haven for wildlife.
12. The undisclosed planning consultant embarks upon representations in favour of the current planning application rather than giving reasons why the land does not satisfy the criteria for designation as an LGS. The notion that building 21 estate houses on a substantial proportion of land demonstrably special to the local community and of particular local significance will 'leave three quarters for nature enhanced and retained as such into the future' is transparently false and an examination of the current planning application documentation confirms this. Building 21 houses on land currently open space, significantly covered by vegetation and inhabited by wildlife cannot conceivably constitute 'nature enhancement.'
13. Nor can it constitute 'protection of part of this space while helping to meet the local unmet housing need.' Rather than protecting the residue which would be left after development, it would, in accordance with the current planning application documentation, include an access clearly intended to facilitate further development. This is not the place to argue the case, but the comprehensive Housing Needs Assessment prepared for the purposes of the proposed Neighbourhood Plan demonstrates clearly that 'local unmet housing need' can be appropriately met by a small social/affordable housing site such as Glover's Yard. The overwhelming weight of planning policy, including the NPPF and WODC LP 2031 is to the effect that the unmet housing need of the 'District as a whole' should be met elsewhere in the District rather than on particularly sensitive land outside the built-up envelope of the village, within the Conservation Area, within the Area of Outstanding

Natural Beauty (Cotswolds National Landscape) just outside the first settlement after entry to the AONB from the Blenheim UNESCO World Heritage Site. A starting point is to be found at paragraph 189 of the NPPF requiring great weight to be given to conserving landscape and scenic beauty in National Landscapes and paragraph 190 requiring refusal of permission for major development other than in exceptional circumstances and where it can be demonstrated that the development is in the public interest.

## Comment

- Stonesfield Community Land Trust (Representation 32);

## Response

### Relevant Background Information.

Representation 32 is uniformly negative in tone and content. It is hoped that this response to it does not comprise equally negative tit-for-tat. However, it may help the Examiner in deciding what weight to be attached to the content of the Representation to be aware of some background.

1. The Representation begins ‘Stonesfield Community (Land) Trust, is a registered charity.’ It goes on to state that it ‘has a similar purpose to other Community Land Trusts (CLTs) in Oxfordshire including Chipping Norton and Hook Norton.’ This claim by SCT to be and self-presentation as a Community Land Trust is puzzling.
2. By virtue of section 2 (7A) Leasehold Reform (Ground Rent) Act 2022 (‘the 2022 Act’) a ‘community land trust’ means a body corporate which satisfies the conditions in subsection 7B. These include:
  - a. a requirement that the body is established for the express purpose of furthering the social, economic and environmental interests of the local community by acquiring and managing land and other assets in order –
    - i. to provide a benefit to the local community, and
    - ii. to ensure that the assets are not sold or developed except in a manner which the trust’s members think benefits the local community and
  - b. the body is established under arrangements which are expressly designed to ensure that: –
    - i. any profits from its activities will be used to benefit the local community (otherwise than by being paid directly to members);
    - ii. individuals who live or work in the particular area have the opportunity to become members of the trust (whether or not others can also become members) and
    - iii. the members of the trust control it.
3. The Community Land Trusts to which the Representation compares the Stonesfield Community Trust are both registered with the Financial Conduct Authority as statutory Community Benefit Societies, as such societies are required to be required by the Co-operative and Community Benefit Societies Act 2014. The Mutuals Register of the FCA includes for both the Hook Norton body, the Hook Norton Community Land Trust Ltd, and the Chipping Norton body, the Chippy Community Land Trust Ltd., detailed ‘Rules’ setting out the objects of the relevant body and the provisions by which it must be managed. In both cases the Rules expressly refer to the ‘objects’ of the body which are to carry on for the benefit of the community the business of ‘providing and managing housing (including social housing) ...’ The Rules provide for membership, a managing board and Annual and Special General meetings. Thus, the Rules provide for the democratic community control of the trusts as required for Community Land Trusts by the 2022 Act. In short, it is clear that the Hook Norton and Chipping Norton bodies are Community Land Trusts.

4. The Stonesfield Community Trust is believed not to be a registered Community Benefit Society but to be simply a registered charity. The Charity Commission Register of Charities records that the governing document of SCT is a Declaration of Trust dated 31 October 1983 as amended by a scheme of 30 April 2007 by virtue of which the charitable objects of SCT are: –
  - ‘for the relief of poverty, the advancement of education and the provision of charitable recreational facilities with the object of improving the conditions of life of the inhabitants of Stonesfield, Oxfordshire.’
5. These are the Objects quoted in the Report of the Trustees included within the annual accounts of the SCT in recent years appearing on the Charity Commission website.
6. Thus, the SCT does not appear to satisfy the requirement of section 2 of the 2022 Act that to constitute a ‘community land trust’ a body must be established for the ‘express purpose of furthering the social economic and environmental interests of the local community by acquiring and managing land and other assets...’ There is no express mention of acquiring and managing land and other assets within the charitable objects of SCT.
7. Equally significantly, the governing document of SCT contains no provisions for ensuring democratic control of it by the residents of Stonesfield. There are no provisions for a management board, membership of such a board, annual or special general meetings, appointment of trustees etc such as the provisions which govern the Hook Norton and Chipping Norton Community Land Trusts.
8. The Rules governing Hook Norton Community Land Trust have resulted in a governing Board of 11 members including members from the local community, and the Trust provides a small number of affordable, sustainable homes available to local people. The Chippy Community Land Trust is of more recent provenance but is believed to be similarly managed with a view to similar provision of affordable, sustainable homes in the future. Both trusts have held public meetings and involved members of their local communities in furtherance of their objects
9. By contrast Stonesfield Community Trust, according to the Charity Commission website, has five trustees. The most recent trustee appointment specified on the website was in February 2019. There is no reference to any equivalent of the Rules governing the Hook Norton and Chipping Norton trusts. There is no management board, no membership of local residents, no annual or special general meeting, no presentation at the Parish AGM and indeed, as far as members of the proposed Neighbourhood Plan steering group who have lived in Stonesfield for decades are aware, there has only ever been one public meeting convened by the SCT involving residents of Stonesfield. This was in 1983 when the SCT and its architect gave a presentation in the Village Hall about the new Friends’ Close development.
10. SCT, notwithstanding the absence of express provision in its governing document requiring it to do so, does similarly provide affordable housing to local residents. Its last published accounts indicated that at the time of publication the land and buildings owned by the charity included 15 freehold property units.
11. The available public records do not, however, indicate the acquisition of land or residential property in Stonesfield by the SCT in recent decades. Members of the proposed Neighbourhood Plan steering group are not aware of any such acquisition.
12. The published accounts indicate that the charity’s income is mostly rental from its properties.
13. In recent years the accounts indicate that, apart from the cost of maintaining its properties and paying loan interest, the SCT has made substantial donations ‘to help with the educational and physical welfare of disadvantaged children within the village and has started to assist with further education costs where appropriate. It is also involved in the support of local sporting facilities.’
14. The SCT published accounts for the year ended 5 April 2021 gave details of such donations totalling £25,792 in that year and the previous year. More recent accounts do

not give such details. Of these donations, a total of £7500 was given to the Stonesfield Playing Field and Stonesfield Cricket Club. £10,600 were donated to Stonesfield School. One of the SCT trustees was also a trustee of the Stonesfield Playing Fields Association charity and a member of Stonesfield Cricket Club. The relevant SCT accounts specifically noted that he was not involved in the decision to approve the award of the grant to the Stonesfield Playing Fields Association.

15. Notwithstanding the apparent absence of any purchase of land or residential property by the SCT in recent decades, the Trustees' Report within the published accounts for the year to 5 April 2025 notes that 'during the prior year the trustees designated funds totalling £190,000 for future pipeline projects, with the aim being to enable provision of additional housing to local people in need and this figure sits at £170,000 at 5th April 2025.' The NPSG is not aware that any information has been made publicly available as to detail or progress of these 'future pipeline projects' as at the date of drafting this Response.
16. Proposed Local Green Space 2 shown on the plan incorporated in proposed policy SEL4 of the proposed Neighbourhood Plan is land west of Combe Rd, Stonesfield. This land has been the subject of negotiations by a planning consultant employed by the landowners with a view to obtaining planning permission for major residential development (as defined in the NPPF) on the land. The planning consultant has held discussions with SCT, with a view to obtaining the support of SCT for the development proposal. There can be little doubt that the planning consultant believes that the support of a local charitable trust which administers social housing will be conducive to favourable consideration by the planning authority of what might otherwise be considered an inappropriate major development within the AONB (CNL). This proposal was initially for 31 dwellings. Following negotiations of the planning consultant with the District Council planning case officer, the proposal has been reduced to one for 20 dwellings. At the time of drafting this Response the status of the application is pending consideration by the District Council planning committee.
17. The application proposing major development in the AONB (CNL) on land outside the built-up envelope of the village, within the village Conservation Area and demonstrably special to the local community, which holds a particular local significance because of its beauty, historic significance, tranquillity and richness of its wildlife, has drawn forth overwhelming opposition within the community of Stonesfield. The District Council website lists 148 'objection comments' but only 45 'support comments' notwithstanding concentrated endeavours by the planning consultant to drum up local support.
18. In an attempt to generate support within the community for the development proposal the planning consultant held discussions with the SCT. During the course of these endeavours various different suggestions of the kind have been made, but the final proposal by the planning consultant to the District Council in support of the submitted planning application is that 'the applicants have now committed to give 10% of the net profits of the sale of the development site to the Stonesfield Community Housing Trust.' The erroneously named proposed recipient of these profits is intended to be Stonesfield Community Trust. The stated purpose of the proposed gift is to 'enable them to purchase or part-purchase a property, either in this development or in Stonesfield, or use this money to build at least one or more social rented homes elsewhere in the village.'
19. SCT therefore has a clear financial interest in the rejection of the proposed Neighbourhood Plan insofar as it proposes the designation as a Local Green Space of the land west of Combe Road.

#### Specific points within the Representation.

1. 'A plan that recognises a problem but fails to address it cannot be considered sound, robust or fit for adoption.' (Section 2 summary at page 2 of 6)
 

As the Representation acknowledges later, there is no failure to address the problem. The problem is diagnosed very clearly and the currently required solution is tendered: –

  - i. market turnover provides for availability of bigger and more expensive houses sufficient to satisfy demand which can be satisfied within the constraints of superior planning policy;
  - ii. in the foreseeable and medium-term future modest demand for social/affordable housing amongst those with a housing need and a connection with Stonesfield (as required by superior planning policies, notably WODC LP2031) can be satisfied by e.g. a small rural exception site or some other suitable site within the village becoming available, e.g. as may well be the case, Glover's Yard, owned by SCT and until recently occupied by Stonesfield Pre-School which has now vacated the site and moved to the Stonesfield Primary School site.
2. 'The Draft Stonesfield Neighbourhood Plan.... systematically understates demand, misinterprets evidence, and avoids taking any practical steps to secure genuinely affordable homes for local people.' (Section 3 at page 3 of 6)
  - i. There is a fundamental distinction between 'demand' and 'need' which the Representation fails to recognise. Stonesfield is situated in the Cotswolds National Landscape, a statutory Area of Outstanding Natural Beauty. It is within easy travelling distance of both local and national centres of employment, e.g. Charlbury, Woodstock, Witney, Oxford and London. It is therefore a very desirable place in which to live and this gives rise to almost limitless demand for housing.
  - ii. Because Stonesfield is in an Area of Outstanding Natural Beauty, within which national and local planning policies (rightly) impose restrictions generally and particularly restrictions on major development, the supply of market houses is inevitably limited.
  - iii. Elementary market economics dictates that, where there is limited supply and limitless demand, prices rise.
  - iv. There must therefore be some extra-market mechanism for determining what special category or categories of demand should be satisfied outside the confines of the market for provision of housing on limited land available.
  - v. For the purpose of NP drafting, the mechanism is planning policy which, in the case of settlements like Stonesfield, is to the effect that, unless there is a specific allocation of land for housing, priority should be given to those with a high level of need and a connection particular to the settlement, i.e. Stonesfield.
  - vi. The proposed NP does not 'systematically understate demand' or 'misinterpret evidence.' The policy in the proposed NP is underpinned by rigorous attention to the evidence of housing need particular to Stonesfield provided by a very thorough and professional Housing Needs Assessment carried out by a steering group member with substantial relevant experience with social/affordable housing providers at Board level. Moreover, it takes into account the District Council's housing register and Home Seeker Plus data. By contrast, the evidence referred to in the Representation is almost entirely, if not entirely, anecdotal.
3. 'Narrow and unrealistic definition of 'need'... conclusion is drawn from a restrictive interpretation of planning policy that counts only those households already on formal lists or live within the parish boundary. It appears to exclude....' (Section 3 at page 3 of 6 – mid page)

- a. The conclusion follows from policy and evidence as it is, rather than as the author of the Representation (or even the authors of this Response) might wish it to be.
  - b. The Examiner will consider for himself the evidence and application of policy and, it is hoped and believed, will conclude that both were rigorous;
  - c. the categories of 'need' and demand the Representation claims are excluded and categorises by bullet points are taken into account in the Housing Needs Assessment, insofar as applicable planning and housing policy permit them to be, e.g. policy does not equate a former resident's 'wish to return' alone with a determinative 'need.'
  - d. The assessment is nothing more or less than 'evidence-based' and does relate to 'real community need' as the latter is defined by planning policy.
4. 'The Draft Neighbourhood Plan proposes no allocations, no targets and no enforceable policies... offers no mechanism to deliver them' (i.e. more affordable homes) (Section 3, page 4 Of 6): –
- a. The relevant 'qualifying body' proposing the Stonesfield Neighbourhood Plan is Stonesfield Parish Council;
  - b. Stonesfield Parish Council is not a housing authority;
  - c. Stonesfield Parish Council is not funded to provide housing land allocations or housebuilding;
  - d. Neighbourhood plan policies must, by law, be consistent with superior planning policy e.g. policies within the West Oxfordshire Local Plan and the National Planning Policy Framework.
  - e. SPC's capacity to provide a mechanism for delivery of more affordable homes is very limited.
  - f. This incapacity of the Parish Council to provide land for social/affordable housing contrasts starkly with that of the Stonesfield Community Trust which has available in its ownership the Glover's Yard site and which claims, in its published accounts for the year ending 5 April 2025, that 'during the prior year the trustees designated funds totalling £190,000 for future pipeline projects, with the aim being to enable provision of additional housing to local people in need and this figure sits at £170,000 at 5th April 2025.'
5. The Stonesfield Parish Council, through its Neighbourhood Plan steering group and directly has made multiple attempts over more than two years to engage with the Stonesfield Community Trust to identify and facilitate the exploitation of a suitable site or sites for the provision of social/affordable housing, e.g. Glover's Yard owned by the SCT, but the SCT has persistently evaded engagement, e.g. by failing to reply to correspondence, failing to attend meetings etc. Its response to the endeavours by the qualifying body to engage it have been entirely negative in the same vein as the content of its Representation. The meeting quoted in the Representation between the steering group/PC members and SCT trustees on 29 January 24 provided a stark example of the tenor of the SCT approach to discussion. One of the trustees lost his temper, swore and rose to his feet declaring that he was going to leave the meeting when SCT were questioned about their governance arrangements. The efforts of the SPC to engage the SCT persist even at the time of drafting this Response, but the negative stance of the SCT continues. The Glover's Yard site was vacated by the Stonesfield pre-school in autumn 2025 and there has been no indication of exploitation of its availability by the SCT, notwithstanding what it claims are 'designated funds totalling £190,000 for future pipeline projects.'
6. 'The views of the Trust that were made at the meeting on 29 January 2024 are not reflected in the Draft Neighbourhood Plan and the draft report was not shared with the Trust to comment on...' (Page 6 of 6 – penultimate sentence of the document)  
The purpose of the meeting on 29 January 2024 to which the SCT refers was precisely to inform the SCT trustees of the evidence gathered by the steering group so that the trustees' views could be taken into account in the drafting of the report. The approach of

the trustees at that meeting was predominantly negative but agreement was reached that representatives of the steering group and of the trustees would meet to discuss and explore potential sites within the parish for the provision of social/affordable housing. Following the first of these follow-up meetings, despite many attempts by the steering group representatives to continue this exploration, the SCT persistently failed to engage and continues so to avoid engagement.

7. As a matter of, perhaps irrelevant, detail but detail which is mentioned in the Representation and therefore should be addressed, it is not accepted that major development in the AONB (CNL) outside the built-up limits of Stonesfield to provide market housing is likely to remedy a falling roll at the Stonesfield Primary School. The most recent major such development, now known as the William Buckland Way estate, but at the time of its application for planning permission known as Charity Farm 1, despite providing 37 dwellings did not for some time following the completion of building provide a single additional pupil at the primary school. It is not entirely surprising that a development constituting, in the main, extremely expensive houses, did not attract residents more likely than not to commit their children to the state education system, however misplaced and undesirable such a lack of commitment may be. The filling of vacant places at the primary school is much more likely to be achieved by the focus upon provision of social/truly affordable housing which is advocated by the proposed Neighbourhood Plan.
8. Stonesfield Parish Council is committed to continue its support for policies conducive to the provision of such housing and, contrary to that which appears in the Representation, that support is manifestly demonstrated in the proposed Neighbourhood Plan.

## **Comment**

- Oxford Diocese Board of Finance (Representation 33);

## **Response**

The proposed Neighbourhood Plan has been drawn up on behalf of the Parish Council by a steering group comprised of unpaid parish councillors and unpaid volunteers. Representation 33 is made by a professional planning consultant, on behalf of the Board of Finance, the remit of which is clear from its name, i.e. to maximise the asset value of the land in question. The steering group has been at pains, during its several years of unpaid labour, to draft a plan for the benefit of and in accordance with the wishes of the community.

It is particularly ironic, therefore, that the first submission of the professional planning consultant (at 1.4b) alleges failure 'to contribute to the achievement of sustainable development by imposing additional restrictions that seek to prevent development as a whole instead of seeking to steer development in suitable locations.' 'Sustainable development' is often bandied about by those who wish to maximise the asset value of their land but is rarely defined. The consultant does not define his use of the term.

The World Commission on Environment and Development ('the Brundtland Commission') was established by the UN in 1983 to address global environmental degradation and development. It reported in 1987 and in that report defined 'sustainable development' as 'meeting present needs without compromising future generations.' In the spirit of avoiding compromise of future generations paragraph 189 of the NPPF requires that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes – statutory Areas of Outstanding Natural Beauty, so termed originally in days before the Glover report.

The criteria required by para 107 of the NPPF to be fulfilled for designation of a Local Green Space include the requirement that the green space be 'demonstrably special to the local community' and that it 'holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife.' Preservation of such 'demonstrably special' green spaces for the present enjoyment of members of the community and the wider public without compromise to their further enjoyment by future generations has been prominent in the minds of the steering group members. That has been balanced with other requirements, e.g. to satisfy housing need in accordance with relevant planning policy. That policy, insofar as it relates to Stonesfield, because of the latter's situation in the AONB (CNL), generally eschews 'major development' and focuses on need particular to the settlement. The balance achieved by the proposed Neighbourhood Plan has involved precisely the steering of 'development in suitable locations' and away from unsuitable locations which the planning consultant advocates.

'Designating land as Local Green Space should be consistent with the local planning of sustainable development and complementing investment in sufficient homes, jobs and other essential services.' (Para 1.6)

The consultant transparently fails to demonstrate how any one or more of the proposed designations of Local Green Spaces in the proposed Neighbourhood Plan would be inconsistent with planning to satisfy the need for sustainable development and investment in sufficient homes, jobs and other essential services, either in Stonesfield itself or in the wider West Oxfordshire District. The thrust of housing policy in the planning documents superior to the proposed Neighbourhood Plan, i.e. the NPPF, the West Oxfordshire Local Plan 2031 and the West Oxfordshire Local Plan 2043 is towards satisfaction of the bulk of required residential development outside the AONB, with limited contribution within the AONB. That would be consistent with the special policy protection afforded by paragraph 189 of NPPF requiring great weight to be given to conserving and enhancing the landscape and scenic beauty of the AONB and by paragraph 190 of NPPF precluding major development in the AONB other than when there are exceptional circumstances and the development would be in the public interest. The proposed plan is entirely consistent with this.

'In particular, plans must identify sufficient land in suitable locations to meet identified development needs and the Local Green Space designation should not be used in a way that undermines this aim of plan making.' (Page 3)

The planning consultant again fails to show how proposed Local Green Space designation has been used in a way which undermines the aim of planning policy to meet identified development needs. Preparation of the proposed Neighbourhood Plan has included a detailed and professionally prepared (though unremunerated) Housing Needs Assessment which analyses and estimates the housing needs of Stonesfield within the plan period and proposes realistic means of fulfilling these needs, e.g. the market in existing private housing and the identification of a Rural Exception Site for social/affordable housing. More recently the Glover's Yard Site, owned by Stonesfield Community Trust, a provider of social / affordable housing, has become potentially available and the Parish Council is endeavouring to facilitate this

availability. There is no suggestion in superior planning policy that Stonesfield, sensitively positioned in open countryside at the entrance to the AONB adjacent to the Blenheim UNESCO World Heritage Site, might be a suitable venue for the major development, permission for which paragraph 190 of the NPPF requires to be refused other than in exceptional circumstances and where it can be demonstrated that the development is in the public interest.

'If land is already protected by designation, then consideration should be given to whether any additional local benefit would be gained by designation as Local Green Space.' (Page 3)

The planning consultant, with respect, quite correctly asserts 'Different types of designations are intended to achieve different purposes.' For example, government guidelines make clear that the purpose of SSSI designation is to protect land which is of special interest 'by reason of any of its flora, fauna, geological, geomorphological or physiographical features.' Though unlikely, it is conceivable that a development proposal for land in Stonesfield Parish might demonstrate that the benefits of that proposal would outweigh the adverse impacts upon these features flowing from the development. Notwithstanding such a conceivable balance in favour of development as against the special scientific interest, the demonstrably special quality of a green space for its local community and the particular local significance the space might have, for example because of its beauty, historic significance, recreational value, tranquillity or richness of its wildlife (considerations distinct from those relevant to designation as an SSSI), could outweigh the benefit of development and tip the balance back against the grant of permission. Similarly, though again unlikely, the balance between harm to the landscape and scenic beauty of the AONB and prevailing exceptional circumstances and public interest might tip in favour of development, whereas, if the demonstrably special quality of a green space for its local community and its particular local significance were to be added in the balance, this would tip back towards refusal of permission for development. It is respectfully submitted that in each case where designation is proposed this effect is significant and justifies designation. The same principle applies with equal force to LGS designation of green spaces subject to other relevant designations mentioned by the planning consultant, such as Deciduous Woodland, Priority Habitat, Cotswolds National Landscape, Upper Thames Tributaries ESA and the Northern Evenlode Conservation Target Area.

The fallacy of the planning consultant's argument is illustrated by the logical consequence of the application of his argument when considered in the context of 'Cotswolds National Landscape.' The Cotswolds National Landscape is expansive and far reaching. The suggestion that AONB status rules out land within an AONB from designation as an LGS would sterilise protection of green spaces 'special' to their local community and of 'particular local significance' over a vast area. Endeavours to protect the quality special to a local community of green space would be frustrated, not just at the location in question but much further afield. That cannot have been the intention of those who created the statutory designations.

By way, perhaps, of footnote, the planning consultant contends that it would be factually incorrect to comment that 'there are no paragraphs in the NPPF stating that a LGS designation should not proceed because the land parcel is the subject of

other designation' and that a comment to that effect 'shows that the Neighbourhood Plan Steering Group (NPSG) did not take into account the relevant paragraphs of the PPG when informing these LGS designations.' However, he fails to identify any such paragraph in the NPPF. Nor is he accurate in contending that such a comment 'is factually incorrect and shows that the as NPSG did not take into account the relevant paragraphs of the PPG when informing these LGS designations.' The paragraph of the PPG to which he refers makes the point that different types of designations are intended to achieve different purposes and advises that 'If land is already protected by designation, then consideration should be given to whether any additional local benefit would be gained by designation as Local Green Space.' It is hoped that the explanation given above and what follows thereupon show how the different purposes of different types of designation have been taken into account in proposing designation and also show that in each case additional local benefit would indeed be gained by designation.

'Local green space designation should only be used where the green area concerned is not an extensive tract of land. Consequently, blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a 'backdoor' way to try to achieve what would amount to a new area of Green Belt by another name.' (Page 3).

The Parish Council is, with respect, content to leave it to the Examiner to determine, on the basis of his direct inspection of the green spaces in question, whether they are indeed distinct and separate pieces of land, in any single case not 'an extensive tract of land,' or whether any combination of these spaces might more appropriately be viewed as a single space and, by virtue of that, as being extensive so as to preclude designation. It is respectfully suggested that it is transparently obvious from a glance at the plan attached to policy SEL4 and a fortiori from direct inspection of the green spaces that each proposed green space is clearly separate from each of the others and cannot be justifiably described as an extensive tract of land.

It is far from 'an undisputed fact that both land parcels are perceived as a single entity' (i.e. proposed LGS4 and LGS5).' That conclusion drawn by the planning consultant does not follow from the evidence to which he refers – the relevance or irrelevance of title to the land in question. Each proposed local green space, i.e. LGS 4, 5, 6 and 7, is physically separate from the others, is put to different use and/or has different purpose and shows different characteristics, which in each case make the space 'special.' It will be obvious, for example, from an 'on the ground' examination that proposed LGS4, the Glebe land, is characterised by its footpath, vegetation, wildlife, views over adjacent countryside and woods and its tranquillity. It will be equally obvious that LGS5, the Scout Hut and its immediate surrounds, whilst they are also situated in an attractive nook, are 'special' in the uses to which they are put by the Scouts, a highly significant group within the community, which uses can on some summer evenings be cheerfully anything but tranquil. The Churchfields allotments, proposed LGS6, are a paradigm of community activity of the kind. The paddocks, forming proposed LGS7, are physically distinct, i.e. on the other side of the lane giving access to the Scout Hut, are pastureland tending towards and bordering the Village Green woods of Stockey Bottom, and afford the most peaceful viewpoint towards 'Stockey' for the many members of the community who use the footpath for their recreation –

'What is this life if, full of care,

We have no time to stand and stare?’

Testimony to the special community quality of LGS7 has been given, since its first proposed designation, by the suggestion, approved by the Parish Council and the Parochial Church Council, that part of it, albeit a small part, will become a ‘community orchard.’ It is worthy of note that the Parochial Church Council, the representative of community opinions within the parish church, supports the designation on its merits, whereas the hardnosed, financially motivated, Diocesan Board of Finance, divorced from the community and without effective community input, manufactures representations against designation.

‘... the LGS assessment states that the land has significant recreational value which is derived from views taken from public vantage points (Public Rights of Way); however, the land is private and therefore has no recreational value as the public cannot access it. If views towards this land parcel were considered valuable by local residents, this would most likely be due to its beauty and not its recreational value.’  
(Page 5).

Paragraph: 017 Reference ID: 37-017-20140306 makes it clear that ‘land could be considered for designation even if there is no public access (e.g. green areas which are valued because of their wildlife, historic significance and/or beauty).’ There is nothing whatsoever inconsistent with this in ascribing recreational value to the capacity to ‘stand and stare’ at a beautiful view from a viewpoint on an adjacent public right of way. The assessment was perfectly sound and the recreational value of viewing a beautiful landscape is not an indication of confusion or lack of soundness of an assessment. ‘Recreation’ and appreciation of ‘beauty’ are highly compatible.

#### **LG6 – Churchfields allotments.**

The suggestion that these are ‘directly linked to the LGS 4, LGS 5 and LGS 7’ has been dealt with above. Whilst 6 is adjacent to 5, its use and characteristics are substantially different and this is made clear in the assessment giving rise to proposed LGS designation. It is palpably a separate green space and five minutes ‘on the ground’ examination will confirm this.

The several existing designations are not to be weighed against LGS designation. On the contrary they are evidence in support of the ‘special’ quality the space has for the community. All the designations have different qualifying criteria and different consequences. As pointed out above, the balance of exceptional circumstances and public interest against the qualifying criteria for other designations might conceivably (though it is hoped that it is unlikely) tip in favour of development proposals but the balance might, it is hoped, revert against development when the ‘special to the community’ and ‘of particular local significance’ qualities are taken into account. For example, the protection afforded by designation as a Conservation Area is triggered by considerations which may not include those which make a green space ‘special.’

Development proposals for the allotments may or may not affect heritage assets. However, even were they to have no potential effect upon heritage assets, they might significantly degrade the special quality the allotments have for members of the local community. Similarly, the protection afforded by reference to the scenic and

landscape beauty of the surrounding AONB might conceivably (although it is hoped and believed not) be deemed to be outweighed by the contribution of a development proposal to satisfaction of housing need. In such circumstances the demonstrably special quality of the allotments for the local community and their particular local significance would arguably tip the balance against granted permission.

Conservation Target Areas have been identified by Oxfordshire County Council in furtherance of the provisions of section 15 of the NPPF requiring attention to conservation and enhancement of the natural environment. The County Council's website explains that they include some of the most important areas for wildlife conservation in the county and that each CTA supports one or more of the 20 priority habitats found in Oxfordshire. It is conceivable (though it is hoped and believed unlikely) that, notwithstanding this, the planning authority might, on an application for development permission, deem housing need to outweigh wildlife considerations. In such circumstances the special quality and particular significance of the allotments, as allotments, to the local community could tip the balance back against grant of permission.

The suggestion that 'Additional planning restrictions will only make it more difficult for local residents to put up structures or make other changes to facilitate and improve the existing local community space' is otiose. It is so unlikely as to be inconceivable that any structure a member of the local community would wish to erect, or change to the allotments a member of the community would wish to effect, would require planning permission. This is confirmed by a search of planning decisions on the West Oxfordshire District Council website which indicates no such application over the last 40 years.

The planning consultant's objection to designation at his paragraph 4.3 is so unclear as to be incomprehensible – 'the designation of this site as LGS will have a significant negative impact on planning decision-making, as proposals which meet the tests of paragraph 104 could conflict with Green Belt requirements and vice versa.' Were this a legitimate objection, almost any proposal to designate an LGS would be superfluous as many, if not most, green spaces which met the criteria for LGS designation are likely to come within the categories covered by NPPF paragraph 104. It is clearly the intention of the authors of the NPPF that communities should be allowed to 'identify and protect green areas of particular importance to them' and it is simply that which the community of Stonesfield is seeking to do, notwithstanding objections such as this by the planning consultant, motivated by a wish to safeguard potential development value, however remote the possibility of that development might be.

The 'local benefit' which the planning consultant denies in furtherance of his attempt to safeguard potential 'development benefit,' not for the 'locals' but for the Diocesan Board of Finance, is the protection of the demonstrably special quality and particular local significance of the green spaces concerned. Those special qualities and their particular local significance have been repeatedly explained and justified.

Consequently, there will be no yet further repetition of these explanations and justifications in response to the unwarranted 'Conclusion' within the planning consultant's Representation.

## **Comment**

- Planning Prospects Limited (Representation 35);

## **Response**

Please see the Parish Council's response to the Appeal Judgment on proposed LGS3, which is appended to the SPC response to the Examiner's Clarification Note.

## **Comment**

- Arc Planning/Rectory Homes (Representation 36)

## **Response**

Page 1.

'...the draft SNP fails to make significant provision for new housing to meet the needs of the village and the wider district.'

The proposed NP does make adequate provision for housing to meet the needs of the village. That provision is based upon a detailed professional Housing Needs Assessment, which focuses upon the needs of the village in the way that no other available housing needs assessment has done. The HNA supports the conclusion that the housing needs of Stonesfield for the time relevant to the NP can be satisfied by a combination of (a) the churn of existing market housing and (b) modest provision of new social/affordable housing, if necessary, by means of a Rural Exception Site. As it happens, since the drafting of the proposed NP a social/affordable housing site of suitable proportion, Glover's Yard, belonging to Stonesfield Community Trust (a provider of social/affordable housing already existing in the village) has been liberated by the movement of the village pre-school from that site to Stonesfield Primary School, and the Parish Council is currently engaged in endeavours to facilitate the availability of the site for the provision of more social/affordable housing.

The extent to which Stonesfield may be suitable for the provision of new housing to meet the needs of the wider district is extremely limited by the restrictions on development imposed by superior planning policy, including West Oxfordshire Local Plan 2031, the emerging West Oxfordshire Local Plan 2043 and the NPPF, by virtue of Stonesfield's situation within the statutory Area of Outstanding Natural Beauty, Cotswolds National Landscape, which is particularly sensitive at the entry to the AONB adjacent to the UNESCO World Heritage Site, Blenheim. Paragraph 189 of the NPPF requires great weight to be given to conserving and enhancing landscape and scenic beauty in the AONB. Paragraph 190 of the NPPF requires that permission should be refused for a major development (housing 'development where 10 or more homes will be provided, or the site has an area of 0.5 ha or more'). The relevant policies of the West Oxfordshire District Plan reflect these protections and consequently the main thrust of local plan provision for market housing is on land outside the AONB. There has been no allocation and there is no indication of future allocation of land for market housing in Stonesfield within the local plan. It is not a consequence of emerging local plan policy that because a settlement is considered

to be a 'Tier 3 Larger Village' it is by definition suitable for residential development on sites up to 50 units. The suitability of any proposed site has to be considered on an individual basis and it is submitted that such sites are unlikely to be identified in Stonesfield because of its particularly sensitive situation within the AONB.

West Oxfordshire Local Plan 2043 Housing and Economic Land Availability Assessment (HELAA) 2025, produced for consultation in October 2025, describes this site (STON002) as follows:

RED: Not suitable for housing. A Large L- shaped flat site at the north-eastern edge of the settlement. The site is currently agricultural land, and it is flanked to the east and south by open countryside, to the north by open countryside and the recreation grounds, and to the west by housing. To the south-eastern flank runs Stonesfield Road, which is where access would need to be created.

Suitability for Housing: NOT SUITABLE Commentary: The site extends beyond the 20mph settlement edge and is overly large for the settlement, therefore it would be out of character with the settlement and would extend the settlement into the open countryside which would have an unacceptable impact on the landscape.

'If Local Green Spaces ('LGS') are introduced, then the areas identified would combine to cover an area that encircles the settlement.'

A simple reference to the plan attached to policy SEL4 and/or an on-the-ground visual inspection will clearly demonstrate that this is incorrect and it was certainly not the intention of those who drafted the proposed NP. Indeed, the Representation on behalf of the owners of proposed LGS 11 includes the submission: –

'The land adjoining ours on all sides has not been included in the plan. We also particularly note that the Blenheim land adjacent to our fields along the Ridings, has not been included in the plan.'

The Neighbourhood Plan Steering Group cannot resist remarking 'We are damned if we do and damned if we don't.'

Page 2.

Technical note by Harman Landscape Architects – 'also provides an analysis of the site and its potential for future development, including the certification of current issues and opportunities to further the purposes of the National Landscape (this will be via a suitably designed scheme that would create a more considered edge to the settlement).'

Less experienced NPSG members might be forgiven for being surprised at the notion that 'a suitably designed scheme' attached to a proposed major housing development might further the requirement of paragraph 189 of the NPPF that 'great weight should be given to conserving and enhancing landscape and scenic beauty in..... National Landscapes which have the highest status of protection in relation to these issues.' Those members of the SG who experienced the gruelling six days of Public Inquiry into the, Queen's Counsel-represented, Cala application for permission for 68 houses on this site and the no less gruelling months of preparation for it are not however surprised that major housing development can be considered by profit-seeking developers to 'enhance landscape and scenic beauty' by virtue of 'add-on' schemes. Nor were they surprised to find a similar suggestion in relation to

the current major development application relating to land west of Combe Road forming part of proposed LGS2. The logic of the profit-maximising housing developer would, if valid and taken to its extreme, lead to a single major housing development proposal encompassing the whole of the Cotswolds National Landscape, thus preserving the entirety of its scenic and landscape beauty.

'... has a development option over..... and therefore has a vested interest in any future allocation at the site..... is seeking to secure the site allocation for housing within the emerging Local Plan 2043, as well as within the draft SNP.'

It is refreshing to read a frank admission that efforts to secure allocation of the site for housing will be motivated by a 'vested interest' rather than to hear the more usual empty profession that the motivation is 'sustainable development.'

'Owing to the five-year housing land supply.... shortfall in West Oxfordshire District Council's area, which at the time of writing stands at 4.3 years..... is also considering an early planning application.'

This appears to be an admission of an intention to 'strike while the iron is hot' i.e. act early in case, during the course of preparation of the emerging local plan, the shortfall is eradicated, rather than any conviction that the site is suitable for development per se.

'Rectory consider the site offers a sustainable location for new development which can help meet the housing needs of the village in the district taken as a whole. The provision of affordable housing will also address the issue of affordability within the village, as well as the need to provide starter homes and homes for the elderly.'

The refreshing response to the frank admission noted above sadly did not last long. There is, at this stage in the Representation, no justification of Arc's claim that this 'offers a sustainable location for new development.' As ever developers and their agents fail to explain what is meant by the 'sustainable.' Likewise, Cala repeatedly used the word but failed to explain it.

The UN World Commission on Environment and Development reported in 1987 and in that report defined 'sustainable development' as 'development that meets the needs of the present without compromising the ability of future generations to meet their own needs.' To that end paragraph 189 of the NPPF requires that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes – statutory Areas of Outstanding Natural Beauty. The criteria required by para 107 of the NPPF to be fulfilled for designation of a Local Green Space include the requirement that the green space be 'demonstrably special to the local community' and that it 'holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife.' Preservation of such 'demonstrably special' green spaces for the present enjoyment of members of the community and the wider public without compromise to their further enjoyment by future generations has been prominent in the minds of the steering group members. That has been balanced with other requirements, e.g. to satisfy housing need in accordance with relevant planning policy. That policy, insofar as it relates to Stonesfield, because of

the latter's situation in the AONB, generally eschews 'major development' and focuses on need particular to the settlement. The balance achieved by the proposed Neighbourhood Plan has involved precisely the steering of 'development in suitable locations' and away from unsuitable locations such as the former Cala, now Rectory, site.

Besides the proposed houses and highways access, the development could provide a pre-school, junior and senior football pitches, parking, public open space, and play areas. We also consider the site offers space to significantly improve biodiversity, both for the site and the wider area.

It is clear that the development Arc proposes as a justification for rejection of the proposed designation of the land as an LGS would be a 'major development' of a proportion equal to if not greater than the Cala proposal which was rejected by the Secretary of State's planning inspector, Stephen Normington, in his Appeal Decision dated 21 June 2019 (Appeal Ref: AP P/D3125/W/18/320 9551.) Mr Normington at paragraph 8 of his decision considered that, having taken into account all the evidence, the main issues were: –

- the effect of the proposed development on the character and appearance of the surrounding area with particular regard to the Cotswolds Area of Outstanding Natural Beauty (AONB).
- Whether there were any exceptional circumstances which justified major development within the AONB and whether such development would be in the public interest
- whether the proposed development would be appropriately located, taking into account the planning balance of whether any adverse impacts of approving the development would outweigh the benefits when assessed against the policy of the Development Plan and the National Planning Policy Framework taken as a whole.

Whilst Mr Normington concluded that, in relation to each and all of these issues, major development on this site would be inappropriate, at paragraph 95 of his decision he placed particular weight upon the significant harm to the character and appearance of the AONB that major development of this site would cause. At paragraph 97 he was at pains to say that he made this finding notwithstanding that 'the scheme would provide additional benefits.... which are afforded moderate to significant weight.' At paragraph 49 of the decision, he had stated: –

'Overall, in considering the landscape impacts of the proposal, the development would be contrary to the guidelines provided in the Cotswolds AONB Landscape Strategy and Guidelines. In particular, as an expansion of the settlement it would not maintain the open, sparsely settled character of the Dip Slope Lowland. It would intrude negatively into the landscape by eroding part of its open character.'

He had earlier (at paragraph 52) specifically expressed great concern at the effect of major development of this site of the kind proposed by Arc on 'views of the appeal site.... apparent as the footpath approaches the village travelling south-west' i.e. from the Oxfordshire Way/Akeman Street. He was moved to express this concern, taking into account the effect of the recent major development of the Charity Farm (now named William Buckland Way) estate on the other side of the Woodstock Road. He noted that:

'current views looking towards the village on this approach are dominated by the incongruity of the Charity Farm development which, owing to its urban form and materials, appears as a disjointed protrusion into the rural landscape

and displays little integration with the rest of the village. This development serves to emphasise my concern that the sensitivity of the landscape to change and the harm that can be created by relatively large-scale modern development that fails to integrate into its surrounds.'

All the considerations taken into account by Mr Normington would inescapably apply to the kind of major development of this site envisaged by Arc and would inevitably render such a development significantly harmful to the AONB and therefore inappropriate. It is worthy of particular note that Cala had, as all profit-maximising developers do and as now do Arc, sought to argue that the conversion of open AONB space into predominantly residential development would 'significantly improve biodiversity, both of the site and the wider area.'

'These community benefits are based on the findings of a residents' questionnaire which was commissioned by SPC to inform the emerging neighbourhood plan.'

Arc do not refer to the findings of the 'residents' questionnaire' (presumably the Village Survey?) which they contend provide a basis for their claim that major development would result in 'community benefits.' Without such reference it is difficult to address this claim but the NPSG, familiar as it is with the results of the survey which it carried out, finds this unsubstantiated claim very surprising.

'Within the draft NPPF 2025, the 2024 'tilted (sic) balance' is replaced with a permanent presumption in favour of suitably located development. Proposals should therefore be approved unless adverse effects substantially outweigh benefits.'

It is assumed that Arc intended 'tilted balance,' rather than as appears above. It is clear from Mr Normington's Appeal Decision that he considered the adverse effects of major development on this site substantially outweighed any benefits it might have had and the terms of his decision make it equally clear that the adverse effects of the kind of major development envisaged by Arc would similarly outweigh any benefits it might have.

Page 5.

Stonesfield is therefore defined as a Tier 3 Larger Village. Within such villages, residential development is anticipated to include a combination of small sites (1-10 units) and medium-scale sites (11-50 units) except where a site is allocated in the Local Plan. On this basis we are proposing a development of 50-units to accord with draft Core Policy 3 of the emerging Local Plan 2043.

This is a misrepresentation of the effect of the West Oxfordshire Preferred Policy Options Consultation Paper of June 2025. Firstly, the word 'only' after 'medium scale sites' is omitted by Arc though it is included within the draft policy. Secondly, also within the draft policy, but omitted by Arc, is the important qualification 'guided by the existing size and relative sustainability of each settlement in terms of their available services and facilities' and the further and crucial qualification 'and the scale and extent of development within the Cotswolds National Landscape will be limited in accordance with national policy.' Thus, the requirement to attach great weight to the conservation and enhancement of landscape and scenic beauty in and around Stonesfield and the requirement to refuse permission for major development other

than in exceptional circumstances and in the public interest will persist and it is these considerations which were pivotal in the Appeal Decision of Stephen Normington in relation to this site. Moreover, Arc fails to refer to the results of the WODC LP 2043 Preferred Policy Options Consultation, the Summary Report of which was published in October 2025. At its paragraph 3.104, that document notes the ‘strong support for protecting the Cotswolds National Landscape, with requests for stricter limits on development within or near the CNL..... and a greater emphasis on natural beauty and tranquillity.’

‘Given the emerging Local Plan 2043 looks favourably at the expansion of Tier 3 villages like Stonesfield (for developments of 1-10 and 11-50 dwellings) it is questionable whether the draft SNP conflicts with the strategic policies within the emerging Local Plan 2043.’

Again Arc, perhaps intentionally, misconstrues the emerging Local Plan 2043 and fails to place adequate weight on the plan’s confirmation of the requirement to observe the restrictions on major development in the Cotswolds National Landscape pursuant to the NPPF.

It should be further noted that the Parish Council made strong representations on the recent consultation on the emerging Local Plan 2043, on the basis that the tiering did not give weight to settlements in the CNL such that a further tier was necessary. This would enable a clearer synergy between the NPPF and the LP, so as not to give an impression that up to 50 houses would be possible; when it is difficult to envisage a circumstance in the life of the Plan where that would ever meet the exceptional need of the settlement test. The points ARC have made clearly bear out the concern the Parish Council had that developers’ expectations, (and community anxiety), would be raised unnecessarily.

‘It is also questionable whether the draft SNP meets the requirements of the NPPF 2024, in respect to be being ‘positively planned’. This approach ensures plans actively provide for anticipated growth and community needs. This means proactively allocating land and shaping policies to meet development needs and community aspirations, rather than leaving development purely to market forces or ad-hoc application.’

With great respect to Arc, it is submitted that those who have worked voluntarily on behalf of the democratically constituted Parish Council for five years in preparation of the proposed Neighbourhood Plan, including a professional Housing Needs Assessment, a detailed and lengthy Village Survey and numerous face-to-face and other public consultations are better placed to understand and meet ‘development needs and community aspirations’ than a planning consultant speaking in the interests of a developer of housing for profit. It is further submitted that the proposed neighbourhood plan is designed precisely to ‘meet development needs and community aspirations, rather than leaving development purely to market forces or ad hoc application.’

‘We strongly object to the assessment of the site within the HELAA.’

The reference STON 002 is precisely in accordance with the findings of planning inspector Stephen Normington in the Cala Appeal Decision relating to this site.

Page 6.

'Landscape Assessment - Our Objection.

'...it is considered that the site would be capable of accommodating residential development without disrupting the settlement pattern of the village or its setting within the wider landscape. Furthermore, opportunity exists to create a more defined and typical gateway to the village when approaching from the northeast.'

'...so it is vital we consider the issues raised in respect of previous proposals at an early stage and incorporate the landscape led design approach from the outset.'

Those who spent months of unpaid labour contesting the Cala application are tempted to remark 'We have heard it all before.' Precisely such protestations of sensitivity to the setting of Stonesfield within the wider landscape and capacity and intention to create a more defined and typical gateway to the village when approaching from the northeast were made by Cala, the predecessor for-profit developer seeking permission for inappropriate major development on the site. They were soundly rejected by Mr Normington. The same objections as applied to the Cala proposals would apply to the proposals envisaged by Arc and Mr Normington's reasons for his decision would equally apply.

'Whilst the development of the site may represent 'major development' within the National Landscape, we do consider the proposals would address unmet housing need.'

Arc provides no evidence of 'unmet housing need' particular to the settlement of Stonesfield which planning policy would require in contribution to justification of major development in the AONB in or around Stonesfield. Those responsible for the proposed NP have however provided a detailed professional Housing Needs Assessment focused upon the needs of Stonesfield based on information from the Village Survey and other relevant sources and policies proposed within the proposed NP have that sound evidential basis. They are not based upon the motive of a for-profit commercial large-scale housing developer.

'In addition, the potential delivery of community benefits at the site (e.g. a pre-school, junior and senior football pitch, parking, public open space, and play areas) would be very much in the public interest.'

Whilst such 'community benefits' are highly desirable, they already exist in Stonesfield.

'To build an exemplar scheme we also consider it important to incorporate the following additional benefits....'

Those who endured the Local Plan 2031 public inquiry and the Cala planning appeal process are wearily familiar with promises of 'enhanced standards,' 'provision of

voluntary minimum biodiversity net gain,' 'exploration of the provision of accommodation for elderly people;' 'provision of sufficient capacity within the local sewer network.' They did not in Cala outweigh harm to the landscape and scenic beauty of the AONB.

'In our experience, we do not consider it appropriate to overprovide affordable housing because of local concern that it could upset the balance within rural communities.'

The relevance of this is unclear. There is no suggestion within the proposed NP, or in the Housing Needs Assessment prepared in preparation for it, of overprovision of 'affordable housing' but rather of modest provision of social/affordable housing to satisfy an identified need. It is however not surprising that a profit-maximising, commercial, large-scale housing developer would not wish to 'over-provide affordable housing.'

Page 8.

'...an emerging Local Plan which states Stonesfield is suitable for small and medium-scale development up to 50 units.'

As explained above this is a false and misleading statement of what the emerging Local Plan proposes for Stonesfield. On the contrary the emerging Local Plan maintains its compliance with the NPPF requirement to refuse permission for housing development in excess of 10 units except where there are exceptional circumstances and in the public interest.

### **Landscape Note by Nicholas Harman on behalf of Rectory Homes.**

The statement at para 2.3 that the NP

'.... proposes areas of land to be designated as 'Local Green Spaces' ..... which would preclude future development in perpetuity.'

is false and misleading. Paragraph 108 of the NPPF says 'Policies and decisions for managing development within a Local Green Space should be consistent with national policy for Green Belts set out in chapter 13 of this Framework.'

Paragraph 143 of the NPPF sets out five purposes served by Green Belts and paragraph 145 requires that, once established Green Belt boundaries, should only be altered where exceptional circumstances are fully evidenced and justified through the preparation or updating of plans. Paragraph 146 stipulates that 'exceptional circumstances' in this context include, but are not limited to, instances where an authority cannot meet its identified need for homes through other means. Paragraph 153 and following paragraphs deal with development proposals affecting a Green Belt and far from 'preclude future development in perpetuity.' The paragraphs require local planning authorities, when considering any planning application, to ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Whilst it stipulates that inappropriate development should not be approved except in very exceptional circumstances, it allows that 'very exceptional

circumstances' may exist where the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. Paragraph 154 deems development in the Green Belt to be inappropriate unless one of a list of exceptions applies. These exceptions include buildings for agriculture and forestry, the provision of appropriate facilities in connection with the existing use of land or a change of use, including buildings for outdoor sports, outdoor recreation, allotments, as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. Also within the list of exceptions is the extension of or alteration of a building provided it does not result in disproportionate additions over and above the size of the original building, the replacement of the building provided the new building is in the same use and not materially larger than the one it replaces, limited infilling in villages, limited affordable housing for local community needs under policy set out in the development plan, limited infilling or the partial or complete redevelopment of previously developed land, which would not cause substantial harm to the openness of the Green Belt. Paragraphs 155 and 156 of the NPPF provide for housing development, including major development within Green Belts in certain very restricted circumstances.

We are now faced with two professional Landscape Assessments – one recently produced for the NP and one produced by Harman for Arc. They differ in material respects. It will be, with respect, for the Examiner to take a view. In doing so he may wish to bear in mind that the NP Landscape Assessment was prepared on an entirely objective basis, the assessor being aware that his client had no financial interest in furthering or preventing development. His motivation was solely one of professional objectivity and judgement. The Landscape Assessment prepared for Rectory Homes was prepared in an awareness that the client's objective was to obtain planning permission and thus significant financial gain. It may therefore not be surprising, though it is curious, that the Harman Landscape Assessment distinguishes sub-areas within LLCA C and, lo and behold, finds that the proposed development site, and only the proposed development site, 'is more strongly associated with the suburban extent of the village at this end, in contrast to the other areas within LLCA C.'

The conclusion at para 2.16 that 'By virtue of its location, well defined boundaries and strong degree of enclosure (created by the surrounding settlement), it is considered that the Site would be capable of accommodating residential development without disrupting the settlement pattern of the village or its setting within the wider landscape' is not a conclusion to which Stephen Normington came, having considered thousands of pages of written evidence and having listened to 6 days of oral evidence and oral submissions. He found precisely that major housing development on the land would disrupt the settlement pattern of the village and particularly its setting within the wider landscape. He also rejected a Cala suggestion that major development would present an opportunity environmentally and aesthetically to improve the north-western side of the Woodstock Road along very similar, and equally contrived, lines to the Harman suggestion that 'opportunity exists to create a more defined in typical gateway to the village when approaching from the north-east.'

The Harman landscape assessment at 2.20 bemoans the absence of ‘a sensitivity and capacity study’ as part of the evidence base for the SNP but produces no such evidence in support of its submissions. What Harman means by allowing ‘the natural evolution of the landscape to take place, rather than restricting any future growth of the village that could potentially harm its setting and structure in the future’ is unclear. It is incongruous that major development comprising 50 or so houses might constitute ‘natural evolution of the landscape.’ It is similarly incongruous that he should deprecate restriction of ‘any future growth of the village that could potentially harm its setting and structure in the future’ particularly in the face of the NPPF requirement to conserve and enhance the landscape and scenic beauty of the AONB.

At his paragraph 2.21 Mr Harman emphasises that, in accordance with para 106 NPPF, ‘Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment insufficient homes, jobs and other essential services.’ He does not however explain whether and, if so, how or why he considers that the NP LGS designations are inconsistent with ‘the local planning of sustainable development’ and fail to ‘complement investment insufficient homes, jobs and other essential services.’ ‘Sustainable development’ is ‘development that meets the needs of the present without compromising the ability of future generations to meet their own needs.’ Planning policy superior to the NP envisages the main thrust of satisfaction of housing need in West Oxfordshire to be directed to areas outside the Cotswolds National Landscape. This is entirely consistent with the policy requirement to give great weight to conserving and enhancing landscape and scenic beauty in the AONB. So, also, is the restrictive emphasis, in District Plan housing policy applying to Stonesfield, as interpreted by Mr Normington, upon the satisfaction of housing need particular to the settlement. The thorough and professional Housing Needs Assessment prepared for the purposes of the NP demonstrates that for the foreseeable future housing need particular to the settlement is focused upon modest provision of social/affordable housing. The HNA demonstrated that need within Stonesfield for other housing is satisfied by the market in existing housing stock. There is no evidence that the NP LGS designation of a limited number of small pieces of land in any way jeopardises satisfaction of housing need or jobs or essential services.

Mr Harman acknowledges at 2.22 that the NP ‘utilises local opinion to give reasoning for the designation’ and that this does provide a structured approach to identifying how these areas are ‘demonstrably special to a local community.’ What better way could there be to establish whether or not this is so, than to ask the local community? If the local community overwhelmingly testifies that a piece of land is special to it, who is to contradict that and on the basis of what evidence? Similarly, if the community overwhelmingly testifies to its local significance is that not determinative?

The inaccurate and misleading suggestion at 2.23 that the proposed LGS areas ‘combined to cover an area that almost entirely encircles the settlement’ has been dealt with above and therefore will not be repeated.

3.1 onwards of Mr Harman's assessment is almost identical in its replication of the assessment presented to Mr Normington on behalf of Cala. He rejected that and concluded at paragraph 49 of his Appeal Decision: –

'Overall, in considering the landscape impacts of the proposal, the development would be contrary to the guidelines provided in the Cotswolds AONB Landscape Strategy and Guidelines. In particular as an expansion of the settlement, it would not maintain the open, sparsely settled character of the dip slope lowland. It would intrude negatively into the landscape by eroding part of its open character. The landscape impacts would not be wholly successfully mitigated and its stand-alone cul-de-sac nature would not successfully integrate into the morphology of the existing village. Overall, I consider this harm to high/medium sensitivity landscape to be substantial.'

Later at his paragraph 52, as quoted more fully above, he expressed his concern that, because of the landscape sensitivity of the site, its development would result in a replication, in views looking towards the village from Akeman Street/Oxfordshire Way, of the domination of the 'incongruity of the Charity Farm development which, owing to its urban form and materials, appears as a disjointed protrusion into the rural landscape and displays little integration with the rest of the village.'

SPC replied in detail in March 2025 to the Arc representations of 30 January 2025 and that reply will be with the Examiner's papers received from WODC, so it will not be repeated here.