Wolvercote Neighbourhood Development Plan

2019-2034

A report to Oxford City Council on the Wolvercote Neighbourhood Development Plan

Andrew Ashcroft
Independent Examiner
BA (Hons) MA, DMS, MRTPI

Director – Andrew Ashcroft Planning Limited

Executive Summary

1 I was appointed by Oxford City Council in November 2018 to carry out the independent examination of the Wolvercote Neighbourhood Plan.

2 The examination was undertaken by way of written representations. I visited the neighbourhood plan area on 12 December 2018.

3 The Plan includes a variety of policies. It seeks to bring forward positive and sustainable development in the neighbourhood area. It has a focus on safeguarding the very clear difference between the built-up parts of the neighbourhood area and its extensive green areas. It seeks to improve the health and well-being of its residents.

4 The Plan has been underpinned by community support and engagement. It is clear that all sections of the community have been engaged in its preparation.

5 Subject to a series of recommended modifications set out in this report I have concluded that the Wolvercote Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.

6 I recommend that the referendum should be held within the neighbourhood area.

Andrew Ashcroft
Independent Examiner
3 July 2019

1 Introduction

1.1 This report sets out the findings of the independent examination of the Wolvercote Neighbourhood Development Plan 2019-2034 (the Plan).

1.2 The Plan has been submitted to Oxford City Council (OCC) by the Wolvercote Neighbourhood Forum in its capacity as the qualifying body responsible for preparing the neighbourhood plan.

1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) in 2012 and 2018. The NPPF continues to be the principal element of national planning policy.

1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether or not the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.

1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan has been designed to reflect to its distinctive and varied character.

1.6 Within the context set out above this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.

1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the plan area and will sit as part of the wider development plan.

2 The Role of the Independent Examiner

2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.

2.2 I was appointed by OCC, with the consent of the Neighbourhood Forum, to conduct the examination of the Plan and to prepare this report. I am independent of both the OCC and the Neighbourhood Forum. I do not have any interest in any land that may be affected by the Plan.

2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 35 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral System.

Examination Outcomes

2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:

(a) that the Plan is submitted to a referendum; or
(b) that the Plan should proceed to referendum as modified (based on my recommendations); or
(c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.

The Basic Conditions

2.5 As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan in the area;
- be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations; and
- not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (7).

I have examined the submitted Plan against each of these basic conditions, and my conclusions are set out in Sections 6 and 7 of this report. I have made specific comments on the fourth and fifth bullet points above in paragraphs 2.6 to 2.11 of this report.

2.6 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.

2.7 In order to satisfy the regulations OCC undertook a screening exercise. This process concluded that the Plan is unlikely to have significant environmental effects and therefore a Strategic Environmental Assessment is not required. Consultation was carried out with the three statutory bodies.

2.8 OCC also undertook a Habitats Regulations Assessment (HRA) screening report on the Plan in July 2018. The report is very thorough in its approach. It addresses the potential impact of the implementation of the Plan's policies on the following protected sites:

- Oxford Meadows SAC;
- Cothill Fen SAC; and
- Little Wittenham SAC.

2.9 The screening report concludes that the submitted Plan is unlikely to have significant effects on a European site and that an appropriate assessment is not required. During the examination process OCC updated the screening report to take account of the People over Wind judgement in April 2018. This process concluded that the earlier work on this matter remains appropriate and no changes are considered necessary.

2.10 Having reviewed the information provided to me as part of the examination I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of European obligations.

2.11 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Other examination matters

2.12 In examining the Plan I am also required to check whether:

- the policies relate to the development and use of land for a designated neighbourhood plan area; and
- the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it

has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and

- the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.

2.13 Having addressed the matters identified in paragraph 2.12 of this report I am satisfied that all of the points have been met subject to the contents of this report.

3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted Neighbourhood Development Plan.
- the Basic Conditions Statement.
- the Consultation Statement.
- the Screening Statement.
- the update to the HRA element of the Screening Statement (July 2019).
- the various appendices to the Plan.
- the representations made to the Plan.
- the Neighbourhood Forum's responses to my Clarification Note.
- the Oxford Core Strategy 2026.
- the saved policies of the Oxford Local Plan 2016.
- the Sites and Housing Plan 2011-2026
- the Northern Gateway Area Action Plan (July 2015).
- the emerging Oxford Local Plan 2016-2036.
- the National Planning Policy Framework (March 2012 and July 2018).
- Planning Practice Guidance (March 2014 and subsequent updates).
- relevant Ministerial Statements.

3.2 I carried out an unaccompanied visit to the neighbourhood area on 12 December 2018. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. My visit is covered in more detail in paragraphs 5.9 to 5.16 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I concluded that the Plan should be examined by way of written representations.

3.4 On 24 July 2018 a revised version of the NPPF was published. Paragraph 214 of the 2018 NPPF identifies transitional arrangements to address these circumstances. It comments that Plans submitted before 24 January 2019 will be examined against the 2012 version of the NPPF. I have proceeded with the examination on this basis. All references to paragraph numbers within the NPPF in this report are to those in the 2012 version.

3.5 During the examination the Forum needed to be re-designated. This caused a delay in the proceedings. However, this delay did not affect its submission date and the examination proceeding on the basis of the 2012 version of the NPPF

4 Consultation

Consultation Process

4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.

4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 the Neighbourhood Forum has prepared a Consultation Statement. This Statement is proportionate to the Plan area and its policies.

4.3 The Statement is particularly detailed in terms of its recording of the various activities that were held to engage the local community and the feedback from each event. It also provides specific details on the consultation processes that took place on the pre-submission version of the Plan (October to November 2017).

4.4 The Statement sets out details of the consultation events that were carried out in relation to the various stages of the Plan. It provides details about:

- circulation of leaflets throughout the neighbourhood area;
- the creation of a website;
- the arrangement of community events;
- the use of on-line surveys;
- the organisation of drop in sessions during the pre-submission consultation exercises; and
- the use of poster hoardings and other notices.

4.5 The appendix to the Statement sets out how the submitted Plan took account of consultation feedback at the pre-submission phase. It does so in a proportionate and effective way. It helps to describe how the Plan has progressed to its submission stage.

4.6 Consultation on the submitted plan was undertaken by the City Council for a six-week period that ended on 20 November 2018. This exercise generated representations from several local residents and from the following organisations:

- Environment Agency
- Highways England
- Historic England
- Natural England
- Oxfordshire Clinical Commissioning Group
- SSE

- Thames Water
- Thomas White Oxford
- Oxford City Council

4.7 I have taken account of all the representations received. Where it is appropriate to do so I have identified the organisations which have commented on the Plan on a policy-by-policy basis.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

5.1 The neighbourhood area is that of the designated Wolvercote Neighbourhood Forum. It was designated as a neighbourhood area on 22 January 2014. It was re-designated on 13 March 2019.

5.2 The neighbourhood area is one of great contrasts. In general terms it sits to the north of Oxford and in a continuous arc around the Wolvercote roundabout on the A40. In this context is located at the very heart of the road network to the north of Oxford. The A34 forms the western boundary of the neighbourhood area. The A40 runs through the heart of the area in an east-west direction. The various roads largely subdivide the area into discreet areas. In general terms the part of the area to the west of the Woodstock Road has a more open and rural aspect. The part of the area to the east of the Woodstock Road has a more urban, north Oxford character. The northern and western part of the area overlaps with the North Oxford Gateway area as defined by the City Council.

5.3 The settlements of Upper and Lower Wolvercote have maintained their separation from the wider City to the south. This separation is primarily reinforced by the interrelationship between the floodplain of the River Thames and the scale of Port Meadow. They contribute in a very important way to the wider setting of the City of Oxford. Indeed, from several locations in this part of the neighbourhood area there are very interesting views of the City's historic core to the south. The strategic importance of the neighbourhood area is also recognised by the railway line and the Oxford Canal running parallel to the eastern boundary of Port Meadow.

Development Plan Context

5.4 The Oxford Core Strategy was adopted in March 2011. It sets out the basis for future development in the City up to 2026. The adoption of the Core Strategy partially superseded a number of policies in the Oxford Local Plan 2001-2016. However, many of the Local Plan policies remain as saved policies. Following the adoption of the Core Strategy the City Council produced the Sites and Housing Plan 2011-2026. It was adopted in February 2013. This Plan allocates sites for development for housing, employment and other uses and sets out detailed policies for residential development. The Northern Gateway Area Action Plan 2015 provides specific policy guidance within the northernmost part of the neighbourhood area. It is this development plan context against which I am required to examine the submitted Neighbourhood Plan. The following policies in the Core Strategy are particularly relevant to the Wolvercote Neighbourhood Plan:

CS9 Energy and Natural Resources
CS12 Biodiversity
CS15 Primary Healthcare
CS18 Urban Design

CS23 Mix of Housing
CS24 Affordable Housing

5.5 The Basic Conditions Statement usefully highlights the key policies in the development plan and how they relate to policies in the submitted Plan. This is good practice. It provides confidence to all concerned that the submitted Plan sits within its local planning policy context.

5.6 The Sites and Housing Plan identifies a series of housing allocations in the City. It includes Policy SP63 Wolvercote Paper Mill. This allocation is two related sites (Plot A and Plot B).

5.7 The City Council is in the process of refreshing its planning policy. This is captured in the emerging Oxford Local Plan 2016- 2036. In process terms the timings involved have not permitted the submitted neighbourhood plan directly to take account of this emerging local planning context.

5.8 The submitted neighbourhood plan has been prepared within its wider development plan context. In doing so it has relied on up-to-date information and research that has underpinned existing and emerging planning policy documents in Oxford City. This is good practice and reflects key elements in Planning Practice Guidance on this matter.

Visit to the Neighbourhood Area

5.9 I visited the neighbourhood area on 12 December 2018.

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5.10 I entered the neighbourhood area from the Banbury Road to the north off the A40. This helped me to understand the neighbourhood area in its wider context within the City.

5.11 I looked initially at Upper and Lower Wolvercote to the west of the Woodstock Road. I saw the delicate relationship between the City to the south and east and the River Thames floodplain and the wider countryside to the west. At times it was difficult to comprehend that the heart of the City Centre was only 3km away.

5.12 In Upper Wolvercote I parked in Wolvercote Green. I saw the attractive range of houses, the playground and The Plough PH. I walked up to the railway line and the Oxford Canal at Ball's Bridge. I then took the opportunity to walk up the hill to the church and the school. I saw some of the fine vernacular buildings along First Turn.

5.13 I then drove through Lower Wolvercote to the Port Meadow Godstow car park. It was remarkably popular even in December. This part of the visit gave me an opportunity to understand both the significance and the scale of Port Meadow in the neighbourhood area and the wider City. The various information boards provided clear information about its importance as a prehistoric site and, more recently as a

First World War station for the Royal Flying Corps and later the Royal Air Force. I saw the new memorial erected in May 2018 to those who died in flying accidents.

5.14 I then walked to Godstow Abbey via the three bridges over the River Thames and past the Trout Inn PH. I took time to wander around the remains of the Abbey. I then followed the footpath down to Godstow Lock.

5.15 I then retraced my steps back to the Wolvercote roundabout on the A40. I then looked at the primarily residential part of the neighbourhood area to the north of the A40. I looked in particular at Cutteslowe Park. I saw its wide range of open and outdoor facilities and its careful and sensitive maintenance regime. I saw the extent to which it extended to the south of the A40 (outside the neighbourhood area) and the connection between the two areas via the pedestrian bridge.

5.16 I then walked around the southern part of the neighbourhood area on either side of the Woodstock Road. I saw that it had a similar urban character to that of the Summertown and St Margaret's neighbourhood area to its south. I left the neighbourhood area by way of the A44 to the north. This allowed me to see the range of existing commercial uses in the Northern Gateway Area (Oxford North), including the Pear Tree Park and Ride facility and the Welcome Break service station.

6 The Neighbourhood Plan as a whole

6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented and informative document.

6.2 The Plan needs to meet all the basic conditions to proceed to referendum. This section provides an overview of the extent to which the Plan meets three of the five basic conditions. Paragraphs 2.6 to 2.11 of this report have already addressed the issue of conformity with European Union legislation.

National Planning Policies and Guidance

6.3 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in March 2012. Paragraph 3.4 of this report has addressed the transitional arrangements which the government has put in place as part of the publication of the 2018 version of the NPPF.

6.4 The NPPF sets out a range of core land-use planning principles to underpin both plan-making and decision-taking. The following are of particular relevance to the Wolvercote Neighbourhood Development Plan:

- a plan led system– in this case the relationship between the neighbourhood plan and the adopted Core Strategy/Sites and Housing Plan/saved Local Plan;
- proactively driving and supporting sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places;
- recognising the intrinsic character and beauty of the countryside;
- always seeking to secure high quality design and good standards of amenity for all future occupants of land and buildings; and
- conserving heritage assets in a manner appropriate to their significance.

6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development, which is identified as a golden thread running through the planning system. Paragraph 16 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.

6.6 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and the recent ministerial statements.

6.7 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a positive vision for the future of the plan area in terms of promoting certain sustainable types of development and growth on the one hand whilst safeguarding its character and appearance on the other hand. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.

6.8 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraphs 17 and 154). This was reinforced with the publication of Planning Practice Guidance in March 2014.Its paragraph 41 (41-041-20140306) indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.

6.9 As submitted the Plan does not fully accord with this range of practical issues. Several of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. I am satisfied that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension the Plan includes policies for employment and retail uses (Policy COS 1) and the Northern Gateway Area - Oxford North (Policy COS2). In the social role, it includes policies on community facilities (Policy CHS2), on safe access routes (Policy CHS4) and on the mix of new dwellings (BES6). In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment. It has specific policies addressing matters as varied as Green Belt, green spaces, renewable energy, sustainable construction and biodiversity. This assessment overlaps with the Forum's comments on this matter in the submitted Basic Conditions Statement.

General conformity with the strategic policies in the development plan

6.11 I have already commented in detail on the development plan context in Oxford City in paragraphs 5.4 to 5.8 of this report.

6.12 I consider that the submitted Plan delivers a local dimension to this strategic context and supplements the detail already included in the adopted Core Strategy and the Sites and Housing Plan. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the Core Strategy/saved Local Plan. I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

7 The Neighbourhood Plan policies

7.1 This section of the report comments on the policies in the Plan. In particular, it makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.

7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.

7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the Plan area. The wider community and the Neighbourhood Forum have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.

7.4 The Plan has been designed to reflect Planning Practice Guidance (41-004-20170728) which indicates that neighbourhood plans must address the development and use of land. The Plan identifies a range of other, non-land use matters (referred to as community policies). The community policies are included within the main body of the Plan rather than in a separate section as recommended by this element of national guidance. However, as they sit within a natural order in the Plan, I am satisfied that the arrangements are satisfactory and well-considered. Nevertheless, there is a clear need for the community policies to be differentiated clearly from the spatial policies. I address this matter by way of a recommended modification later in this report.

7.5 I have addressed the spatial policies in the order that they appear in the submitted plan. The community policies are addressed separately after the spatial policies.

7.6 For clarity this section of the report comments on all policies (spatial and community) whether or not I have recommended modifications in order to ensure that the Plan meets the basic conditions.

7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing modifications to the text of the Plan are set out in italic print.

The initial sections of the Plan

7.8 The initial elements of the Plan set the context for the production of the Plan. They describe the neighbourhood plan process in general terms and the remit of the

Neighbourhood Forum in particular. They are proportionate to the neighbourhood area and the subsequent policies.

7.9 This part of the Plan identifies its Vision and Aims. Pages 8-10 identify a series of general principles that stem from the Vision and Aims.

7.10 This part of the Plan comments on the distinction between its spatial planning policies and the community policies and projects.

7.11 The remainder of this part of the report addresses each policy in turn in the context set out in paragraphs 7.4/7.5/7.7 of this report.

Spatial Policies

7.12 As I have mentioned in paragraph 7.4 of this report on balance, I am satisfied that the relevant community policies should follow the spatial policies within the topic chapters of the Plan. There is a degree of synergy between the component policies. Nevertheless, the physical presentation of the community policies in the Plan is identical to that of the spatial policies. This is an important matter as the spatial policies will become part of the development plan in the event that the Plan is 'made'. In contrast the community policies will not have development plan status.

7.13 In order to remedy this matter, to highlight the significance and importance of the spatial policies in the Plan and to conform with national policy I recommend that the spatial policy boxes are filled with light tonal grey. I also recommend changes to the text on page 11 to address this matter. These recommended modifications should be read side-by-side with those proposed in paragraph 7.83 of this report in relation to the community policies.

In respect of all the spatial policies insert light tonal grey shading in the policy box.

In the second paragraph of the supporting text on Delivering the Plan (page 11):

- *at the end of the first section add:' They will become part of the development plan'.*
- *at the end of the second section add: 'In this Plan the spatial policies are shown with light tonal grey shading to distinguish them from the community policies.*

Policy GBS1 Publicly Accessible Green Space

7.14 This policy sets out to retain identified green spaces and to support opportunities for their improvement or replacement. The policy anticipates that some facilities may be proposed for redevelopment within the Plan period and identifies criteria for their replacement as part of the wider development proposal.

7.15 The generality of the approach adopted has regard to national policy. The implementation of the policy will play a significant part in the way in which the Plan contributes towards the achievement of the social element of sustainable

development in the neighbourhood area. The supporting text recognises that the neighbourhood area has a very significant number of public open spaces, and some of which are the most important accessible green spaces within the wider City. I saw clear evidence of their extensive use when I visited the neighbourhood area.

7.16 I recommend a modification to the first part of the policy. As submitted, it comments that green spaces will be conserved without identifying any mechanisms by which this would be achieved. I also recommend other detailed modifications to the wording used more generally within the policy. Otherwise it meets the basic conditions. It will properly help to secure the future and the sensitive maintenance of this important resources to the wider City.

Replace the opening section of the policy with:
'Development proposals should protect the publicly accessible green spaces as shown in Annex 4 and, where practicable incorporate any opportunities for their enhancement'

In the second part of the policy replace 'permitted' with 'supported'

Policy GBS2 Green Belt, Designated Land and Common Land

7.17 This policy addresses several matters within the same policy. In summary they are the Oxford Green Belt, designated land (SSSIs, SACs and SAMs) and common land. The policy approach taken is common to the various land types and is that development will not be permitted. A second part of the policy comments that there should be no inappropriate contiguous development next to the Green Belt to ensure that the visual continuity of the Green Belt is retained.

7.18 I sought clarification from the Forum on the way in which the policy had been designed in general, and the reasoning why three separate land types had been included in the same policy. I have taken its comments into account in formulating recommended modifications to the policy. Whilst I can understand the importance of the various matters to the community in general, and of the Green Belt in particular it does not reflect the different policy regimes which affect each of the identified parcels of land concerned. In addition, it fails to have regard to national policy on Green Belts and the distinction between appropriate and inappropriate development in particular.

7.19 In addition the policy has little practical effect in the absence of a plan or map which identifies the parcels of land concerned.

7.20 I recommend a series of modification to remedy these various matters. In particular I recommend that the policy is separated into its three principal components. In relation to the Green Belt I recommend that the policy takes account of national and local policies.

7.21 I recommend the deletion of the second part of the policy as submitted on development contiguous to the Green Belt. Plainly the Green Belt has been carefully

defined. In these circumstances it would be inappropriate to apply what would largely be a Green Belt policy to adjacent parts of land.

Replace the policy with:

'The extent of the Oxford Green Belt within the neighbourhood area is shown on Map [insert number]. Development proposals for inappropriate development within the Green Belt will not be supported.

Development will not be supported on land designated as SSSI, or SAC, or SAM as shown on Map [insert number]

Development will not be supported on Common Land as shown on Map [insert number]

Include a map within the Plan showing the location of the various parcels on land to which this policy would apply

Policy GBS3 Playing Fields and Play Areas

7.22 This policy seeks both to safeguard existing playing fields and play areas and to ensure that new residential development provides for an appropriate amount of new play spaces. As with publicly accessible green spaces the neighbourhood area is well-provided with strategic playing fields within the wider context of the City.

7.23 I recommend a modification to the first part of the policy. As submitted, it comments that playing fields should remain as areas of public amenity without identifying any mechanisms by which this would be achieved. I also recommend other detailed modifications to the wording used more generally within the policy. Otherwise it meets the basic conditions. It will properly help to secure the future and the sensitive maintenance of this important resource to the wider City. I also recommend that the policy has sufficient flexibility to allow for the development of modest ancillary facilities which would enhance their principal uses as playing fields.

Replace the opening section of the policy with:
'Development proposals should protect Cutteslowe and Sunnymead Park, the Five Mile Drive Playing Field and the Banbury Road North Recreation Ground. Development will not be supported within these playing fields unless they are ancillary facilities which will sustain and/or enhance their use as playing fields.'

In the second part of the policy replace 'All existing…remain and' with 'Development proposals should safeguard existing play areas.'

At the end of the supporting text add:
'Policy GBS3 includes sufficient flexibility to allow for the development of modest ancillary facilities which would enhance their principal uses as playing fields.'

Policy GBS4 Allotments

7.24 This policy refers to allotments. It has three related parts. The first seeks to retain existing allotments. The second supports proposals for new allotments. The third comments about mechanisms for providing new allotments in association with other development

7.25 I sought advice from the Forum on the purpose of the third part of the policy in general terms, and the extent to which it related only to proposals for new residential development. I was advised that the intention is that new residential developments should provide allotments in line with current City Council policy. Where possible these should be on-site or within 400 metres of the new development.

7.26 I recommend a series of detailed modifications to the policy. In particular I recommend a modification to the first part of the policy. As submitted, it comments that allotments should remain without identifying any mechanisms by which this would be achieved. I also recommend other detailed modifications to the wording used more generally within the policy.

Replace the opening section of the policy with: 'Development proposals should protect existing allotments and, where practicable incorporate any opportunities for their enhancement'

In the second part of the policy replace 'permitted' with 'supported'

Replace the third part of the policy with: 'New residential developments should provide allotments in line with current City Council policy. Where practicable these should be on site or within 400 metres of the new development.'

Policy GBS5 Biodiversity

7.27 This policy celebrates the rich biodiversity within the neighbourhood area. Annex 5 provides a full species list. A significant element of the survey work has been undertaken by students from Oxford Brooks University.

7.28 The policy has three related parts. The first safeguards sites and/or species of ecological value unless it can be demonstrated that the benefits of the development clearly outweigh the loss of habitat. The second comments about the ability of mitigation and compensation measures to offset any loss of ecological value where the benefits of any development outweigh the ecological losses. The third part of the policy identifies that consideration should be given to the importance of wildlife corridors and priority species.

7.29 I sought clarification from the Forum on the purpose of the third part of the policy. I was advised that the intention was that only proposals that demonstrate an aim to preserve, increase and enhance biodiversity by retaining wildlife corridors will be supported. I recommend a modification accordingly.

7.30 I also recommend other modifications to the wording used in the policy so that it has the clarity required by the NPPF and can be applied clearly and consistently throughout the Plan period. Otherwise it meets the basic conditions.

In the opening part of the policy replace 'may' with 'would' and 'permitted' with 'supported'. At the end of this part of the policy add 'of habitat' after 'loss'

Replace the third part of the policy with 'Development proposals which would preserve, increase and enhance biodiversity by retaining wildlife corridors will be supported.'

Policy GBS6 Open Space in Developments

7.31 This policy has a clear focus on green space within new developments. It has three related parts. The first supports proposals which would increase publicly accessible green space. The second refers to a requirement for major development to be associated with a Biodiversity Enhancement Plan. The third part of the policy sets out an expectation that new development should provide green space within the site itself. However, it identifies circumstances where off-site provision may be appropriate.

7.32 I am satisfied that the first part of the policy has the ability to meet the basic conditions. I recommend that the word 'encouraged' is replaced with 'supported'. This will bring the necessary clarity to the policy.

7.33 I recommend that the two other parts of the policy are deleted. The second part of the policy is a process requirement, and the third part sets out a simple preference for where any green space is located in relation to a development site. In any event the provision of green space in new development is already adequately addressed in the City Council's Core Strategy

In the first part of the policy replace 'encouraged' with 'supported'

Delete the remainder of the policy

Policy BES1 Brownfield Sites

7.34 This policy sets out to ensure that new development proceeds on brownfield land. It takes into account the sharp focus between brownfield and greenfield land within the neighbourhood area.

7.35 In general terms the policy has regards to national policy and is in general conformity with strategic policies in the development plan in general, and Policy CS2 of the Core Strategy in particular. However, the policy then goes beyond national and local policy in requiring that any applicant to submit a written justification as to the reasons why

that development could not be brought forward on a brownfield site. Whilst I can understand why the community would wish to promote such a policy approach the Plan produces no detailed justification why the approach is necessary or applicable to the neighbourhood area. In any event Policy CS2 of the Core Strategy already comments on the limited circumstances in which new development will be supported on greenfield sites. On this basis I recommend that the more detailed parts of the policy are deleted. I also recommend a detailed change to the wording of the initial part of the policy. A policy cannot prioritise one form of development over another.

In the first sentence replace 'prioritised' with 'supported'.
Replace the remainder of the policy with:
'Proposals for development on green field land will be determined against Policy CS2 of the Oxford City Core Strategy'.

Policy BES2 Air Pollution

7.36 This policy seeks to relate the acceptability or otherwise of new development proposals to air quality conditions in the neighbourhood area. It has two parts. The first part indicates that residential development will not be permitted in areas where air pollution levels are found to be above levels harmful to health. The second part indicates that any such proposals should be accompanied with evidence about current air quality conditions and how any impacts of development on the health of local residents can be mitigated.

7.37 The policy has several issues around clarity and the way in which it could be consistently applied throughout the Plan period. Firstly, it is unspecific about the parts of the neighbourhood area which would be affected by the policy. The whole of the City is an Area Quality Management Area (AQMA). However only the Wolvercote Roundabout in the neighbourhood area exceeds air pollution levels. Secondly the standards provided by the World Health Organisation (WHO) may change within the Plan period. This will fail to provide clarity for the development industry. Thirdly the policy is internally inconsistent. On the one hand its first section comments unequivocally that residential development will not be permitted in areas where air pollution levels exceed those identified by the WHO. On the other hand, the remainder of the policy then sets out the basis on which development proposals should provide evidence about the present state of air quality and how the development could mitigate the effects on local residents

7.38 I recommend modifications to remedy these issues. In particular I recommend the deletion of the first part of the policy.

Replace the policy with:
'Proposals for residential development should identify the present state of air quality in the immediate vicinity of the site. In addition, development proposals should identify the ways in which the potential impact of new development on the health and well-being of existing residents in the immediate locality can be mitigated through both design, layout and construction.

Development proposals which would have an unacceptable impact on air quality in their local environment will not be supported'

Policy BES3 Noise Pollution

7.39 This policy relates to noise pollution. It requires that new developments should be designed to minimise noise for new and existing residents. Its second sentence requires that developments must adhere to standards defined by the WHO.

7.40 I am satisfied that the approach taken meets the basic conditions in general terms. I recommend that the WHO reference is deleted from the policy and replaced with more general guidance.

Replace the second sentence with:
'New developments should demonstrate the ways in which they have responded to the most up-to-date technical guidance on noise pollution relevant to the proposed development'

Policy BES4 Building Demolition and conversion

7.41 This policy refers to proposals for the refurbishment and conversion of existing buildings. In particular it comments that refurbishments and conversions will be preferred to demolition and rebuilding schemes. A second part of the policy requires the provision of additional car parking spaces when conversion schemes generate additional dwellings.

7.42 I sought clarification from the Forum about the potential conflicts between this policy and policies in the Core Strategy. In particular the Core Strategy supports proposals for the demolition and rebuilding of certain properties where any such proposals would make a better use of urban land.

7.43 Having taken all matters into consideration I recommend the deletion of the policy and the supporting text. Whilst the generality of its approach is generally appropriate it is not in general conformity with the Core Strategy. In addition, the requirement for the generation of additional car parking spaces will run counter to the policies in the Core Strategy which support sustainable modes of transport. The potential outcome of the implementation of a policy of this nature would be to increase further vehicles onto the local highway network

Delete policy
Delete the supporting text

Policy BES5 Development Design Guidance

7.44 This policy sets out the Forum's aspirations for good design in the neighbourhood area. It makes reference to the various design principles in Policy HP9 of the Sites

and Housing Plan. It also comments on matters relating to development adjacent to major roads and railway lines and for developers to use a view cone technique method.

7.45 OCC comment that the policy is not in general conformity with strategic policies in the development plan. In particular it asserts that the policy needs stronger cross-references to Policy HP9 and that there is no explanation about the need for and the proposed application of the view cone technique methodology.

7.46 Policies HP9 of the Sites and Housing Plan address these design matters in considerable detail. In these circumstances I recommend the deletion of the policy in the submitted Plan. It does not add to the detail already included in the development plan. In addition, national policy is clear that neighbourhood plan policies do not need to repeat existing policies in the development plan.

Delete policy
Delete the supporting text

Policy BES6 Affordable and Key Worker Housing

7.47 This policy sets out the Forum's aspirations for the delivery of affordable and key worker housing. In requires that all housing development over 10 units must provide both social rented and affordable housing and housing for key workers in accordance with Local Plan policies.

7.48 OCC comment that the policy is not in general conformity with strategic policies in the development plan. In particular it asserts that the policy is not clear on the requirements either for affordable or for key worker housing.

7.49 Policies HP3 and HP4 of the Sites and Housing Plan address these important matters in considerable detail. In these circumstances I recommend the deletion of the policy in the submitted Plan. It does not add to the detail already included in the development plan. In addition, national policy is clear that neighbourhood plan policies do not need to repeat existing policies in the development plan

Delete policy
Delete the supporting text

Policy BES7 Drainage and Flooding

7.50 This policy addresses drainage and flooding. It does so to good effect. It has three related parts. The first requires that development proposals do not decrease rain water infiltration. Schemes which increase infiltration will be supported. The second part requires that new developments should not increase the risk of flooding. The third part requires that flood resilience techniques should be incorporated into the design and construction of development proposals in areas liable to flooding.

7.51 The thrust of the policy meets the basic conditions. I recommend a series of modifications so that the policy will have the clarity required by the NPPF and therefore be capable of being applied consistently throughout the Plan period. In particular I recommend that the requirement for flood resilience techniques in design and construction should be appropriate to the nature of the development proposed. As submitted the policy sets out an absolute requirement for such techniques which may be disproportionate to the development concerned.

In the first paragraph replace 'will be required to' with 'should' and 'encouraged' with 'supported'

In the second and third paragraphs replace 'must' with 'should'

In the third paragraph replace 'Any new development, regardless of type and size,' with 'As appropriate to the scale and nature of any proposed new development'

Policy COS1 Employment Use

7.52 Notwithstanding its title this policy has a specific focus on retaining existing retail units and supporting the development of new retail units. I also saw that the eastern part of the neighbourhood area was relatively close and within walking distance of the Summertown district shopping centre.

7.53 The first part of the policy sets out an absolute statement that proposals that would result in the loss of local shops and post offices will not be granted. However, this approach is not in general conformity with saved policy RC.9 of the Oxford Local Plan. That policy includes a more nuanced and balanced approach which takes account of viability and marketing issues. In these circumstances I recommend that this part of the policy is deleted. However, given the importance of this matter to the local community I recommend that the supporting text on this matter is retained with appropriate modifications. I also recommend that the supporting text includes an explicit link to the Local Plan policy.

7.54 The second part of the policy meets the basic conditions in general terms. I recommend detailed modifications to its wording so that it has a policy format. I also recommend that supporting text within the policy is appropriately repositioned into the general supporting text.

Delete the first paragraph of the policy.

Replace the second paragraph of the policy with
'Proposals for additional local retail or commercial units within the developed parts of the neighbourhood area will be supported'

At the end of the fourth paragraph of the Background section add:

'Policy RC.9 of the saved Local Plan sets out a clear context to safeguard local shops subject to a series of viability and marketing issues. Policy COS1 of this plan provides a supportive context for the development of additional local shops and service outlets'

Policy COS2 Northern Gateway (Oxford North)

7.55 This policy addresses potential proposals for retail outlets in the Northern Gateway. It indicates that they should be for the needs of local businesses and residents and should not be destination shops. It also indicates that consent will not be granted for any retail outlets above 2500 square metres.

7.56 The policy mirrors key elements of Policy NG2 of the adopted Northern Gateway Area Action Plan. This policy supports the development of local scale retail units (up to 2500 square metres in total) as part of the wider development mix. Paragraph 5.7 of the AAP refers to the need for local shop units rather than destination shops, and the associated need to safeguard the strategic role of Summertown district centre.

7.57 The AAP address these important matters in considerable detail. In these circumstances I recommend the deletion of the policy in the submitted Plan. It does not add to the detail already included in the development plan. In addition, national policy is clear that neighbourhood plan policies do not need to repeat existing policies in the development plan

Delete the policy
Delete the supporting text

Policy CHS1 Community Connectivity

7.58 This policy supports proposals which would improve community connectivity. The supporting text comments that new developments should seek to secure improvements to connectivity through their design and specifications. Examples highlighted include the provision of cable and Wi-Fi in new homes and throughout new developments

7.59 The policy approach generally meets the basic conditions. I recommend that the policy makes explicit reference to improving community connectivity rather than to the rather loose reference to 'seeking to expand or improve' such facilities. The policy also makes a connection to other policies in the Plan. Whilst this is appropriate to avoid unintended consequences of the policy, I recommend the deletion of the specific reference to Policy GBS3.

Delete 'seek to' and '(see GBS3)'

Policy CHS2 Community and Medical Services

7.60 This policy seeks to make a connection between new development and the provision of necessary improvements to community and medical facilities. It specifies that additional community meeting halls will be required. The policy also sets out a requirement that existing communities are not disadvantaged due to increased demand for services

7.61 The policy is clearly comprehensive. It also has the well-being of the local community as its core matter. However as submitted it raises several issues for its potential implementation through the land use planning system.

7.62 Firstly it is unspecific in its thresholds and requirements. In its response to the clarification note the Forum suggests that it should apply to new residential development above 200 dwellings. This may be appropriate. However, it has not been tested through public consultation. In any event the matter of community contributions is already set out in detail in Policy CS17 of the Core Strategy and in the OCC Community Infrastructure Levy charging regime

7.63 Secondly it fails to take account of the complex way in which community and medical facilities are delivered in general, and in Oxford City in general. In particular such facilities do not directly relate to neighbourhood areas. As OCC point out the key issue is the cumulative need for such facilities across a wider area which generates the need or otherwise for new development to contribute towards the wider delivery of such services

7.64 Thirdly the policy's requirement that new development does not disadvantage the accessibility of existing neighbourhood area residents to medical and community services is not a planning matter.

7.65 Taking account of all these matters I recommend the deletion of the policy and the supporting text.

Delete the policy
Delete the supporting text

Policy CHS3 Electric Vehicle Charging Points

7.66 This policy indicates that new homes and commercial premises should include charging points for electric vehicles

7.67 I am satisfied that the approach taken meets the basic conditions in general terms. It will assist with sustainability and will help to improve air quality. I recommend that the reference to Design and Access Statements is included in the supporting text rather than the policy itself. It is matter of process rather than policy.

Delete 'which should be…. new developments'

At the end of the supporting text add:

'Policy CHS3 addresses this matter. The details of the provision of charging points should be included in the Design and Access Statement associated with the planning application'

Policy CHS4 Safe Access Routes

7.68 This policy requires that developments provide safe access routes between schools, community facilities and new homes regardless of the size of the development. Its second part requires that proposals for 100 or more dwellings should provide for improvements to cycleways, road crossings and junction access to roads.

7.69 I sought clarification from the Forum on the application of the policy to all developments. I was advised that this was the intention of the policy. I am not satisfied that this approach meets the basic conditions. In particular it takes no account of the scale of the development concerned or the practicability of the proposal to provide the type of safe access routes anticipated. Within the Plan period the vast majority of development will be of a minor or domestic nature and where the opportunities to provide safe access to community facilities will simply not exist.

7.70 I also recommend the deletion of the second part of the policy on the provision of more extensive access arrangement. The policy fails to set out the detailed requirements that it has in mind. In any event the need for developer contributions is already addressed in local policy.

In the first part of the policy replace the first sentence with:
'As appropriate to the scale and location of the particular proposal, new development should ensure safe access to schools, community facilities and retail outlets where it is practicable to do so.'
Delete the second part of the policy

Policy CHS5 Parking

7.71 This policy refers to car parking. It refers developers to standards in the City Council's development plan. It also sets out a preference for car-free developments. It also comments that there should be no reduction in off-street parking spaces for existing residents.

7.72 I sought clarification from the Forum on the extent to which the policy added value to existing OCC policies. I was advised that it was included as a value to local residents who may be unfamiliar with OCC policies. I was also advised that the reference to off street parking should refer to on street parking.

7.73 Having considered all the evidence on this matter I recommend that the policy is deleted. It largely repeats OCC policy. In any event the corrected reference to on-street parking is not a land use matter. OCC regulates that matter under its powers under the Highways Acts rather than under the Planning Acts

Delete the policy
Delete the supporting text

Policy CHS6 Travel Plans

7.74 This policy refers to travel plans. It requires that travel plans should demonstrate how local residents and occupiers of the buildings concerned will access key destinations in the neighbourhood area.

7.75 I recommend that the approach of the policy is modified. As submitted, it reads as a general statement on travel plans rather than a requirement which could be implemented and enforced through the development management process. I also recommend that the second part of the policy is modified so that it requires the Travel Plan itself to identify the selections that have been made for transportation measures.

Replace the opening part of the policy with:
'Development proposals should demonstrate the ways in which they would facilitate sustainable means of access to key destinations such as schools, recreation and health facilities. Where Travel Plans are required with development proposals, they should demonstrate that:'

Replace the second criterion with:
'All car-free or car sharing alternatives have been properly considered and that if car parking provision is included the reasoning why car-free alternatives have been partly or fully discounted'

Policy HES1 Character and Streetscape

7.76 This policy requires that developers and planning officers should review any Character Assessments when submitting and reviewing planning applications.

7.77 Plainly the conservation and enhancement of the street scene are important matters in determining planning applications. Nevertheless, I recommend that this policy is deleted. I do so for two reasons. The first is that the issue is a procedural matter rather than a policy matter. The second is that a Character Assessment of the neighbourhood area does not yet exist. In this context the need or otherwise for a policy of this type can be assessed as and when a Character Assessment is available and as part of a wider review of any made neighbourhood plan.

Delete policy
Delete the supporting text

Policy HES2 Development Design

7.78 This policy refers to the design of new development. It requires that any new development should take account of the established character of the area and that building materials should be in keeping with those used in other adjacent buildings

7.79 The approach taken is appropriate in general terms. However, it adds no local detail to Policies CS18 of the Core Strategy and Policy HS9 of the Sites and Housing Plan. Both of these policies provide significant policy detail and context to this important matter. On this basis I recommend that the policy is deleted

Delete the policy
Delete the supporting text

Policy HES3 Demolition

7.80 This policy refers to proposals for the demolition of character buildings. It comments that they must be justified by evidence about why it cannot be retained and how its replacement will benefit the community and enhance the character of the area.

7.81 I have sympathy for the approach taken. However, it fails to have regard to national policy. In particular paragraph 135 of the NPPF comments about the significance of non-designated assets and how it should be taken into account in determining planning applications. It requires a balanced judgement to be made on the scale of the harm or loss and the significance of the heritage asset concerned. In these circumstances I recommend that the policy is deleted. OCC already has sufficient national and local detail to determine any such planning applications.

Delete the policy
Delete the supporting text

Community Policies

7.82 The Plan includes a series of community policies. As the Plan comments the Forum acknowledges that the community policies are different from the spatial planning policies. In particular the Plan comments that the community policies cannot be delivered through the development management process. As such they will need to be delivered directly by the Forum or by working with partners/stakeholders. I will assess the community policies on this basis.

7.83 As I have mentioned in paragraph 7.4 of this report on balance, I am satisfied that the relevant community policies follow the spatial policies within the topic chapters of the Plan. There is a degree of synergy between the component policies. Nevertheless, the physical presentation of the community policies in the Plan is identical to that of the spatial policies. This is an important point as the spatial policies will become part of the development plan in the event that the Plan is 'made'. The community policies however will not have development plan status. In order to remedy this issue and to ensure compliance with national policy I recommend that the tonal horizontal shading in the community policy boxes is deleted. I also recommend changes to the text on

page 11 to address this matter. These recommended modifications should be read side-by-side with those proposed in paragraphs 7.12/7.13 of this report in relation to the spatial policies.

In respect of all the community policies (as set out in the remainder of this report) delete the tonal horizontal shading in the policy box

In the third paragraph of the supporting text on page 11:

- *at the end of the first sentence add:' They will not become part of the development plan.'*
- *at the end of the paragraph add: 'In this Plan the community policies are shown without any tonal shading to distinguish them from the spatial policies.'*

Policy GBC1 Wildlife Corridors

7.84 This community policy refers to wildlife corridors. It has a focus on their sensitive maintenance and appropriate planting.

7.85 It is appropriate to be included as a community policy. Plainly it is distinctive to the neighbourhood area

Policy GBC2 Cemeteries

7.86 This community policy refers to cemeteries in general, and their tranquillity and biodiversity.

7.87 It is appropriate to be included as a community policy. Plainly it is distinctive to the neighbourhood area

Policy GBC3 Watercourses and associated land

7.88 This policy refers to watercourses and associated land. It has a focus on the Oxford Canal, the River Thames and Mill Stream and the Wolvercote Picnic Site.

7.89 It is appropriate to be included as a community policy. Plainly it is distinctive to the neighbourhood area. I saw the three areas mentioned in the policy when I visited the neighbourhood area.

Policy GBC4 New designated local green spaces

7.90 This community policy seeks the designation of Cutteslowe and Sunnymead as a local green space (LGS). I saw its extensive area and recreational uses when I visited the neighbourhood area.

7.91 Not all of the Park falls within the neighbourhood area. In addition, no detailed work has been undertaken to assess the extent to which the Park within the neighbourhood area meets the three tests for LGS designation in the NPPF. It is on

this basis that the use of a community policy is more appropriate than a land use, spatial policy.

7.92 However the use of LGS has a specific meaning in planning policy terms. As such I recommend modifications to the policy. The resulting approach is one which indicates how the Forum will work with other to achieve the ambitions of the policy.

Replace the policy title with:
'Cutteslowe and Sunnymead Park'

Replace the policy with:
'The Forum will work with relevant partner agencies including the City Council ensure that Cutteslowe and Sunnymead Park is retained for recreational purposes and managed in a sensitive way'

Policy GBC5 Front Gardens

7.93 This community policy refers to front gardens. Its ambition is to safeguard front gardens and prevent their use for carparking

7.94 Plainly there will be particular pressures for this type of development in certain parts of the neighbourhood area. I recommend a modification to take account of permitted development rights

Replace the first sentence with
'The Forum will work with relevant partner agencies including the City Council to promote the retention of existing front gardens and to highlight their importance to an attractive street scene'.
In the second sentence replace 'All paving used for parking must' with 'Where paving takes place the materials to be used should'

Policy BEC1 Planning Watch System

7.95 This policy indicates that OCC will carry out adequate consultation with the local community on planning applications. In its response to my clarification note the Forum expressed its concerns over the way in which this engagement takes place.

7.96 I acknowledge that this has been designed as a non-land use community policy. Nevertheless, I suggest that as submitted it fails as a policy for three reasons. The first is that fails to take account of the standard community consultation and engagement process operated by the City Council. The second is that it takes no account of the scale of development. In this context the vast majority of new development in the Plan period will be of a minor/domestic nature and where the degree of community engagement would be based simply around the property concerned. The third is that the policy fails to identify the scale and nature of 'adequate' consultation.

7.97 However I recommend modifications to the policy so that it reflects the potential making of the Plan and for the community to be engaged on planning application in line with the Council's Statement of Community Involvement in Planning

Replace the policy with:

'The Forum will work with the City Council to ensure that appropriate consultation takes place with the community on planning applications in accordance with the Council's Statement of Community Involvement in Planning. In turn the Forum will provide comments on planning application in accordance with policies in the adopted development plan, including the neighbourhood plan.'

Policy BEC2 Interior and Exterior Space Standards

7.98 This policy refers to interior and exterior space standards. It refers to standards from the then Ministry of Housing and Local Government in 1961

7.99 OCC comment that the policy is both out dated and not in general conformity with Policies HP12 and HP13 of the Sites and Housing Plan. This is indeed the case and I recommend the deletion of the policy accordingly.

Delete the policy
Delete the supporting text

Policy BEC 3 Layout of Buildings on New Developments

7.100 This community policy addresses the layout of new dwellings. It has a focus on privacy, natural daylight and the aspect of living rooms

7.101 It is appropriate to be included as a community policy. Plainly it is distinctive to the neighbourhood area. OCC suggest a modification to the policy to distinguish from a spatial policy. I agree with that approach and recommend accordingly.

In the final sentence insert 'generally' between 'should' and 'be'

Policy BEC4 Design Codes

7.102 This community policy has a focus on design and building codes.

7.103 It is appropriate to be included as a community policy. Plainly it is distinctive to the neighbourhood area. As submitted, it reads in a similar fashion to a spatial policy. I recommend modifications to remedy this matter.

Replace 'All new developments will be expected to' with 'The Forum will work with relevant partners to ensure that new development will'

Policy BEC5 Energy Efficiency and Smart Homes

7.104 This community policy has a focus on energy efficiency and smart homes.

7.105 It is appropriate to be included as a community policy. Plainly it is distinctive to the neighbourhood area. As submitted, it reads in a similar fashion to a spatial policy. I recommend modifications to remedy this matter.

Replace 'All new buildings….to buildings must' with 'The Forum will work with relevant partners to ensure that new development will'
In the second sentence replace 'should' with 'will be encouraged'

Policy BEC6 Mix of Dwellings and less mainstream housing

7.106 This policy seeks to encourage a mix of new dwellings to meet community needs

7.107 It is appropriate to be included as a community policy. Plainly it is distinctive to the neighbourhood area. As submitted, it reads in a rather unusual fashion which requires an unspecified regularly revised plan to be drawn up with local residents. I recommend modifications to remedy this matter.

Replace the policy to read:
'The Forum will work with relevant partners to ensure that new residential development will provide for an appropriate mix of dwellings to meet community needs. Within this context the Forum will provide the necessary information to support the provision of housing for the elderly, and those persons needing wheel chair access'

Policy COC1 Transport to Northern Gateway (Oxford North)

7.108 This policy refers to planned footways and cycleways within the Gateway Area.

7.109 It is appropriate to be included as a community policy. Plainly it is distinctive to the neighbourhood area. I recommend that the policy is modified so that its focus is on the work that the Forum will do with other partners to achieve the policy approach already included in the Area Action Plan.

At the beginning of the policy add:
'The Forum will work with relevant partner agencies and suppliers to ensure that.'
Thereafter replace 'must be' with 'are'
Delete See also CH" below"

Policy COC2 Public Transport to Northern Gateway (Oxford North)

7.110 This community policy highlights the importance of good public transport to and from the Northern Gateway Area and the need for developers to contribute financially towards the provision of adequate transport arrangements.

7.111 It is appropriate to be included as a community policy. Plainly it is distinctive to the neighbourhood area. Nevertheless, it has the ability to be read as a very prescriptive requirement in general and as a potential spatial policy in particular. I recommend modifications to addresses these issues. The resulting approach is one which indicates how the Forum will work with other to achieve the ambitions of the policy.

At the beginning of the policy add:
'The Forum will work with relevant partner agencies and suppliers to ensure that.'
Thereafter replace 'need to be available' with 'is available'
In the second sentence replace 'must contribute financially' with 'will be expected to contribute financially as appropriate to the scale and location of the proposal':

Policy COC3 Tenure Arrangements

7.112 This community policy comments that new housing should be subject to strict tenure arrangements to ensure that it primarily serves the needs of persons working in new business. Whilst the policy is unclear on its applicability, I have taken it to refer to any new housing in the Northern Gateway initiative.

7.113 The Area Action Plan proposes up to 500 new dwellings within this important emerging project. Paragraph 5.18 of that Plan provides significant detail on the size and type of dwellings that would be appropriate. The proposed community policy does not add local detail to this policy approach on the one hand, and could be considered to go beyond its requirements with justification on the other hand. On this basis I recommend its deletion

Delete the community policy

Policy CHC1 Community, Sports and Recreational Facilities

7.114 This community policy refers to an aspiration that every household should have access to local multi-purpose facilities for indoor community activities within a distance of 500 metres. It also indicates that existing facilities listed in Annex 6 are retained and that additional facilities are provided where necessary.

7.115 It is appropriate to be included as a community policy. Plainly it is distinctive to the neighbourhood area. Nevertheless, it has the ability to be read as a very prescriptive requirement in general and as a potential spatial policy in particular. I recommend modifications to addresses these issues. The resulting approach is one which indicates how the Forum will work with other to achieve the ambitions of the policy.

At the beginning of the policy add:
'The Forum will work with relevant partner agencies and suppliers to ensure that.'
Replace the second sentence with:

'The Forum will also seek to ensure that the existing community and recreational facilities listed in Annex 6 are retained and that additional facilities are provided as necessary within the Plan period'

Policy CHC2 Walking and Cycling Infrastructure

7.116 This community policy encourages walking and cycling through the provision of dedicated cycle tracks and footpaths together with the provision of secure and sheltered cycle racks and storage.

7.117 It is appropriate to be included as a community policy. Plainly it is distinctive to the neighbourhood area. There are significant opportunities to extend the levels of existing cycling facilities.

Policy HEC 1 Tree Planting

7.118 This community policy indicates that the Forum will seek to preserve and increase greenery in the area

7.119 It is appropriate to be included as a community policy. Plainly it is distinctive to the neighbourhood area.

Policy HEC2 Heritage Partners

7.120 This community policy indicates that the Form will continue to work with a series of partners to promote the heritage of Wolvercote and the appreciation of its character

7.121 It is appropriate to be included as a community policy. Plainly it is distinctive to the neighbourhood area.

8 Summary and Conclusions

Summary

8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2034. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community.

8.2 Following my independent examination of the Plan I have concluded that the Wolvercote Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

8.3 This report has recommended a variety of modifications to the policies in the Plan. Nevertheless, the Plan remains largely unchanged in its role and purpose.

Conclusion

8.4 On the basis of the findings in this report I recommend to Oxford City Council that subject to the incorporation of the modifications set out in this report that the Wolvercote Neighbourhood Development Plan should proceed to referendum.

8.5 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by the City Council initially on 22 January 2014 and as re-designated on 13 March 2019.

8.6 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner.

Andrew Ashcroft
Independent Examiner
3 July 2019