

Woodstock

NEIGHBOURHOOD PLAN

2020 - 2031

Basic Conditions Statement

(Including Area Statement)

January 2022



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Woodstock Town Council
Town Hall
Market Square
Woodstock
Oxfordshire, OX20 1SL

<http://www.woodstock-tc.gov.uk/>

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1. Introduction

Overview

- 1.1 The Woodstock Neighbourhood Plan has a singular focus on designated local green spaces. Proposals for future growth and development are established in the West Oxfordshire Local Plan. The Neighbourhood Plan recognises that growth and development will happen, but seeks to designate local green spaces of value to the community and which can be enjoyed by future generations. It contains one policy which identifies the green spaces to be designated.

This document

- 1.2 This Basic Conditions Statement has been produced to accompany the Woodstock Neighbourhood Plan. It sets out how the Basic Conditions prescribed by Paragraph 8(2) of Schedule 4B to the Town & Country Planning Act 1990 are considered to have been met. The Basic Conditions are:
- Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the Neighbourhood Plan.
 - The making of the Neighbourhood Plan contributes to the achievement of sustainable development.
 - The making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
 - The making of the Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations.
 - Prescribed conditions are met in relation to the Neighbourhood Plan and prescribed matters have been complied with in connection with the proposal for the Neighbourhood Plan. The prescribed condition is that the making of the Neighbourhood Plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or an offshore marine site (as defined in the Offshore Marine Conservation (Natural Habits Regulations 2007) (either alone or in combination with other plans or projects).
- 1.3 There are two further basic conditions but these only apply to the making of a Neighbourhood Development Order and are thus not considered relevant for this document.

Other supporting documents

- 1.4 The Woodstock Neighbourhood Plan is supported by a Consultation Statement and this Basic Conditions Statement (incorporating an Area Statement).
- 1.5 The Neighbourhood Plan also makes use of evidence prepared by and on behalf of West Oxfordshire District Council as part of the Local Plan process. These and other documents are referenced as appropriate in the Neighbourhood Plan and include:
 - Woodstock Community Infrastructure Delivery Plan.
 - Local Green Space Assessment Report.
 - Strategic Environmental Assessment (SEA) Screening Opinion.
 - Habitats Regulation Assessment (HRA) Screening Opinion.

Key statements (including Area Statement)

- 1.6 The Woodstock Neighbourhood Plan has been prepared and submitted to West Oxfordshire District Council by Woodstock Town Council. The Town Council is the qualifying body and is entitled to submit a Neighbourhood Plan for the Woodstock Town Council area.
- 1.7 The Woodstock Neighbourhood Plan sets out policies that relate to development and the use of land within the neighbourhood area, as shown in Figure 1. The Neighbourhood Area was designated by West Oxfordshire District Council in January 2020. The boundary of the Neighbourhood Plan area is the same as the Town Council boundary.
- 1.8 The Neighbourhood Plan does not relate to more than one neighbourhood area. There are no other adopted Neighbourhood Development Plans which cover the neighbourhood area.
- 1.9 The Neighbourhood Plan covers the period 2022 to 2031. This is in line with the adopted West Oxfordshire District Council Local Plan, which has the same time horizon.
- 1.10 The Neighbourhood Plan does not contain any policies which relate to excluded development as defined by section 61k of the Town & Country Planning Act 1990.



Figure 1: Location of suggested Local Green Spaces

2. National planning policy

- 2.1 The Neighbourhood Plan must show that it has regard to national policies contained in guidance issued by the Secretary of State. This is principally provided by the 2021 version of the National Planning Policy Framework (NPPF) and associated Planning Practice Guidance (PPG) published by the Ministry for Housing, Communities and Local Government (MHCLG) (renamed as the Department of Levelling Up, Housing and Communities from September 2021).
- 2.2 The NPPF states at paragraph 18 that neighbourhood plans should contain non-strategic policies. At paragraph 21 it states that strategic policies (in the Development Plan) provide a clear starting point for non-strategic policies and that strategic policies *'should not extend to detailed matters that are more appropriately dealt with through neighbourhood plans or other non-strategic policies'*.
- 2.3 The power of a neighbourhood plan is clearly set out in paragraph 30 of the NPPF, which states that *'once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area'*.
- 2.4 This section demonstrates that the Woodstock Neighbourhood Plan has regard to relevant goals within the 2021 NPPF.

Delivering a sufficient supply of homes

- 2.5 The Woodstock Neighbourhood Plan does not seek to allocate land for new development. The NPPF and associated practice guidance is clear that Neighbourhood Plans do not need to do this. This message is also set out in the West Oxfordshire Local Plan. However, designation of local green spaces will help retain these spaces for ongoing use for the benefit of existing and new residents. The local green spaces do not preclude development on any of the sites allocated in the Local Plan.

Building a strong, competitive economy

- 2.6 Whilst the Neighbourhood Plan does not contain policies in respect of the economy nor employment, the retention of open spaces will help contribute towards the local economy, helping to maintain the character and quality of Woodstock, its conservation area and relationship with Blenheim Palace, supporting the local tourism industry associated with this.

Ensuring the vitality of town centres

- 2.7 The Neighbourhood Plan does not seek to establish policies in respect of the town centre and defers to the Local Plan in this respect.

Promoting healthy and safe communities

- 2.8 The Local Green Spaces designated in the Neighbourhood Plan provide opportunities for formal and informal play, leisure and recreation, on sites within close proximity to the home, supporting health and well-being initiatives. In particular, the Neighbourhood Plan supports paras 98 – 103 of the NPPF in respect of protecting a diverse range of open spaces for sports and recreation, as well as supporting efforts to address climate change.

Promoting Sustainable Transport

- 2.9 The sites designated as Local Green Spaces are all within or in close proximity to the built-up area of Woodstock and where people can travel by foot or by bicycle. Protecting open spaces for leisure and recreation will help people enjoy these activities locally without having to travel further afield.

Supporting high quality communications

- 2.10 The Neighbourhood Plan does not seek to establish policies in respect of communication technology and defers to the Local Plan in this respect. However, the designation of the spaces will allow places for social interaction.

Making effective use of land

- 2.11 The Neighbourhood Plan designates Local Green Spaces to support the needs of the existing and growing population arising from the pressures associated with growth on the development sites allocated in the Local Plan.

Achieving well-designed places

- 2.12 The designations will help retain areas of green infrastructure in close proximity to the home, enhancing the quality of the built and natural environment which characterises Woodstock and which form part of its sense of place. The designations will help retain areas of wildlife, trees and other forms of landscaping which contribute to the quality of the built environment and help mitigate and adapt to climate change.

Protecting Green Belt land

- 2.13 Woodstock is outwith the Green Belt. This section is thus not relevant to the Neighbourhood Plan. However, the designations do seek to retain green spaces of value to the community and which can endure beyond the Plan period.

Meeting the challenge of climate change, flooding and coastal change

- 2.14 Many of the spaces identified are of value for their wildlife and biodiversity, and efforts to enhance biodiversity on these sites, including net gain measures, will be supported. The sites are also important in terms of helping to manage and mitigate flood risk, with the Watermeadows for example being within the floodplain.

Conserving and enhancing the natural environment

- 2.15 The designation of Local Green Spaces seeks to protect sites that have wildlife and biodiversity value, and which contribute to the setting of Woodstock. The Neighbourhood Plan seeks to protect and welcomes enhancements to the green infrastructure network across Woodstock.

Conserving and enhancing the historic environment

- 2.16 Designation of Local Green Spaces will help reinforce the setting of and views to and from the Blenheim Palace World Heritage Site. Designated spaces are also within or in close proximity to the Woodstock Conservation Area and near to Listed Buildings. Designation will help reinforce the special qualities of local heritage assets and the special character of Woodstock.

Facilitating the sustainable use of minerals

- 2.17 The Neighbourhood Plan does not seek to establish policies in respect of minerals and defers to the Local Plan in this respect.

3. Sustainable development

- 3.1 The NPPF, at paragraph 7, states that the *'purpose of the planning system is to contribute to the achievement of sustainable development'*. Sustainable development is defined as *'meeting the needs of the present without compromising the ability of future generations to meet their own needs'*.
- 3.2 The NPPF views sustainability as made up of three objectives: economic, social and environmental. These objectives are interdependent and should be pursued in mutually supportive ways. The objectives, and how the Neighbourhood Plan helps contribute towards these, are set out below:

Economic:

- 3.3 Defined in the NPPF as being to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.
- 3.4 Whilst the Neighbourhood Plan does not allocate sites for development nor establish proposals for growth, the economic importance of green spaces is recognised in the context of Woodstock, particularly in terms of its historic character and setting of the World Heritage Site which are important to tourism and thus the local economy. This is noted in research by The Land Trust (The economic value of our Green Spaces, February 2018) for example, which finds that good quality green spaces can: improve an area's attractiveness; increase property values; encourage local investment; generate local business revenue; create and safeguard jobs; enable volunteering, learning and development; and protect homes and business from flood risk.

Social:

- 3.5 Defined in the NPPF as being to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.
- 3.6 Designation of Local Green Spaces in Woodstock responds to messages raised by the community during productions of the Woodstock Community Infrastructure Delivery Plan, recognising that as Woodstock grows in the future, so local greenspaces become ever more important for existing and new residents, for sport and recreation. The local green spaces are all in close proximity to Woodstock and within easy access of the home. A range of green spaces are designated, including those used for informal and formal recreation, and others valued for their tranquillity, wildlife and

biodiversity. They provide opportunities for social inclusion and community cohesiveness, contributing to health and well-being.

Environmental:

- 3.7 Defined in the NPPF as being to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 3.8 Designation of the local green spaces will help safeguard these, recognising the value for local wildlife and biodiversity. Indeed, the Neighbourhood Plan welcome proposals that enhance biodiversity and will help deliver biodiversity net gains on these sites. The spaces will also help manage flood risk and provide opportunities for leisure and recreation in close proximity to the home, supporting travel by foot and bicycle, reducing the need for people to travel by car for such facilities.

4. The development plan

Strategic policies

- 4.1 For Neighbourhood Plans to meet the Basic Conditions set out in the Neighbourhood Planning regulations they need to demonstrate general conformity with the strategic policies of the development plan.
- 4.2 The NPPF establishes what should be covered by a strategic policy in a Local Plan. It states that such policies should provide a clear starting point for any non-strategic policies that are needed and should not extend to detailed matters that are more appropriately dealt with through neighbourhood plans or other non-strategic policies. It states that such policies should help to deliver:
- Housing (including affordable housing), employment, retail, leisure, and other commercial development;
 - Infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
 - Community facilities (such as health and cultural infrastructure); and
 - Conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.
- 4.3 For Woodstock these are set out in the West Oxfordshire Local Plan. This was adopted in September 2018 and covers the period through to 2031.
- 4.4 The Local Plan is not clear on what policies are considered to be strategic. It includes a series of 'cross-cutting' policies, 'topic-based policies' and 'place-based' policies. Those relevant to the Neighbourhood Plan are set out below, with commentary provided indicating how the Neighbourhood Plan conforms to these. These include Local Plan policies prefixed 'OS' referring to the Overall Strategy.
- 4.5 The Woodstock Neighbourhood Plan has a singular focus on Local Green Space designations. The Local Plan makes clear that neighbourhood Plans need not propose sites for development. Indeed, the Local Plan allocates three large sites for growth in Woodstock. The Neighbourhood Plan seeks to work alongside this, recognising that existing local green spaces will become ever more important for health and well-being, and for helping to respond to climate change. It takes messages from the earlier Woodstock Community Infrastructure Delivery Plan emphasising the importance of local green spaces and thus focusses on designating those of value to the community.

Conformity with policies

- 4.6 The table below summarises key Local Plan policies and relationship with the Neighbourhood Plan. These include the 'Overall Strategy' policies, those related to the environment and green spaces, and those concerned with growth in the Eynsham – Woodstock sub-area.

Local Plan policy	Neighbourhood Plan response
OS1: Presumption in favour of sustainable development. Notes that applications will be determined in accordance with the Local Plan and any made Neighbourhood Plans, unless policies are silent or out-of-date, in which case the NPPF will be applied.	The Neighbourhood Plan includes policies on local green spaces that supplement the Local plan policies with more up-to-date, locally specific policies. The sites do not include any development sites and so do not preclude opportunities for sustainable development.
OS2: Locating development in the right places. Notes that Woodstock is suitable for a reasonable scale of development, whilst protecting historic assets and delivering local services.	Development sites are identified in the Local Plan. The Neighbourhood Plan seeks to designate local green spaces outwith the development site boundaries to retain areas of local space and biodiversity for the benefit of current and future generations.
OS3: prudent use of natural resources. Notes that development should make prudent use and management of natural resources.	Designation of greens paces will help manage the impacts of climate change, supporting wildlife and biodiversity, as well as manage the risk of flooding.
OS4: High quality design. Notes that new development should respect the historic, architectural and landscape character of the setting, and enhance local green infrastructure and biodiversity.	Designation of Local Green Spaces will secure retention of green infrastructure and provide opportunities for enhancement of biodiversity. Spaces are within or close to the built up area and thus an important part of the setting and character of Woodstock.
OS5: Supporting infrastructure. New development will be required to deliver or contribute towards timely provision of essential infrastructure.	Protection of local green spaces will provide opportunities for leisure and recreation for the community as a whole and could also be locations for delivery of biodiversity net gain proposals.
EH2: Landscape Character. Notes that the quality, character and distinctiveness of the natural environment will be conserved and enhanced.	The Neighbourhood Plan identifies local green spaces of value and importance that should be designated as such for their long term protection.

<p>EH3: Biodiversity and geodiversity. Notes that biodiversity shall be protected and enhanced.</p>	<p>The sites designated as local green spaces include areas valued for their wildlife and biodiversity, and where proposals to enhance biodiversity through netgain measures will be welcome.</p>
<p>EH4: Public realm and green infrastructure. Notes that areas of public space and green space should be protected.</p>	<p>The Neighbourhood Plan designates local green spaces of value to the community which should be retained, providing health and wellbeing benefits, as well as contributing to climate change initiatives.</p>
<p>EH5: Sport, recreation and children's play. Notes that new development should not result in a loss of such spaces.</p>	<p>The Neighbourhood Plan identified important areas for sport, recreation and play which should be protected and retained for the enjoyment of the community. Improvements to the spaces that support the role and function of that space are welcome.</p>
<p>EH9: Historic Environment. Development proposals should conserve and or enhance the historic environment and heritage assets.</p>	<p>The Neighbourhood Plan designates local green spaces within and close to the Woodstock Conservation area and listed buildings. Designation will help conserve the historic character of the built and natural environment, including the setting of the Blenheim Palace World Heritage Site.</p>
<p>EH10: Conservation Areas. Development will be permitted where it conserves or enhances the special interest of character of the conservation area.</p>	<p>The Neighbourhood Plan designates the Watermeadows as a Local Green Space. This is located in the conservation area and is important because of its natural environment and role it plays in managing flood risk. Protection of the site will allow for ongoing management and help conserve the special interest of the conservation area.</p>
<p>EW3: Land east of Woodstock. Sets out proposals for 300 homes to the east of Woodstock.</p>	<p>The Neighbourhood Plan designates local green spaces outside of the allocation and does not preclude development from coming forward east of Woodstock. The proposed designation of the Marlborough School Field is adjacent to but outside the allocation area.</p>

<p>EW4: Land north of Hill Rise, Woodstock. Sets out proposals for 120 homes.</p>	<p>The Neighbourhood Plan designates local green spaces outside of the allocation and does not preclude development from coming forward north of Hill Rise. The Play Area within the allocation area was initially considered as a potential Local Green Space designation but removed upon review.</p>
<p>EW5: Land north Banbury Road, Woodstock. Sets out proposals for 180 homes.</p>	<p>The Neighbourhood Plan designates local green spaces outside of the allocation and does not preclude development from coming forward north of Banbury Road. The proposed designation of the Green Lane Cemetery is adjacent to but outside the allocation area.</p>
<p>EW9: Blenheim World Heritage Site. Notes that the World Heritage site will be protected, promoted and conserved. Consideration will be given to the setting of the World Heritage Site and preservation of views to and from this.</p>	<p>Designation of Local Green Spaces will help protect the setting of the World Heritage Site and views enjoyed to and from it.</p>
<p>EW10: Eynsham – Woodstock sub-area strategy. Supports development of an appropriate scale (including housing allocations EW3-5) and sets out principles for good development.</p>	<p>Designation of Local Green Spaces does not preclude development of allocated sites in the Local Plan. Designation supports protection and provision of essential green infrastructure and will help conserve and enhance historic assets as well as safeguarding the setting of the Blenheim Palace World Heritage Site.</p>

5. SEA / HRA

- 5.1 In January 2021 the draft Woodstock Neighbourhood Plan was screened for the purposes of Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment (HRA) by West Oxfordshire District Council in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.
- 5.2 The SEA regulations require the responsible authority (West Oxfordshire District Council) to determine whether or not a plan is likely to have a significant environmental effect and therefore whether SEA is needed.
- 5.3 The SEA Screening concluded that the Woodstock neighbourhood Plan is unlikely to have significant environment effects and thus does not require a Strategic Environmental Assessment, with all likely effects on the environment in Woodstock identified and tested through the Sustainability Appraisal of the West Oxfordshire Local Plan. It is considered that the proposed policies will have likely positive effects for human health and biodiversity, and that there will be no adverse effects on the integrity of any European sites designated for nature conservation.
- 5.4 Equally, the HRA screening considers that the Woodstock Neighbourhood Plan is not likely to have significant effects on EU designated sites, either alone or in combination with other plans and projects.
- 5.5 The screening was subject to consultation with the Statutory Consultees and the final report issued in March 2021, confirming that neither SEA nor HRA is required. The report is included at Appendix A of this Basic Conditions Statement.

6. Conclusion

- 6.1 The Basic Conditions as set out in Schedule 4B to the TCPA 1990 are considered to be met by the Woodstock Neighbourhood Plan and all the policies therein.
- 6.2 It is therefore respectfully suggested to the Examiner that the Woodstock Neighbourhood Plan complies with the Basic Conditions, and, subject to any modifications recommended by the Examiner, should proceed to referendum.

7. Appendix A

SEA / HRA

The Strategic Environmental Assessment (SEA) Screening Report as well as the Habitats Regulation Assessments (HRA) of the Woodstock Neighborhood Plan are presented as a free-standing document alongside the Woodstock Neighbourhood Plan.

Woodstock Town Council
Neighbourhood Plan for Woodstock, 2020-2031

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