



East Hagbourne

NEIGHBOURHOOD DEVELOPMENT PLAN -
2018 to 2033

Submission Version 17 September 2018

Consultation Statement

**Appendix H: – Comments received from
Land Owners and Developers**

EHNP – Consultation Statement

Appendix H: Regulation 14 - Comments received from Land Owners and Developers and our response

| ID no | Type of response | Resident? |
|--------------|-------------------------|------------------|
| ID 1 | Land owner | Yes |
| ID 2 | Land owner | Yes |
| ID 3 | Land owner | Yes |
| ID4 | Land owner | Yes |
| ID 5 | Land owner | Yes |
| ID 6 | Land owner | |
| ID 7 | Land owner | |
| ID 8 | Land owner | Yes |
| ID 13 | Land owner | |
| ID 15 | Land owner | Yes |
| ID 16 | Land owner | Yes |
| ID 29 | Land owner | |
| ID 35 | Land owner | |
| ID 37 | Land owner | |
| ID 60 | Land owner / developer | |
| ID 61 | Land owner / developer | |
| ID 66 | Land owner / developer | Yes |
| ID 68 | Land owner / developer | Yes |
| ID 69 | Land owner / developer | |
| ID 70 | Land owner / developer | |
| ID 72 | Land Owner | Yes |
| ID 83 | Land Owner | Yes |

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1. Comments of Orchestra Land re land at Blewbury Road (East Tadley Field, Site A in Site Assessment)

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| 60 | | | The adopted (SODC) Development Plans are out of date in not in accordance with the National Planning Policy Framework (NPPF) and they do not identify or meet the objectively assessed housing need as required by Chapter 6 of the NPPF. | | |
| | | | It is very likely that further allocations will need to be made in The Draft Local Plan. Smaller villages, such as East Hagbourne are likely to need to increase the quantum of development they need to provide. | | <i>At this stage we can only base our Plan on achieving and exceeding what the current Draft Local Plan requires.</i> |
| | Chapter 3 | Comment | Chapter 3, particularly 3.4 sets out the proactive and positive approach to development which has been taken in the Neighbourhood Plan and this is supportive. It is our representation that as a concept this is in accordance with the basic conditions, notably that it promotes sustainable development. However, in light of the Chalgrove Airfield situation a more proactive approach should be taken. | | <i>We believe our Plan takes a proactive approach and over provides relative to the minimum requirements - see below.</i> |
| | H3 | Comment | The Draft Local Plan clearly states that 500 new homes across smaller villages is a minimum. It also states that an increase by 5% of smaller villages is also a minimum. It is acceptable for villages to plan for an increase of housing which is greater than these number, such as at Benson | | <i>The housing numbers that the plan achieves at 74 units on the allocated site plus 5 infill built since 2011 amounts to 79 or 15.9% based upon a Parish of 497 homes.</i> |
| | H3 | Comment | Given the significant likelihood that Chalgrove Airport cannot be delivered, South Oxfordshire District Council will need to reconsider its strategy and make further allocations. It is likely that given | | <i>By significantly exceeding minimum requirements our plan provides a degree of future proofing. We cannot pre-empt possible future changes in the Local Plan</i> |

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| | | | the other constraints in the District that further development will be required across all the settlements in the District and this will include East Hagbourne as a sustainable smaller village. | | |
| | General | Comment | Whilst the PPG makes it clear that Neighbourhood Plans can be made in advance of new local plans being adopted, the best course of action would be to wait for further clarity on The Draft Local Plan which should be soon forthcoming. This will save the Neighbourhood Plan needing to be reviewed almost immediately if the Parish wants the plan to remain up to date. | | <i>We do not have a definitive date at which the Local Plan will be complete and thus need to proceed. The Plan will in any event be subject to reviews at 12 months and 5 years</i> |
| | General | Comment | Given that the status of The Draft Local Plan policies and strategies are not certain, further dialogue with the District Council is required to inform the Neighbourhood Plan. The collaborative approach which the PPG requires means that further discussion with South Oxfordshire is required before the Neighbourhood Plan develops further. | | <i>We have developed the plan in close cooperation with SODC and continue to discuss with them and seek their advice.</i> |
| H3 | | Comment | It is therefore wise that should the Neighbourhood Plan progress ahead of the Local Plan process, the possibility of further development being required within East Hagbourne should be considered. The Neighbourhood Plan should provide for further development in the village over and above the allocated site (which already has planning permission) to protect it from becoming almost immediately out of date. It is our representation that this should be done either through further allocation, or at the very least through a reserve site. | | <i>The extent of the current over provision and the opportunities for review will keep our plan in date</i> |

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| | H3 | Comment | The Neighbourhood Plan process has already considered potential sites for allocation and this analysis should be used for further site selection. It is our representation that the methodology used for the analysis was sound. | | <i>It can be used in the future if required</i> |
| | H3 | Comment | The site known as 'land east of Blewbury Road' (Site 2) was considered as suitable for allocation and was the runner up site to Site 5, Site 2 should therefore be the option for the additional allocation. | | <i>In view of the current over provision at 15.9% we do not consider that we need an additional or reserve allocation .</i> |
| | General | Comment | We understand that it is at the prerogative of the Examiner of the Neighbourhood Plan whether s/he considers it necessary to hold hearings or whether to deal with the Examination purely on the basis of written representations. However, should there be hearings we would respectfully request to participate. | | <i>Noted</i> |

2. Comments of Persimmon Homes re land behind St Hugh's Rise (Lower End Field, Site B in Site Assessment)

| ID | Policy /page no | Type | Summary of response | Change Plan? | Comments |
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| | | | Persimmon Homes have previously provided representations as part of the consultation on the Site Assessment in January 2018. A number of comments from these previous representations are repeated due to the fact that it is considered that they have not been adequately addressed and considered by the draft Neighbourhood Plan. | | |
| | General | Object | As required by Section 38A(2) of the Planning and Compulsory Purchase Act 2004, a Neighbourhood Plan is a plan which sets out policies in relation to the development and use of land in the neighbourhood plan area. Whilst there is scope to include detail on specific development control measures, these should be included as aspirations rather than policies. | | <i>We disagree: Neighbourhood Plans should contain policies not just aspirations however the policies should be in line with those in the Local Plan and we believe ours are.</i> |
| | General | Object | The Plan as drafted contains excessive policies relating to specific planning controls, including infrastructure, footpaths and parking, with limited references and policies to the use of development in East Hagbourne. This should not be the focus of a Neighbourhood Plan and such matters are considered and dealt with as part of the South Oxfordshire Development Plan. The Draft Neighbourhood Plan does not contain sufficient land use policies and a vision for the development of East Hagbourne, as required by | | <i>We disagree: such matters are the essence of Neighbourhood planning Our Plan fully and properly addresses land use within the East Hagbourne Neighbourhood.</i> |

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| | | | Section 38A(2) of the Planning and Compulsory Purchase Act 2004. The Plan should not therefore proceed to be made and should be re-considered to provide a greater focus on land use in the village. | | |
| | | | We do not consider that the use of the housing targets in the Local Plan as currently drafted results in the Neighbourhood Plan being positively prepared. Whilst we are in agreement with the Plan being prepared based on the requirements of the draft rather than the adopted Local Plan as the adopted figures will be out of date, the housing numbers in the draft Local Plan have not sufficiently taken account of the unmet housing need from Oxford City. The District Council have at present therefore under-estimated their housing targets, resulting in reduced housing requirements for the smaller villages than what will be required to meet the final housing numbers for the District. | | <i>The housing numbers that the plan achieves at 74 units on the allocated site plus 5 infill built since 2011 amounts to 79 or 15.9% based upon a Parish of 497 homes - in excess of the minimum 5-10% expectation of the emerging Local Plan.</i> |
| | General | Object | In addition, the District plans for 'at least' a specified number of homes to ensure that it is flexible enough to be able to respond to changing needs over the plan period. The inclusion of the wording 'at least' is supported and we consider that the housing requirements for East Hagbourne should also be considered as 'at least' figures to also allow for this flexibility. | | <i>By significantly exceeding minimum requirements our Plan allows for more than sufficient flexibility</i> |
| | General | Object | Accordingly, we consider that Draft Neighbourhood Plan does not plan for sufficient housing numbers and it is not therefore positively prepared. An allowance should therefore be made in the Neighbourhood Plan for an increase in | | <i>By significantly exceeding minimum requirements our Plan demonstrates that it is positively prepared</i> |

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| | | | housing numbers to ensure that it is positively prepared. | | |
| | | | We object to any proposed development on Lower End Field being considered as inappropriate development. | | <i>The policies relating to village character have been revised. We believe they are positively framed.</i> |
| | VC1a | Object | <p>Moreover, the nature and form of settlements continuously evolves and changes. The landscape of East Hagbourne would therefore be likely to evolve over the plan period thus changing the vision for the development of these specific land parcels.</p> <p>We consider that this Policy should therefore be more flexibly worded to allow development on these parcels subject to consideration on a site by site basis. This would assist in the Plan contributing towards the achievement of sustainable development, as required by the NPPF.</p> | | <i>This site was considered by ourselves and our advisers and was not selected for allocation in this plan. It was further considered by Kirkham Landscape/Terra Ferma in their Landscape Capacity Assessment report dated September 2017, which concluded that this site should not be considered further for housing on the Didcot fringe</i> |
| | VC1b | Object | We object to Criteria B and C of this Policy as these include unnecessary prescription, contrary to Paragraph 59 of the NPPF. | Yes | <i>These criteria are considered appropriate by the Steering group for our local situation which is the essence of Neighbourhood Planning. However, the wording has been improved.</i> |
| | VC1b | Object | We also object to Criterion E regarding energy efficiency as the Neighbourhood Plan does not provide any evidence that there is a need to exceed the requirements stipulated in the Local Plan. | | <i>We do not believe that it is Government policy to deny local peoples' aspirations to push for ever higher standards.</i> |
| | VC1b | Object | In addition, we object to Criterion F relating to the protection of views. This is not a material planning consideration and should not form part of the Plan. | | <i>Views contribute to the character of the neighbourhood and our guidance is that they are a proper subject to address..</i> |

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| | | | | | <i>Views in particular from public rights of way are of paramount importance to our residents as demonstrated in our residents surveys and community meetings during the preparation of the plan.</i> |
| H1 | | Object | We object to this Policy as it is overly restrictive and resistant to development on sustainable and suitable sites. this Policy does not enable flexibility for the development of future sites to meet increased housing requirements as a result of amendments to the South Oxfordshire Local Plan nor increased housing numbers in the village beyond the minimum requirements. This Policy asdrafted is not therefore positively prepared. | Yes | <i>Policy states that development should be consistent with the Development Plan for the district, which may indeed change over time - this seems appropriate. We have reworded to the policy to make it clearer and more positive.</i> |
| H1 | | | Moreover, we object to development only being permitted on Site 5 for up to 74 dwellings. The land to the east of St Hughs Rise is a suitable site for development and should be included in the Plan as a site allocation. | | <i>This site was fully and objectively considered for possible allocation but failed the pre-screening requirements St Hugh's rise does not satisfy the site assessment and allocation criteria of the NP since development there does not relate to the community of East Hagbourne.</i> |
| | | | We are in agreement with the flexible wording of the Policy in order to allow for changes in housing need over the plan period. There is however an opportunity for Neighbourhood Plans to include further detail on specific housing needs in the area to build on the Local Plan. | | <i>Noted - see below</i> |
| H2 | | | The Community Survey (September 2016) provides evidence of up-to-date housing need in East Hagbourne and identifies that there is a need for two-bed properties. Whilst this is referred to in the | Yes | <i>Noted - this has been done</i> |

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| | | | sub-text of the Policy, we consider that this should be included in the wording of the Policy itself to ensure the housing in East Hagbourne addresses the needs of the local area. | | |
| | | | In addition, in regard to dwelling type, the sub-text of the Policy refers to an over-provision of detached units and a need for more flats and terraced units. Whilst there is no reference to evidence of housing need based on housing type, there is scope in the Neighbourhood Plan to include further detail on the aspirations for the specific types of housings to be provided in the area. | | <i>We believe the community survey and the Housing Needs Assessment provide adequate evidence of the need a greater range of dwelling types, but do not believe that further prescription is justified in the Plan.</i> |
| | H2 | | We consider therefore that this Policy should be updated to include greater detail regarding the local housing need to build on and assist the delivery of the Local Plan. | | <i>The Community Survey identified a need for very few houses for existing residents. On this basis the existing allocation more than covers that need.</i> |
| | H3 | | Emerging Local Plan Policy H8 stipulates at least a 5% increase in dwellings with a minimum of 500 units in the smaller villages. This does not therefore resist the delivery of further units beyond this number and the targets are stated as minimum figures. This Policy is therefore overly restrictive and does not contribute towards the achievement of sustainable development which is a basic requirement of a Neighbourhood Plan. | | <i>The housing numbers that the plan achieves at 74 units on the allocated site plus 5 infill built since 2011 amounts to 79 or 15.9% based upon a Parish of 497 homes.</i> <i>This is not demonstrative of a restrictive approach to housing supply in the Parish</i> <i>Policy H3 relates to housing allocation. Planning applications in other areas would be considered under policies H1 and H2.</i> |
| | | | The land to the east of St Hughs Rise in Didcot is a suitable and sustainable site for the delivery of housing. An Outline planning application is currently pending for the residential development of this site for up to 84 dwellings thus it has a realistic prospect | | <i>We disagree. The site was fully and objectively assessed for possible allocation and failed at the pre-screening stage. Our plan significantly exceeds minimum supply level and thus a second allocation would not be appropriate</i> |

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| | | | <p>of being developed dwellings (Ref: P17/S3798/O). We therefore consider that this site should be included as an allocation in the Neighbourhood Plan as this would assist in contributing towards sustainable development and meeting future housing targets in East Hagbourne.</p> | | |
| | | | <p>. . . the development of St Hughs Rise would be read as an extension to the existing settlement and would be enclosed within the envelope of built form. This site would therefore ensure that the character of East Hagbourne is retained and the gap between settlements is protected.</p> <p>In addition, we note that a number of sites, including the land to the east of St Hughs Rise, have not been considered for allocation as they adjoin the settlement of Didcot. We do not consider that this approach is reasonable as measures can be incorporated into the design of developments on such sites to ensure that they are well integrated into the village.</p> | | <p><i>It is not possible in our view to design developments that are remote from East Hagbourne in a way that would make them “well integrated into the village”</i></p> |

3. Comments of Taylor Wimpey re land west of Park Road (Coscote Field, Site A in Site Assessment)

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| 66 | | | The Garden Town's vision is to accelerate housing delivery, provide the necessary sustainable transport, green infrastructure and blue infrastructure required to deliver the high quality and sustainable development envisaged for Didcot. Whilst the EHNP is right to reflect these aspirations, it must not constrain sustainable development (<i>Basic Condition (d)</i>) which is in line with strategic policies for sustainable growth as established within the Development Plan. | | <i>Our Plan does not constrain sustainable development on suitable sites</i> |
| | 3.4 | | . Whilst Taylor Wimpey are supportive of the EHNP's proactive approach to housing, in order to comply with <i>Basic Conditions (a) and (e)</i> the plan should reflect that across smaller villages the figures are a minimum and not a development ceiling. | | <i>Our Plan significantly exceeds minimum housing supply requirements in the Local Plan.</i> <i>The housing numbers that the plan achieves at 74 units on the allocated site plus 5 infill built since 2011 amounts to 79 or 15.9% based upon a Parish of 497 homes.</i> |
| | | | Core Strategy Policy CSS1- The overall strategy, is an adopted policy and specifically focuses ' <i>...major new development at the growth point of Didcot so the town can play an enhanced role in providing homes, jobs and services with improved transport connectivity.</i> ' This strategy is continued within the emerging Local Plan and therefore the EHNP must align with this. | | <i>The EHNP does align with the Core Strategy and with the emerging Local Plan.</i> |

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| | SD1 | | Paragraph 7 of the NPPF establishes the three dimensions which underpin sustainable development as comprising the economic, social and environmental roles. The bullet points in Policy SD1 broadly cover these three dimensions, however the supporting text on pages 19 and 20 which refer to the Didcot Garden Town do not appear to be relevant to the wording nor support the decision maker when looking to assess development proposals against Policy SD1 | Yes | <i>The text has been revised.</i> |
| | VC1a | | Taylor Wimpey object to the proposed Policy VC1a as it does not meet <i>Basic Conditions (a), (d) and (e)</i> , | | <i>See below</i> |
| | | | Policy VC1a is a blanket policy which seeks to preclude development within the four identified areas, of which three about the urban edge of Didcot. The proposed Policy approach is akin to a de facto Green Belt Policy restricting housing. This ignores Government advice and as such fails to meet <i>Basic Condition (a)</i> . | Yes | <i>We agree that this section was in need of improvement. We have commissioned a new Landscape Study "East Hagbourne Green Buffer Assessment July 2018" for provide a wider evidence base and have modified the Plan to define the areas more clearly and provide clearer justification.</i> |
| | | | The supporting text to Policy VC1a refers to <i>The East Hagbourne Village Character Assessment and Landscape Study 2017</i> (the Character Assessment) which forms part of the evidence base at Appendix 3 to the EHNP. There are significant shortcomings to the Character Assessment, including the absence of methodology which provides context to the conclusions, the failure to accord with any nationally accepted assessment standards (including the GLVIA1, or GPA32), and the absence of reference to the South Oxfordshire District | | <i>The South Oxfordshire District Council adopted landscape character assessment (2003) is referenced in the East Hagbourne Village Landscape and Character Assessment.</i> <i>Our Character Assessment does not attempt to replace national studies, but to provide a more detailed and richer evaluation of what makes East Hagbourne distinctive. It provides a fresh interpretation of what makes the parish special for its community and how it can change to meet the needs of people and wildlife. In combining heritage and</i> |

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| | | | Council adopted landscape character assessment. | | <i>landscape assessments this report offers a framework for rapid and integrated assessment of the whole parish and is intended to inform and highlight issues to be considered. We have in addition commissioned a new Landscape Study "East Hagbourne Green Buffer Assessment July 2018" for provide a wider evidence base.</i> |
| | | | <p>Page 66 of the Character Assessment considers the Coscote Fields sites. This is correct in that it confirms that the area is not covered by any specific policies or designations. The EHNP however incorrectly refers on page 12 to the land being ‘.... recognised in the Didcot Garden Town Plan where most of the land around the village is proposed as a Green Buffer for Didcot.’</p> <p>The reference to the Didcot Garden Town Plan is incorrect. There is no such document with a Development Plan status. The Didcot Garden Town Delivery Plan does not form part of the Development Plan, and as discussed earlier the Plan itself acknowledges that it is not a formal planning policy document. There is therefore no policy basis set out within the Development Plan or the emerging Local Plan which supports a Green Buffer policy. This Policy therefore fails to meet <i>Basic Condition (e)</i>.</p> | Yes | <p><i>The Plan has been amended to refer to the Didcot Garden Town Delivery Plan.</i></p> <p><i>This Plan and in particular Section 8.3.7" Landscape Priority 6 : formalise Green Gaps ", makes it clear how importance of the proposed Green Buffer to achieving the fundamental principles of Garden Town development and in particular "preventing the coalescence between the villages and Didcot will protect the identity character and diversity of the area"</i></p> <p><i>"South Oxfordshire District Councils vision says there is a need to maintain the general balance between the market towns and villages recognising the need to maintain the character of the district and to ensure the character and distinctiveness of the towns and villages is maintained"</i></p> <p><i>SODCs emerging Local Plan supports DGT and so does our NP.</i></p> |
| | | | The emerging Local Plan proposes to safeguard land for the ‘Southern Didcot Spine Road’. This land passes through the area in the EHNP termed as ‘Coscote Fields’. Emerging Policy TRANS3: | | <p><i>Building on the land could compromise infrastructure. Not building on it does not.</i></p> <p><i>We note that the Southern Didcot Spine Road is safeguarded in the emerging SODC Local Plan 2033 -</i></p> |

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| | | | Safeguarding of Land for Strategic Transport Schemes requires <i>'any proposals for development that may reasonably be considered to impact upon the delivery of the identified schemes should demonstrate the proposal would not harm their delivery'</i> . Policy VC1a would be in conflict with this emerging policy and as such would prejudice the delivery of this element of strategic infrastructure. | | <i>this does not need to be repeated in our plan.</i> |
| | | | The supporting text to Policy VC1a refers to saved Local Plan Policy C4 which states <i>'Development which would damage the attractive landscape setting of the settlements of the district will not be permitted. The effect of any proposal on important local landscape features which contribute to the visual and historic character and appearance of a settlement will be considered.'</i> This policy alongside those contained within the South Oxfordshire Core Strategy are considered sufficient to enable the decision maker to assess development proposals which have the potential to impact on the landscape setting of East Hagbourne. | | <i>We consider that the particular and specific landscape setting of our village is unique and thus requires more detailed policy protection to complement the Local Plan..</i> |
| | | | As discussed earlier the Didcot area has been identified for substantial growth and specifically as a sustainable location given its excellent employment, services, facilities and transport connections. Precluding development on the edge of Didcot through the use of a blanket policy would appear at odds with the strategic aims of the Development Plan which would result in a failure to comply with <i>Basic Condition (e)</i> . Furthermore, prohibiting sustainable development in this blanket | Yes | <i>The wording of our policies has been revised.</i> <i>Didcot has indeed identified as an area for growth and significant growth has been facilitated by the housing allocations made by SODC but not in this location.</i> <i>Kirkham Landscape/Terra Firma in their Landscape Capacity Assessment report dated September 2017 concluded that this site should not be considered further for housing</i> |

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| | | | form would fail to comply with <i>Basic Condition (d)</i> . | | |
| | VC1a | | Policy VC1a specifically refers to 'Inappropriate development' as being resisted. There is no definition as to what constitutes inappropriate development. | Yes | <i>Policy VC1a has been amended to make it clearer and more positive</i> |
| | H1 | | The first paragraph of Policy H1 is not necessary, nor is it specific. The policy refers to new residential development being 'centred' on the site allocation within Policy H3. Whilst the policy can correctly set out the areas within which the EHNP supports new housing, this first paragraph of the policy implies an informal zoning whereby residential development 'around' the allocation in Policy H3 is supported. This first paragraph should be removed. | Yes | <i>Noted. We have reworded this policy.</i> |
| | H2 | | <p>Policy H2 in its current form is neither clear nor unambiguous. On its face the decision maker cannot apply this condition when determining an application as it is not specific in terms of what the EHNP is looking to support other than 'the needs of current and future households'.</p> <p>The HNA suggests a need for more smaller homes of 2/3 bedroom size. Taylor Wimpey supports these findings but suggest that if the intention of the policy is to guide this then it should be more specific and unambiguous.</p> | Yes | <i>Thank you. we have reworded the policy to be clearer and more positive</i> |
| | H3 | | Policy H3 is generally supported in that it provides flexibility within the wording so as to align with the emerging South Oxfordshire Local Plan. However, it is not specific in terms of which 'Local Plan' the | Yes | <i>Thank you - clarification included</i> |

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| | | | policy is referring to. | | |
| | | | <p>Whilst it is acknowledged that the Regulation 19 version of the Local Plan did not include an allocation within the East Hagbourne Neighbourhood Area, given that a number of the Council's strategic sites may not be progressed if a revised version of the plan is prepared, the EHNP should be flexibly worded to support a suitable and sustainable site on the edge of Didcot. This is important as the direction of growth for the Local Plan remains focussed on the Science Vale UK Area. Such a policy could include appropriate wording to protect the separation and character of East Hagbourne, whilst facilitating a sustainable extension to the urban edge of Didcot.</p> | | <p><i>Many market observers consider that Didcot has more than enough allocated sites and that the rate of actual housing delivery achieved is low and will not be assisted by simply adding to that number.</i></p> |
| | | | <p>The EHNP is suggesting that the Parish has been proactive in allocating this site. This appears to be at odds with the Parish Council's representations to the outline planning application P17/S2469/O for this site</p> | | <p><i>We have been pro-active in allocating this site for development.</i></p> <p><i>At the same time, the plan that has been approved is not what we would have proposed if our plan had not been pre-empted.</i></p> |
| | | | <p>Paragraph 8.2 of the SEA (Appendix 10a of the EHNP) quotes East Hagbourne Parish Council:</p> <p><i>"The Parish Council broadly agrees with the assessment findings presented above, and hence supports Option 1, i.e. the allocation of Greenlight only.</i></p> <p>The EHNP is suggesting that the Parish has been proactive in allocating this site. This appears to be at odds with the Parish Council's representations to</p> | | <p><i>An objective assessment of the best available options in our allocation process came to the view, backed up by our advisers AECOM in their SEA, that the allocated site was the least harmful location for development.</i></p> |

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| | | | the outline planning application P17/S2469/O for this site | | |
| | | | . . . a small site which has been granted planning permission cannot form an 'allocation' and indeed the inclusion of this within Policy H3 serves no purpose. | | <p><i>74 houses represents about 15% increase in the size of the village.</i></p> <p><i>It is allowed, it is not small, it does serve a purpose because it identifies the most suitable site</i></p> |

4. Comments of Nurton Developments re land east of New Road (Lower End Field, Site C in Site Assessment)

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| | | | <p>East Hagbourne Village Character Assessment and Landscape Study (2017) - EHVCALS:</p> <p>Whilst a methodology is included within the EHVCALS, (Section 2, page 2) it does not provide the reader with any assessment criteria nor provide a transparent summary as to how important judgments have been made.</p> <p>It . . . does not follow guidance from Historic England in terms of heritage assets and nor does it follow published guidance from the Landscape Institute or IEMA with regard to landscape assessment.</p> | | <p><i>The EHVCALS was prepared by highly qualified and experienced professionals one of whom has long experience with Historic England</i></p> |
| | | | <p>the EHVCALS does not reference existing national character areas or county wide assessments. Of relevance are the National Character Areas (NCAs), namely NCA 108: The Upper Thames Clay Vale and NCA 116; The Berkshire and Marlborough Downs, published by Natural England, alongside the South Oxfordshire Landscape Character Assessment (2003).</p> | | <p><i>The South Oxfordshire Landscape Character Assessment (2003) is referenced in our character Assessment.</i></p> <p><i>Our Character Assessment does not attempt to replace national studies, but to provide a more detailed and richer evaluation of what makes East Hagbourne distinctive. It provides a fresh interpretation of what makes the parish special for its community and how it can change to meet the needs of people and wildlife. In combining heritage and landscape assessments this report offers a framework for rapid and integrated assessment of the whole parish and is intended to inform and highlight issues to be considered.</i></p> <p><i>It comes to conclusions in line with the advice SODC</i></p> |

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| | | | | | <i>sought in connection with their emerging Local Plan 2033 from Kirkham Landscape Planning/Terra Firma in their September 2017 report. It also backs up the conclusions reached by Didcot Garden Town in preparing their Delivery Plan.</i> |
| | | | Both the NCAs and the County assessment provide a useful source of data and analysis of the area's existing landscape character, they describe forces for change within the landscape and provide landscape management objectives. In contrast to the EHVCALS the draft Neighbourhood Plan does reference the South Oxfordshire Landscape Character Assessment and places this assessment at the heart of contextual decision making (EHNDP Para 3, page 25). | | <i>See comments above</i> |
| 68 | General pg3 | General | Pg 3 The Neighbourhood Plan has been published for consultation prior to the adoption of the emerging Local Plan for South Oxfordshire. We consider it premature for the Neighbourhood Plan to determine the provision of land for housing and the protection of large areas of land against development in the parish in advance of key decisions regarding the location of sustainable development in the South Oxfordshire Local Plan. We consider that the Neighbourhood Plan process should be halted until the South Oxfordshire Local Plan has determined strategic planning issues and been found sound following examination. | No | <i>The key decisions regarding SODC's plans for Didcot are already well known and set out. le to NW of town and more recently to Didcot NE. SODC have been supporting NP progress so halting would be illogical. We furthermore do not believe that it is the intension of Central Government Planning Policy to frustrate progress on Neighbourhood Plans by making their achievement conditional upon the making of the respective area Local Plan.</i> |
| 68 | Landscape Assesmen | Landscape related objecti | Critical of the methodology of the Landscape assessment. | No | <i>See comments above</i> |

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| | t | ons | | | |
| | | | Our own assessment of the landscape to the north east of East Hagbourne concurs with the South Oxfordshire LCA, in that Lower End Field does indeed form part of a broader landscape with common characteristics. The landscape character accords with the description of the Flat Open Farmland LCA, and features such as pylons and the existing urban edge of East Hagbourne and Didcot exert an urbanising influence across the area. | | <i>This partial evaluation is not at odds with the EH Character Assessment</i> |
| | VC1a | Object | 3.2 The premise of this policy seems to be to establish a highly protected 'no development zone' over a large area of countryside surrounding East Hagbourne, similar to a Local Green Space designation. | Yes | <i>The policy has been reworded to be more precise.</i> |
| 68 | VC1a | Object | 3.4 The supporting text to Policy VC1a refers to various policies in the adopted development plan. It is considered that these policies afford appropriately balanced protection over the countryside and the landscape setting of settlements, in accordance with the Framework. The additional 'preservation' of a green gap proposed in Policy VC1a goes well beyond this and there is no basis in the development plan for such a level of protection to be created. | Yes | <i>The policy and supporting text have been reworded. The character Assessment and Neighbourhood Plan consider the Plan area in more detail than the Local Plan. Our description and policies are intended to provide finer detail to support and complement the Local Plan.</i> |
| | | | 3.9 The reference to the appeal decision also highlights how the existing Development Plan policies provide an appropriate basis for protecting the landscape setting of settlements around Didcot. . . . the need for the community to protect the land from development with additional designation is not | | <i>When you combine this appeal decision with the very clear desire of Didcot Garden Town as expressed in their Delivery Plan to protect the necklace of villages surrounding Didcot within a Green Buffer and the evidence of the Landscape Capacity Assessment Sept 2017 for SODC's local plan the justification for</i> |

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| | | | justified. | | <i>our policy is very significant,</i> |
| | | | <p>3.11 It is intended that the Garden Town is to be enshrined in district-level planning policy which is intended to establish green buffers to the surrounding 'necklace of villages'</p> <p>Applying an additional and pre-emptive level of protection in the EHNP could increase development pressure on adjoining areas and unduly constrains the making of the Local Plan.</p> | | <i>Proposals are fully in line with Local plan and have the support of DGT.</i> |
| | | | 3.12 The draft policy VC1a refers to 'inappropriate development' being resisted. However the policy does not define what inappropriate development actually is. | Yes | <i>The wording has been revised.</i> |
| 68 | VC1b pg 12 | Object | . 4.3 The location indicated on the plan extract above, (Figure 4) indicates a key view from a location currently inaccessible via a publicly accessible footpath and a view south westwards. Is this a drafting error within the EHVCALS? Should the view indicated be taken from the Public Right of Way further to the west? | | <i>The views on the plan are indicative. We will review the figure.</i> |
| | | | . 4.9 The location indicated on the plan extract above (Figure 4) indicates that the viewpoint illustrated above is Key View 11. The description of View 11, however relates to views to the west of New Road. Is this a drafting error within the EHVCALS? We assume that this should be labelled Key View 10? | | <i>We will review the figure.</i> <i>[A new and improved figure has been prepared and included in the NP report as well as in the June 2018 update EHVCALS].</i> |
| | | | 4.11 The foreground and middle distance are considered unremarkable, being of uniform character and degraded by views of pylons. Only long distance views to the south east are of note | | <i>Building on this land would obscure long views as well as distant views.</i> <i>Who considers these views unremarkable? Our</i> |

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| | | | due to views of distant hills within the AONB. | | <i>residents do not agree.</i> <i>Pylons may not necessarily be permanent as technology moves on. The short/medium distance views facilitate the longer distance ones.</i> |
| 68 | VC1b | Object | 4.18 In this context it is our view that the wording of Policy VC1b should be changed thus: f) Views within the village, to and from the village, and of the wider landscape, including views towards the North Wessex Downs AONB, should be retained and respected wherever possible. New development should be carefully designed to maintain important views wherever possible. | Yes | <i>Noted, thank you. We have revised the wording of this policy.</i> |
| 68 | VC1b | Object | 4.19 Furthermore key views north and west across Lower End Field should be deleted. | | <i>These views are important. It is a key easterly public footpath towards the Fulscot. Once beyond the end of Great Mead paddocks the mature tree lines give a true sense of the open countryside as there are very few visible residential houses of Didcot.</i> |
| | E1a | | 5.3 The premise of this policy appears to be to protect the identified land from development that would harm the 'community value' of the site. This appears to duplicate the premise of a Local Green Space designation, which is dealt with by proposed EHNDP Policy E1b | Yes | <i>We have improved the wording of the policies VC1 and E1a/b to reduce duplication and more clearly identify the valued features of each site.</i> |
| | | | 5.4 Notwithstanding our concern that this policy is not at all justified, we consider that this policy is not spatially precise and therefore does not provide clarity to decision makers as required by paragraph 154 of the National Planning Policy Framework. The map above indicates an area, but is described | Yes | <i>Thank you, we have revised the maps to be more precise</i> |

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| | | | as the Green Gap Field 'and Surrounds'. Is the designation intended to apply to a wider area than shown on the map? If so it should be clearly identified on the map. | | |
| 68 | E1a Significant Green spaces | Object | 5.5 In conclusion, we consider that Policy E1a should be deleted. | | <i>We cannot remove the whole policy because one stakeholder does not like one part of that policy. There are several significant Green Spaces.</i> |
| 68 | E1b | Object | 6.2 It is not clear whether this proposed designation relates just to the land shaded yellow or to surrounding land and if the latter, how far the 'surrounds' extend. Therefore this policy is not spatially precise and does not provide clarity to decision makers as required by paragraph 154 of the Framework. | Yes | <i>Thank you, we have revised the maps to be more precise</i> |
| | | | 6.6 the resolution of housing supply issues following independent examination of the Local Plan may require further housing allocations to be made and Didcot should be a key focus for this. | | |
| 68 | E1b | Object | 6.7 Draft Policy E1b refers to development only being permitted in 'exceptional circumstances'. This is inconsistent with paragraph 76 of the Framework, which rules out new development on Local Green Space other than in 'very special circumstances'. | | <i>Noted, thank you.</i> |
| 68 | E1b | Object | 6.14 "The proximity of a Local Green Space to the community it serves will depend on local circumstances, including why the green area is seen as special, but it must be reasonably close. For example, if public access is a key factor, then the site would normally be within easy walking | | <i>Points noted. Distance and walking times have been carefully documented in the assessments, using a consistent methodology.</i> |

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| | | | distance of the community served.” | | |
| | | | 6.18 We consider that the planning application and appeal on this land have caused a disproportionate focus on this area of land and this has led the Neighbourhood Forum to use any tools available to try and rule out future development. | | <p><i>There is a long history of discussion about this site.</i></p> <p><i>The Jan 2017 appeal hearing was the third unsuccessful appeal on this site.</i></p> |
| 68 | E1b | Object | 6.28 The core intention of this Local Green Space designation is to prevent the further coalescence of East Hagbourne and Didcot. This is a key purpose of Green Belt (paragraph 80 of the Framework) and therefore this proposed designation would amount to a new area of Green Belt by another name. The nature of this proposed designation is precisely what the Planning Practice Guidance seeks to guard against; i.e. the blanket designation of open countryside adjacent to a settlement. Therefore the proposed designation is considered to relate to an extensive tract of land and the protection proposed does not relate to it being 'local in character'. The proposed designation would therefore conflict with the Framework in this regard. | Yes | <p><i>Policy wording has been revised.</i></p> <p><i>There is no blanket designation in the draft Neighbourhood Plan.</i></p> <p><i>The prevention of coalescence is fully supported in National Planning Policy and is seen as a key factor in maintaining the hierarchy of settlements and in preserving the character and distinctiveness of towns and villages. SODC's existing and emerging Local Plans endorse this principal as does DGT's Delivery Plan. Our NP is fully aligned with these Plans.</i></p> |

5. Comments of Grainger plc re land east of New Road (Lower End Field, Site A in Site Assessment). Proposed as Local Green Space (Appendix 4, Attachment 2)

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| 69 | | | <p>1.2 The draft EHNP includes the following proposals for the Grainger land:</p> <ul style="list-style-type: none"> • Under Policy E1b, it is proposed to be designated as a 'Local Green Space' (LGS); • Under policy VC1a it is proposed to be included as part of a 'green gap between East Hagbourne and Didcot' <p>1.3. Grainger Objects to both these proposals. As this report sets out, these elements of the draft EHNP:</p> <ul style="list-style-type: none"> • are contrary to relevant provisions of the NPPF (both existing and emerging versions thereof); • fail to meet the required 'basic conditions' that Neighbourhood Plans must fulfil; • are not supported by evidence. <p>1.4. As a consequence these elements of the Neighbourhood Plan must be removed in order for it to be able to progress without the procedural risk of not meeting the basic conditions required by National Planning Policy</p> | Yes | <p><i>We have made improvements to the wording of our policies and believe our Plan fully meets the basic conditions. The NP has been produced in conjunction with SODC and is in line with the existing and emerging Local Plans.</i></p> <p><i>The Didcot Garden Town Delivery Plan and in particular Section 8.3.7" Landscape Priority 6 : formalise Green Gaps ", makes it clear how importance of the proposed Green Buffer to achieving the fundamental principles of Garden Town development and in particular "preventing the coalescence between the villages and Didcot will protect the identity character and diversity of the area"</i></p> <p><i>"South Oxfordshire District Councils vision says there is a need to maintain the general balance between the market towns and villages recognising the need to maintain the character of the district and to ensure the character and distinctiveness of the towns and villages is maintained"</i></p> |
| | | | 3.16 The site has also been identified by SODC's most recent landscape study under reference | | <i>Incorrect: .No part of the land owned by Grainger plc is included in the very small fraction of Did1-referred</i> |

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| | | | DID1 as having potential in landscape terms for housing (see Appendix 5). As such, whilst the Grainger site is not currently allocated, it remains a sustainable and deliverable option for delivering housing. | | <i>to as Did1.2 in the SODC landscape study and comprising some 8.3 hectares . This forming the western strip of the southern end of the field and the EHPC owned Recreation ground south of that.</i> |
| | | | 3.19. In relation to this, we observe that it is clear from the tone and content of the draft EHNP that its primary purpose is to introduce an effective Green Belt encirclement of the village, both by means of the LGS designations and by means of the proposed 'Green Gap' under VC1a. As set out later in this document, attempts by NPs elsewhere to sterilise development on this scale have consistently failed at examination. | Yes | <i>Such protection as is sought by the policies of the NP are restricted to important Green Spaces identified in the EHVCALS and by a small number of sites put forward for Local Green Space designation. These do not surround the village of East Hagbourne but do seek to protect valued landscape and to prevent the coalescence of settlements which accords with National and Local policy and is in line with Didcot Garden Town's Delivery Plan.</i> <i>We have, however, reviewed and improved our policies</i> |
| | VC1a | Object | 4.6 The primary purpose of policy V1a is to preclude development on the extensive tracts of land that have been identified. However, this is wholly unnecessary given the range of Development Plan policies already in place, which serve the function of controlling development in the countryside. | | <i>The recent application and appeal on this site saw the owners arguing that such policies were out of date and should thus be ineffective in preventing their own extensive proposals for the land. It is ironic that they should now be arguing the opposite.</i> |
| | | | 4.8 The EHNP invokes the appeal of the Grainger proposals in favour of policy VC1a, however if anything, the Inspector's report negates the need for any new policy, with the below extract being of particular relevance: (cites para 11 of the appeal report) | | <i>If SODC continue in the short term to fall short of their 5 year supply a made NP (with a lower 3 year threshold) may be the only planning document with in-date housing policies able to address such development proposals.</i> <i>[Note: SODC have now regained a 5-year land supply]</i> |

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| | E1b | | <p>5.5 we draw attention to Paragraph 37 of the appeal decision on the previous Grainger application, which notes that various characteristics that distinguish the transition between Didcot and East Hagbourne would have remained had the appeal scheme been allowed. It is perfectly reasonable to envisage that revised proposals could be prepared, through which this distinction and the retention of a 'gap' could be ensured. However, the introduction of an LGS designation would unjustifiably preclude this and prevent (in effect permanently) the delivery of a site that is acknowledged to be sustainable.</p> | | <p><i>Disagree. The appeal decision recognised the importance of this site as valued landscape and its key role in preventing the coalescence of Didcot with East Hagbourne.</i></p> <p><i>It is difficult to envisage housing development on this site that would preserve these key ideals.</i></p> <p><i>Three appeals over thirty seven years have been rejected here.</i></p> <p><i>However, we recognise that LGS designation may not be the best approach for this site and it is no longer proposed as a Local Green Space.</i></p> |
| | | | <p>5.7 The planning history is fundamentally not of direct relevance. Although the previous scheme was dismissed, the proposal was considered on its merits and the Inspector's judgment took into account a variety of factors, both positive and negative, in the balance. The draft NP seeks to extrapolate from the Inspector's conclusions that the Grainger land qualifies as LGS, but this is an incorrect position since the two processes are entirely different.</p> | | <p><i>Planning History is always taken into account in planning decisions.</i></p> <p><i>This site was considered objectively and on its merits for Local Green Space designation.</i></p> <p><i>While we no longer proposethis sitet as an LGS, we maintain the value of the site and it is included in the revised Policy VC1a.</i></p> |
| | | | <p>5.11. . . . the NDP invokes the Garden Town Delivery Plan as a policy basis on which to define a LGS.</p> <p>However, whilst the 'Masterplan' contained in the Garden Town Delivery Plan bears some similarity in appearance to a Local Plan proposals map, it expressly does not serve</p> | | <p><i>The Delivery Plan policies in particular 8.3.7 Landscape priority 6: formalise green gaps makes DGT's intensions abundantly clear ,in particular in relation to this specific site which is referred to on pages 256 and 257.It could not be clearer.</i></p> <p><i>The DGT proposals are supported by the emerging Local Plan 2033 and by our Neighbourhood Plan.</i></p> |

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| | | | that purpose. | | |
| | | | 5.14. The reason for attempting an LGS designation on this site, therefore, is not based on the inherent characteristics of the land, but on its geographical positioning between two major built-up areas. In contrast, paragraph 77 of the NPPG requires the land itself to be 'demonstrably special'. | | <i>The site was shown to be demonstrably special in the lead up to the planning application in its defeat in the appeal hearing and the reasons given by the inspector for its dismissal.</i> |
| | | | 5.16 Critique of the way information in the EH Landscape & Character Assessment is used. | | <i>Our Character Assessment provides a fresh interpretation of what makes the parish special for its community and how it can change to meet the needs of people and wildlife. In combining heritage and landscape assessments this report offers a framework for rapid and integrated assessment of the whole parish and is intended to inform and highlight issues to be considered.</i> <i>The content has been prepared by independent experts to guide development of the NP.</i> |
| | | | 5.18 et seq Consideration of E1b against NPPF and 'Basic Conditions' | | <i>Noted</i> |
| | | | 5.20 Many plans have removed designations for larger sites before going to referendum: cites Blackwell, Alrewas, Tatenhill, Oakley & Deane, Blandford, Brixworth (see Appendices) | | <i>Useful information, thank you.</i> |

6. Comments of Bidwells/Catesby re land east of Park Road (Coscote Fields, Site B in Site Assessment)

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| 70 | H1/H3 | | 2.3 Policy H1 states that 'Development of new houses outside of the built-up area of East Hagbourne or outside of the site identified in Policy H3 will only be supported if they are necessary or suitable for a countryside location...'. Developments such as housing, that do not require countryside locations, would be contrary to this policy, effectively putting a 'cap' on housing development, to the allocated site identified in Policy H3 for up to 74 dwellings. This 'cap' could potentially preclude developments in sustainable locations, and could result in a failure to meet the housing needs of the area and the Strategic objectives of the Local Plan | Yes | <i>Policy H1 has been amended to be clearer and address these issues</i> |
| | | | 2.4 Policy H1 is not underpinned by credible evidence of the housing quantum that would constitute as 'necessary' for East Hagbourne. The East Hagbourne Housing Need assessment simply take the emerging SODC housing figures to underpin its housing policies. There is no evidence to suggest that that the Parish is 'full' in terms of further housing delivery over the Plan Period. | | <i>The community survey showed a limited need for new housing for existing residents of East Hagbourne. The housing numbers that the plan achieves at 74 units on the allocated site plus 5 infill built since 2011 amounts to 79 or 15.9% based upon a Parish of 497 homes. This is not demonstrative of a restrictive approach to housing supply in the Parish.</i> |
| | | | 2.5 A restrictive policy which prevents growth is not in accordance with the wider ambitions of the District and region. It is well publicised that Oxfordshire has an acute affordable housing crisis. | | <i>We do not have a restrictive policy.</i> |
| | | | 2.6 Without a flexible approach to housing delivery, | | <i>The housing targets for the parish will be amply met</i> |

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| | | | there is a strong likelihood that housing targets for the Parish and the District will not be met. The likelihood of both a local and district wide housing delivery shortfall is compounded by the uncertainty of the housing numbers included in the emerging Local Plan, that has yet to be tested. | | <i>by the site allocation and policies in our Plan. These are in accord with the emerging Local Plan 2033 and make a proportionate contribution to the wider District needs.</i> |
| | | | 2.7 It is concluded that Policy H1 and H3 fails to meet, and is contrary to the basic conditions (a), (d) and (e). | Yes | <i>We have improved the text of these policies and as altered, we believe they meet basic conditions.</i> |
| | VC1a/VC1b | | 3.5 The inference in Policy VC1a is that development should be restricted, by what amounts to a 'green belt' type policy, that is not justified by either national or local policies. The PSDNDP incorrectly justifies this policy by the Saved policies C4 and C9, and the Core Strategy Policy CSEN1; where the purpose of the policy is to provide an approach to the consideration of development proposals within the setting of settlements, rather than as an 'absolute' restriction on growth. | Yes | <i>The wording of our policies has been improved. Our Plan does not seek an absolute restriction on growth but to direct any new development in line with Local Plan polices to the least harmful locations.</i> |
| | | | 3.7 Policy VC1a fails the guidance in para 41 of the PPG on how polices in a neighbourhood plan should be drafted; and, paragraph 16 of the NPPF that states NP's should ' <i>plan to support growth</i> '. | Yes | <i>We believe the changes now made address these comments.</i> |
| | | | 3.8 The supporting text of the policy gives no guidance on what would amount to ' <i>inappropriate development</i> '. The policy is not clear and creates ambiguity for the decision maker when determining subsequent applications. | Yes | <i>This has now been addressed</i> |
| | | | 3.13 The PSDNDP has incorrectly aligned itself to the DGTDP. The DGTDP is not part of the SODC | | <i>The DGTDP is expected in due course to become part of the SODC Local Plan. It has particular</i> |

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| | | | Development Plan, and so carries little weight, as opposed to Policies CSS1 and STRAT1 that form the spatial strategy for the District. | | <p><i>relevance to this Parish as the whole of the Northern boundary of the Parish abuts Didcot. East Hagbourne's future is inextricably linked to the growth of Didcot.</i></p> <p><i>Huge amounts of expert evidence underpins the Development Plan for the Garden Town.</i></p> <p><i>DGT is supported by the emerging Local Plan 2033 and by our NP.</i></p> |
| | | | 3.14 Policy VC1b 'Retaining small villages character and promoting good design' is underpinned by the East Hagbourne Village Character Assessment and Landscape Study. EDP Consultants have reviewed this document on behalf of Catesby Estates Ltd (Appendix 3). The document has been found wanting; specifically, the document has not been prepared in accordance with any nationally accepted guidelines. The document fails to include any objective classification of landscape sensitivity rankings. Any conclusions in the Character Assessment regarding the sensitivity of landscape value are unfounded. | | <p><i>Our Character Assessment provides a fresh interpretation of what makes the parish special for its community and how it can change to meet the needs of people and wildlife. In combining heritage and landscape assessments this report offers a framework for rapid and integrated assessment of the whole parish and is intended to inform and highlight issues to be considered.</i></p> <p><i>The EHVICALS was prepared by highly qualified and experienced professionals and comes to conclusions in line with the advice SODC sought in connection with their emerging Local Plan 2033 from Kirkham Landscape Planning/Terra Firma in their September 2017 report. It also backs up the conclusions reached by Didcot Garden Town in preparing their Delivery Plan.</i></p> |
| | | | 3.15 It is inevitable that development will create change and that change may be beneficial or adverse. Policy VC1b states that development that harms an area, <i>will only be allowed where the benefits demonstrably and significantly outweigh the harm caused</i> '. This is contrary to the Framework, that requires that the ' <i>planning</i> ' system | Yes | <p><i>Comment noted, thank you - we have revised the policy wording.</i></p> |

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| | | | <p><i>should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes'</i> (para 109 of the Framework). There is no mention of the impact of harm. Paragraph 109 is framed to be positive and appropriate support; Policy VC1b, negative, and restrict growth,</p> | | |
| | H1/H3 | | <p>4.1 Bidwells, on behalf of Catesby Estates Ltd, submitted representation to the Site Assessment Consultation. Catesby Estates Ltd requested that for a more meaningful assessment, the site must be assessed, independently (as Land Parcel B) of the larger land parcel VC14.</p> | | <p><i>The site was assessed as Land Parcel B.</i></p> |
| | | | <p>4.2 Catesby Estates Ltd reviewed the assessment and requested amendments to be made to better reflect the overall impact of developing the site. It is acknowledged that the Steering Group need not agree with the requested amendments to the Site Assessment; however, there is no evidence to suggest that any of the amendments were even considered.</p> | | <p><i>The suggested amendments have been received and noted. However the site failed the pre-screening criteria for possible allocation, so has not been reviewed further in this Plan.</i></p> |
| | | | <p>4.3 It is noted that only the Landowners were consulted upon the Site Assessments. Representations submitted have not been made available for the general public to view. Catesby Estates Ltd believe this restricted consultation process lacks transparency, and has compromised third parties who may have wished to make comments.</p> | | <p><i>We followed the guidance given by SODC/AECOM</i></p> <p><i>We believe that our processes have been fully transparent throughout.</i></p> <p><i>The public have been kept informed throughout the process, however the Site Assessment is intended to be an objective evaluation and is not a suitable topic for public debate.</i></p> |
| | | | <p>4.5 Catesby Estates Ltd acknowledged the sites sustainable location on the edge of Didcot and</p> | | <p><i>This site fails the criteria for allocation in our Neighbourhood Plan, because its location does not</i></p> |

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| | | | request that the Steering Group take forward the parcel of land east of Park Road B (Catesby), as an additional site allocation in the PSDNDP. | | <i>relate to the community of East Hagbourne, as noted in your following comment (4.6).</i> |
| | | | 4.6 The site is self-evidently well connected to Didcot, which is the largest and most sustainable town in South Oxfordshire and considered a Growth Point.. | | <i>Many market observers consider that Didcot has more than enough allocated sites and that the rate of actual housing delivery achieved is low and will not be assisted by simply adding to that number.</i> |
| | | | 5.2 Policies H1 and H3 set a 'cap' on the quantum of development (Contrary to basic conditions (a) and (e)) ; do not contribute to Sustainable Development (Contrary to basic condition (d)) ; and fails the test of general conformity with the Local and National planning policies (Contrary basic condition (e)) . | Yes | <i>We have improved the wording of these policies. We believe they support development well in excess of minimum targets</i> |
| | | | <i>ATTACHMENT B - LEGAL OPINION</i> | | |
| | H1/H3 | | <i>para 29. The draft NP imposes a cap on development</i> | Yes | <i>Noted, we have revised the wording to be clearer</i> |
| | | | <i>para 31 " the plan has failed to carry out its own assessment of need"</i> | | <i>Incorrect, please refer to the Community Survey and, Housing Needs Assessment, and draft Local Plan</i> |
| | | | <i>pare 32. Criticises the Plan for adopting and complying with the housing expectations of the emerging Local Plan</i> | | <i>Our Plan greatly exceeds the minimum housing expectations in the Local Plan</i> |
| | | | <i>paras 34 eq seq repeatedly assert that no local assessment of housing need has been carried out</i> | | <i>See comment above.</i> |
| | | | <i>38. This legal error is particularly egregious in circumstances where the emerging Local Plan itself makes clear that the housing target for small villages is a minimum target,</i> | | <i>Our Plan does exceed the minimum expectations of the emerging Local Plan</i> |

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| | | | <i>that can be exceeded.</i> | | |
| | VC1a/VC1b | | 41. First, the policy states that “inappropriate development” will be resisted within Coscote Fields. The drafting of the policy is woeful. It gives no indication as to what would amount to “inappropriate development”. This is contrary to the PPG, at paragraph 41 of the Neighbourhood Plan guidance, which states (under the heading “How should the policies in a neighbourhood plan be drafted?”): | Yes | <i>The wording has been improved</i> |
| | | | 43. Second, the policy is inconsistent with national planning policy as it fails to recognise that not all development within Coscote Fields will necessarily diminish the existing separation between or compromise the soft transition between East Hagbourne, Coscote and Didcot. The error is particularly important since, for the reasons set out in the accompanying representation by EDP, there is no evidence that all development within this area will necessarily result in coalescence or compromise the soft transition. | | <i>Any significant development on any part of Coscote fields would inevitably diminish the gap between Didcot and Coscote in particular and cause harm to its landscape setting. we have given great consideration to these questions and believe that our revised policies provide the right framework to guide future planning decisions.</i> |
| | | | 49. For the reasons set out in the representation by EDP, a suitable modification consistent with saved policy C4 of the existing SODC Local Plan 2011 as follows: “Development which would damage the attractive landscape setting of the settlements of the district will not be permitted. The effect of any proposal on important local landscape features which contribute to the visual and historic character and appearance of a settlement will be considered. | Yes | <i>Noted, thank you. we have revised the wording of the policy</i> |
| | | | 50. Finally, we consider Policy VC1b. This states that development that harms a particular character | Yes | <i>Noted, thank you, we have made changes to the</i> |

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| | | | <p>area “will only be allowed where the benefits demonstrably and significantly outweigh the harm caused.” There is nothing in the NPPF to suggest that this balancing exercise should be a tilted, or weighed, balance – where there is a presumption in favour of one side of the balance, requiring additional countervailing benefits or disbenefits (compare, for example, paragraph 14, 65, 118, 133 and 134 of the NPPF).</p> | | <p><i>policy wording.</i></p> |
| | | | <p>ATTACHMENT C - LANDSCAPE MATTERS</p> | | |
| | | | <p>1.9 From a landscape perspective, the principle of maintaining the ‘unique identities’ of Didcot and East Hagbourne (and West Hagbourne) as distinct settlements is supported as a legible and valued ‘characteristic’ of the settled farmland to the south of Didcot. However, the PSDNDP fails to consider whether the limited development of housing sites on the southern edge of Didcot would threaten the established pattern of development to the extent that the separation of settlements would not be physically and perceptually maintained.</p> | | <p><i>We consider that the development of this site as proposed in the planning application by the developer Catesby is of a scale that would cause harm and significantly diminish the gap between Didcot and Coscote.</i></p> <p><i>[Note: the applicaiton has since been rejected at appeal].</i></p> |
| | VC1a | | <p>1.13 It is therefore recommended that Policy VC1a be removed from the PSDNDP. Suitable amendments might include modifications to accord with Saved Policy C4 of the South Oxfordshire Local Plan 2011 which provides a qualified approach to the consideration of development proposals within the setting of settlements, rather than an absolute constraint which might unhelpfully be inferred by Policy VC1a in its current form.</p> | Yes | <p><i>Noted: Amendments have been made.</i></p> <p><i>East Hagbourne NP needs to have its own policy which reflects the unique circumstances of its juxtaposition with Didcot</i></p> |

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| | VC1b | | <p>1.14 Policy VC1b is generally supported as a proponent of good design; and reference to an objective characterisation of the landscape is also supported. However, our review of the East Hagbourne Village Character Assessment and Landscape Study 2017 (referred to hereinafter as the Village Character Assessment) for this critical element of the evidence base found it to be deficient with regard to informing impacts on landscape character and views.</p> | | <p><i>We disagree. The Character Assessment was carried out by very senior experienced professionals who spent considerable time in our Parish and consulting with residents many of whom have decades of experience living in this landscape.</i></p> <p><i>We believe that Nationally applicable “tick box” methodology does not surpass real local knowledge and experience, That is the whole point, purpose and value of Neighbourhood Planning.</i></p> |
| | | | <p>1.16 The assessment of significance and sensitivity contained at Parts 4 – 6 of the Village Character Assessment has not been prepared with reference to any nationally accepted methodologies for the assessment of landscape value or sensitivity. It does not attempt to employ the Guidelines for Landscape and Visual Impact Assessment (Landscape Institute and IEMA, 3rd Edition 2013) – or any of the related methodologies for the assessment of landscape sensitivity and capacity². Further, the methodology on p2 lacks any sort of objective classification of sensitivity rankings.</p> | | <p><i>Our Character Assessment goes beyond the broad view provided by national guidelines. It provides a fresh and more detailed interpretation of what makes the parish special for its community and how it can change to meet the needs of people and wildlife. In combining heritage and landscape assessments this report offers a framework for rapid and integrated assessment of the whole parish and is intended to inform and highlight issues to be considered.</i></p> |
| | | | <p>1.19 It is therefore recommended that references to the Village Character Assessment in the Policy VC1b and its supporting text be entirely substituted with the South Oxfordshire Landscape Assessment (adopted as supplementary planning guidance in 2003)³. With regard to landscape capacity, it is further recommended that reference be made to the 2017 Landscape Capacity Assessment commissioned by South Oxfordshire District Council (see footnote 1 above) and/ or the need to complete further studies in conformity with national</p> | | <p><i>The two studies do not have the same objectives - substitution is not appropriate.</i></p> |

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| | | | <i>standards for the assessment of capacity and sensitivity (footnote 2 above).</i> | | |
| | | | <i>1.21 Finally, Policy VC1b points c, d and e are predicated on development coming forward within the context of the village envelope – i.e. they seek development proposals which are consistent with the character and vernacular of the village. However, as a point of principle, it should be recognised that, despite the wording of paragraph 198 of the NPPF, there is no embargo on development proposals which seek development on land not allocated within a neighbourhood plan. It is therefore recommended that Policy VC1b is amended to ensure that development proposals outwith the immediate context of the village envelope (be they free standing development in open countryside or adjacent to the edge of Didcot) be considered within the remit of good design.</i> | Yes | <i>Noted, thank you - we have reworded the policy to be more clear. Our Plan seeks to ensure that the design of new development within the Parish reflects the vernacular of its immediate location. As the Parish does include sites immediately adjoining Didcot in these areas the vernacular might thus reflect that of existing built areas outside our Parish.</i> |
| | E1a/E1b | | <i>1.28 The Park Road site is not allocated for development within the PSDNDP. Indeed, the representations provided by Bidwells suggest that the PSDNDP falls well short of the need to address local housing need, and the legal review has found significant shortcomings in the approach taken to the identification of policies and housing sites within the parish.</i> | | <i>The comments confuse the housing need for East Hagbourne Community and the housing needs for the wider district.</i> |
| | | | <i>1.29 The Park Road site is considered as part of 'Coscote Fields and Coscote (lands west of the railway embankment) Site Address B. Land east of Park Road' [PSD Site Assessment, Coscote fields B]. A number of observations are made concerning this assessment:</i> | | <i>The emerging Local Plan considers housing needs for Didcot and the wider district. Our NP considers the needs of East Hagbourne Community and Neighbourhood, having consideration for the expectations of the Local Plan.</i> |

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| | | | <p><i>· The assessment focusses on proximity to the village, rather than any other / location, and therefore does not reasonably consider the influence (in landscape terms) of the edge of Didcot, or locations which are better related to existing infrastructure, shops, services, schools, etc. The Park Road site is clearly well placed as an extension to Didcot, which is a the most sustainable town in South Oxfordshire;</i></p> | | |
| | | | <p><i>1.30 In summary, this review of the evidence demonstrating consideration of development proposals east of Park Road finds that the assessment is unduly biased as a result of i) the site being outwith the context of the village envelope, ii) a lack of consideration given to the presence and influence of Didcot, and iii) exaggerated statements concerning the value of the landscape arising from the presumption that this will ‘close the gap between Didcot and Coscote’, the importance and availability of views to and from the AONB, and the value ridge and furrow earthworks.</i></p> | | <p><i>The East Hagbourne Neighbourhood Development Plan rightly focusses on the needs of that neighbourhood. It is not bias to not include plans for Didcot development - that is the role of the Local Plan.</i></p> |

7. Comments of Greenlight Developments : owners of land in Western Village Plotlands (Site A in the Site Assessment)

| ID | Policy /page no | Type | Summary of response | Change Plan? | Comments |
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| 13 | Policy H3, p34 | Support | We would like to register our support for the proposed Housing Allocation under Policy H3 of the Pre-submission Draft of the East Hagbourne Neighbourhood Plan, which is consistent with planning permission P17/S2469/O for the site (known as Site 5, part of Western Village Plotlands) | No | <i>Noted, thank you.</i> |
| | | | | | |

8. Comments of Carter Jonas (Andrew Harper) re Allen : owners of land on Coscote Field (Site C in the Site Assessment)

| ID | Policy /page no | Type | Summary of response | Change Plan? | Comments |
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| 35 | General | Comment | <p>2.1 Whilst the parish of East Hagbourne covers a wide area, the major 'built' area is centrally located within that parish boundary. The parish boundary adjoining Didcot is to the north west of that 'built' area .</p> <p>2.2 Within this 'built' area there are various green buffer areas separating East Hagbourne from Didcot.</p> <p>2.3 Whilst seeking to retain the 'special character' of the village, it enjoys close proximity to Didcot with the benefit of many services and facilities.</p> | No | <i>We agree that the close proximity of the village to Didcot is important as mentioned in section 3.2. This brings benefits in terms of services, but heightens the challenge of maintaining the distinct rural character of the parish.</i> |
| 35 | General | Comment | <p>2.4 It is noted that there is currently planning consent for 74 dwellings on land adjoining Hagbourne Village Hall.</p> <p>2.5 Notwithstanding Local Plan objectives in the emerging Local Plan for East Hagbourne to expect delivery of 5%/10% growth (25/50 additional dwellings) over the plan period to 2033, the current consent already increases that maximum number by 50%.</p> <p>2.6 We believe that in view of the period to 2033 (15 years), there should be provision for additional development during this period.</p> | No | <p><i>The existing outline planning permission means that growth in East Hagbourne will fully meet the Local Plan expectation of minimum 5-10% growth and exceed the expectations and needs of the local community.</i></p> <p><i>The housing numbers that the plan achieves at 74 units on the allocated site plus 5 infill built since 2011 amounts to 79 or 15.9% based upon a Parish of 497 homes.</i></p> |
| 35 | General | | 2.7 We acknowledge that provision of 'open space' | No | <i>The area discussed is included in Didcot Garden</i> |

| ID | Policy /page no | Type | Summary of response | Change Plan? | Comments |
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| | | | <p>should be encouraged and retained within the immediate village area but land to the west of the former railway line (Coscote Fields) should be viewed separately from the general allocation of 'green space'.</p> <p>2.8 This land is primarily served by Park Road and as such, does not impact upon the main part of the village.</p> <p>2.9 We therefore propose that at least part of Coscote Fields should be regarded as suitable for further residential development. This would not compromise the existing village assuming that any development adjoins the existing boundary with south Didcot.</p> | | <p><i>Town's green buffer zone and is proposed as a Green Gap in our plan to preserve the separation between Didcot and Coscote</i></p> <p><i>Partial development of Coscote fields would not necessarily cause coalescence however any significant development on any part of Coscote fields would inevitably diminish the gap between Didcot and Coscote in particular and cause harm to its landscape setting.</i></p> |
| | 35 | General | <p>2.10 The VWHDC (adopted) and SODC (soon to be submitted) Local Strategic Plans make provision for a future southern Didcot spine road. The Didcot Garden Town proposals identify that a 'southerly alignment' could bring a major benefit to the Garden Town.</p> <p>2.11 No provision has been made within the draft neighbourhood plan that a southern perimeter road for Didcot should be considered. Provision for such a route to maintain a barrier between East Hagbourne and Didcot should be considered and provision for a suitable route identified within the plan.</p> | | <p><i>The VoWHDC and SODC Local Plans make reference to safeguarding land for a Southern Didcot Spine Road to the west of Park Road.</i></p> <p><i>There is nothing for us to add in our Neighbourhood Plan</i></p> |
| | | | 3.0 There needs to be a more flexible approach to the current draft plan to enable change where | No | <p><i>Noted: We have redrafted our policies with this in mind. The NP is a living document and there is</i></p> |

EHNP Consultation Statement Appendix H

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| | | | situations arise that may warrant review/revision over the plan period. | | <i>provision for periodic review.</i> |

9. Comments of Carter Jonas (Huw Mellor) re Corcoran, re land at Great Mead (Great Mead, Site B in Site Assessment)

| ID | Policy /page no | Type | Summary of response | Change Plan? | Comments |
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| 37 | VC1a | Object | <p>1.1 Carter Jonas LLP acts on behalf of Mr & Mrs H Corcoran, the owners of land identified in the plan site assessment as “Great Mead North B: Field to the North of Recreation Ground” (‘the site’).</p> <p>1.2 The land owners do not support the explicit resistance to potential development of their land in the draft policy VC1a. Furthermore, it is considered that the broad designation of the green gap between East Hagbourne and Didcot is not robustly evidenced or justified.</p> <p>1.3 We suggest that Policy VC1a is redrafted to ensure conformity with the basic conditions and ‘the site’ is reassessed for its ability to contribute to neighbourhood and local housing needs. These exercises should be undertaken before the EHNP is formally submitted to South Oxfordshire District Council for its examination.</p> | Yes | <i>We have reviewed policy VC1a to make clearer the extent of the Green Gap.</i> |
| 37 | H3 | Object | <p>2.0 The premise and proposed scale of the plan</p> <p>2.1 We appreciate the ambition to retain the ‘special character’ of East Hagbourne, but it should also be recognised that the village is a sustainable location for development and benefits particularly from the close proximity to Didcot and the many services and facilities.</p> <p>2.2 We note that there is currently planning consent for 74 dwellings on land adjoining Hagbourne</p> | No | <p><i>The existing outline planning permission means that growth in East Hagbourne will fully meet the Local Plan expectation of minimum 5-10% growth and exceed the expectations and needs of the local community.</i></p> <p><i>The housing numbers that the plan achieves at 74 units on the allocated site plus 5 infill built since 2011 amounts to 79 or 15.9% based upon a Parish of 497 homes.</i></p> |

| ID | Policy /page no | Type | Summary of response | Change Plan? | Comments |
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| | | | Village Hall and, notwithstanding the emerging Local Plan objectives for East Hagbourne to expect delivery of 5%/10% growth (25/50 additional dwellings) over the plan period to 2033, the current consent already increases that maximum number by 50%. We believe that in view of the period to 2033 (15 years), there should be provision for additional development during this period. | | <i>We do not consider that we need an additional site allocation</i> |
| 37 | VC1a | Object | <p>3.0 The green gap and draft Policy VC1a</p> <p>3.1 We are particularly concerned about the scale and location of the ‘green gap’ proposed in draft Policy VC1a of the EHNP. First, the total land area covered by the proposed policy is 154 Hectares (Ha):</p> <ul style="list-style-type: none"> • Coscote Fields (73 Ha); • The Green Corridor (24 Ha); • Lower End Field (49 Ha); and, • Great Mead (8Ha) <p>This cumulative total raises very strong concerns that this is in fact in direct contravention of the Planning Practice Guidance (PPG) reference ID: 37-015-20140306 and is an attempt at a ‘back door’ way to try to achieve what would amount to a new area of Green Belt by another name</p> | Yes | <p><i>We have reviewed policy VC1a to make clearer the extent of the Green Gaps - which is much less than the figures quoted.</i></p> <p><i>[Note: the referenced policy VC1a has now been split out into VC1a-d to cover each area separately]</i></p> |
| 37 | VC1a | Comment | 3.2 Second, the gap is aimed at maintaining the “soft transition between East Hagbourne, Coscote and Didcot.” Yet land to the East of East Hagbourne – “Great Mead” – is included in the green gap and | Yes | <i>We agree that inclusion of the 'soft transition' description is confusing and have improved the wording.</i> |

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| | | | this in no way contributes to a gap between any of the listed settlements. We note with particular interest that the site assessment for 'the site' under "location assessment" states that development "within the bounds of the plot would not create coalescence" between the listed settlements | | |
| 37 | General | Comment | 3.3 We note the references to the Didcot Garden Town Delivery Document in the draft EHNP and supporting documents. We also note that the delivery document is not a development plan document, and the proposal to create a Garden Town 'Local Plan' has not yet begun. | No | <i>Didcot Garden Town is an important initiative for Didcot and the surrounding area. It is explicitly supported in the emerging SODC Local Plan 2033 and is supported in our Neighbourhood Plan.</i> |
| 37 | VC1a | Object | 3.4 Turning to the draft wording of Policy VC1a, we raise concerns about a number of vague and undefined phrases. For example, there is no definition of what constitutes "inappropriate development," who is intended to be "resisting" said potential development and crucially, how this will be enforced or managed. | Yes | <i>We have improved the wording to remove ambiguity and consulted SODC and our professional advisors on appropriate wording.</i> |
| 37 | H3, Site Allocation | Object | <p>4.0 Great Mead North B: Field to the North of Recreation Ground</p> <p>4.1 The site assessment that supports the draft EHNP makes a positive assessment of 'the site.' It recognises that there are no heritage destinations on or near the site, it is entirely in flood zone 1 and we also note that there are no ecological designations on 'the site.' The site assessment also identifies that 'the site' is well connected to the services and facilities of East Hagbourne. 4.2 Despite this positive assessment, the site fails to gain an allocation on the basis of the potential for 'overbearance' on the recreation ground, and the</p> | No | <p><i>We refer to Appendix 9 and the supporting document Site Assessment and Evaluation - Consolidated Report" and particularly the site evaluation for Site 3, the field to the north of the recreation ground, pages 62-63 of the supporting document.</i></p> <p><i>Our evaluation considered whether the site was suitable for allocation in this Neighbourhood Plan.</i></p> <p><i>It was deemed unsuitable, as a small site that cannot deliver our housing needs in isolation. The access is too narrow and widening needs additional land to be made available.</i></p> |

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| | | | "soft transition to the wider landscape." We question the significance of this evidence particularly when balanced against the positive social effects of delivering additional, much needed, new homes in a sustainable location. | | <i>We also commented that housing allocation here would preclude any future expansion of village community facilities.</i> |
| 37 | | | 4.3 We have also reviewed the Strategic Housing and Economic Land Availability Assessment (SHELAA) for South Oxfordshire, which is part of the evidence base for the development plan (including the EHNP). The SHELAA includes 'the site' as reference 1228 and identifies it as suitable, available and achievable for development, and yet this is not considered in the draft EHNP. | No | <i>We refer again to the supporting document "Site Assessment and Evaluation - Consolidated Report", page 63, which acknowledges the inclusion of the land in SHELAA. SHELAA is a high level evaluation. Our assessment highlighted the problem of access which was noted in the site assessment letter sent to your client and to which we did not receive any reply or comment.</i> |
| 37 | | | 5.1 In conclusion we suggest that the Parish Council reconsiders the intentions of draft policy VC1a and reviews it in light of national guidance and the 'basic conditions.' We also suggest that there is an opportunity for the Parish Council to consider the potential for sustainable growth in East Hagbourne and the contribution that the site: Great Mead North B: Field to the North of Recreation Ground can provide to a more positive and aspirational Neighbourhood Plan. | Yes | <i>The policy wording has been revised. We consider our plan to be positive and aspirational and in line with Local Plan and Garden Town strategy, as well as the NPPF.</i> |

10. Comments related to Green Spaces

For comments from Grainger, please refer to Section 5

11. Comments related to Butts Piece, proposed as Local Green Space (Mill. Wood, Site D in Site Assessment)

Comments of Hagbourne Parochial Charities re Butts Piece, Local Green Space (Mill. Wood, Site D in Site Assessment, Appendix 4, Attachment 1)

| ID | Policy /page no | Type | Summary of response | Change Plan? | Comments |
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| 1 | | email of 10 April 2018 | Our email of 11 February raised serious problems that would arise for Hagbourne Parish Charities from designating Butts Piece as Local Green Space. As these were not reflected in the draft plan, we resubmit them here summarised for convenience in bulleted form and cross-referenced to the Appendix 4 checklist, and to be considered alongside the earlier email. | | |
| | | | Butts Piece is endowment land whose purpose is to raise funds to fulfil the relief-in-need function of Hagbourne Parochial Charities. Its asset value is central to this. | | <i>SODC's advice is that the factor of main relevance is whether the green area is demonstrably special to the local community and holds a particular local significance now. This is considered in terms of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife.</i> |
| | | | As made forcibly clear by the Charity Commission, charity trustees have a fundamental fiduciary duty to protect the funds and assets of their charity both now and for the future. The asset value of Butts Piece would be very considerably diminished by | | <i>The neighbourhood plan should focus its consideration on what currently makes the land special and whether the area is worthy of protection. The management by the current trustees has, we believe, been beneficial both to the Charities'</i> |

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| | | | designation. | | <i>objectives and to the general community.</i> |
| | | | The particular local significance of Butts Piece rests in its charitable purpose and this aspect is the one that Trustees must consider above all others (Checklist items 6-12) | | <i>Noted. The duties of the Parish Council differ.</i> |
| | | | The Charity serves communities in East and West Hagbourne and the southern half of Didcot, a mismatch with Checklist item 1.7 that would create management problems as Trustee membership and procedures are geared to this wider benefit area. | | <i>Comment noted</i> |
| | | | Future community use of Butts Piece as Local Green Space may impose obligations and responsibilities on Trustees that conflict with or divert from charitable purposes. | | <i>Para 20 of the DCLG guidance states: "Designating a green area as Local Green Space would give it protection consistent with that in respect of Green Belt, but otherwise there are no new restrictions or obligations on landowners."</i> |
| | | | Trustees manage the land for public purposes much as Parish Councillors manage recreation areas without personal financial interest. Checklist item 1.5 refers to selling the land for development. There is no basis for this assertion so it should be removed. | | <i>We are advised that possible future use is not a relevant factor in the evaluation, so for that reason have removed the reference in section 1.5 of the checklist.</i> |
| | | email of 11 Feb 2018 | We understand its selection was based on criteria laid out in Paragraph 77 of the National Planning Policy Framework in the chapter on "Promoting Healthy Communities". We explain here that key aspects of the criteria do not apply to the circumstances of Butts Piece and therefore urge you to remove it from your list. | | <i>The factor of main relevance is whether the green area is demonstrably special to the local community and holds a particular local significance now. It is true that the value to the community is a result of the way it has been managed, but this does not, in our view, impact the interpretation of Para 77. The site is demonstrably special to the local community through its provision of allotments, grassy</i> |

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| | | | | | <i>and wild areas.</i> |
| | | | <p>First, it should be emphasised that Butts Piece, as endowment land, exists to provide an income to Hagbourne Parochial Charities and is key to fulfilling its charitable function. It is not in itself the means of providing assistance, so great weight must be given to its value.</p> <p>Indeed, very recent advice from the Charity Commission, responding to our request for specific guidance, makes this point forcibly.</p> <p>They remind us of the “<i>fundamental fiduciary duty of charity trustees to protect the funds and assets of their charity...</i>” and reinforce this by directing attention to other guidance concerning responsibility, liability and risk management.</p> | | <i>Comment noted</i> |
| | | | <p>Returning to the specifics of Paragraph 77, the reason why Butts Piece “holds a particular local significance” is its historic charitable role and a management structure that ensures its focus on the general good. In this regard it is comparable with parish managed recreation areas which are also excluded from LGS designation. The issue of private gain does not arise and the use of the land fully prescribed.</p> | | <i>There are stringent requirements if Parish Councils wish to dispose of land which do not apply to other owners including charities.</i> |
| | | | <p>The Commission adds to the above that trustees’ decisions must “<i>best enable the charity to carry out its purposes, both now and for the future</i>”. Trustees are very conscious of the changes that have taken place over the past decades of the Charity’s existence and it can be assumed that the relief-in-need scene will evolve in future decades. The trustees feel strongly that those that follow them must not have their hands</p> | | <i>Comment noted</i> |

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| | | | <p>tied. Even if they, like the current Trustees, have no plans to capitalise on the asset, a disposal may be forced on them as Didcot Garden Town infrastructure plans come to fruition. In such an eventuality the Charity rules demand full compensation. This would certainly be damaged if the land was valued as green space</p> | | |
| | | | <p>Another issue which is particular to Butts Piece concerns equity among the geographical parts of the Charity's benefit area. The benefits from the neighbourhood plan and LGS apply to East Hagbourne alone. The benefit area of the Hagbourne Parochial Charity includes West Hagbourne and the Southern half of Didcot as well as East Hagbourne. The make-up of the trustees reflects this distribution and care is taken to avoid over emphasis on one area which would surely follow under an East Hagbourne LGS designation.</p> | | <p><i>The green and rural nature of East Hagbourne is an asset to town and villages alike as exemplified by DGT's assignment of large areas around the village as 'green buffer zone'.</i></p> <p><i>The site lies adjacent to the Sustrans route from Didcot to Upton which is used extensively by people from Didcot as well as East Hagbourne. While the site is integral and important to the community of East Hagbourne, enjoyment of the site is not restricted to those who live in the village.</i></p> |
| | | | <p>Trustees are also nervous that future charges and responsibilities may be laid on them as owners of Local Green Space that may impinge on their ability to fulfil their responsibilities. While they understand that nominally there are no new obligations,</p> <p>Governments are notorious for loading new responsibilities on property owners</p> | | <p><i>Designating a green area as Local Green Space would give it protection consistent with that in respect of Green Belt, but otherwise there are no new restrictions or obligations on landowners.</i></p> |
| | | | <p>To summarise, Butts Piece indeed has historical significance but not through being green space but through its ability to generate funds for charitable purposes. Designation as Local Green Space is an unwelcome constraint on the future ability of the Charity to fulfil its purposes and must be resisted. It is managed as public property for public purposes by Trustees with no personal financial interest and there is no need for additional protection as Local</p> | | <p><i>We welcome the current management of Butts Piece for public purposes and hope this will continue.</i></p> |

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| | | | Green Space | | |
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12. Comments related to Lawson's Orchard, proposed as Local Green Space (Appendix 4, Attachment 3)

| ID | Policy /page no | Type | Summary of response | Change Plan? | Comments |
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| Comments of former owner 1 | | | | | |
| 2 | | Object | <p>I bought Lawson's Piece over 40 years ago to protect it from being built on. I fully support the NP in most aspects. . . .but am appalled at the Steering Group's apparently high-handed intentions concerning Lawson's Piece. "Special protection" status . . should be on a voluntary basis.</p> <p>. .circumstances can change, but they have not as yet, not are they likely to in the foreseeable future, but . . they should not be subjected to legalities . .</p> | | <i>Comments noted</i> |
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| Comments of former owner 2 | | | | | |
| 3 | | Object | <p>Thank you for seeing me today. I have read everything you have sent but it does not identify the restrictions a Green Space would necessitate. It merely says what constitutes a Green Space.</p> <p>. . . this was my main concern as no promises can be made to look after the land in the same way as it has for last 50 years at some point in the future. This point seems to make reference to that Local Green Spaces should only be designated when a plan is prepared or reviewed, and be capable of enduring beyond the end of the plan period"</p> | | <i>Noted. We agree that the sensitive management by past owners is what has made this an attractive place of value to the community.</i> |

| Comments of current owners | | | | | |
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| 72 | | Object | The proposed designation does not satisfy policy requirements | | <i>Noted. We have set out our case for designation in the Plan documents.</i> |
| | | | <p>The Conservation Area status already provides a more appropriate mechanism for controlling stewardship of the site</p> <p>The land is within the Conservation Area and this provides robust planning controls which will ensure that no inappropriate development will be permitted. The Conservation Area controls are a more developed and nuanced set of controls than the green space designation.</p> <p>The purpose of the Conservation Area designation is to preserve or enhance the character of the village, the site and the setting of the listed buildings. The controls, policies and procedures associated with the Conservation Area are sharply focussed and their application is supported by highly qualified and motivated professionals and many years of development of best practice, precedent and guidance.</p> | | <p><i>SODC's web site says that conservation areas are 'areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance'</i></p> <p><i>Local Green Spaces are based on a wider evaluation of community value.</i></p> <p><i>We believe that designation would provide recognition of this particular land's value.</i></p> |
| | | | The consultation documents contain no evaluation of the potential additional benefits which designation would provide beyond those already in place – which is a specific requirement of the NPPF. The conservation area is specifically designed to both protect and enhance the character / appearance of the area and since the perceived value of the space is purely aesthetic there would be no additional benefit from designation. | | <i>Our evaluation of the Green Spaces (Appendix 4, attachment 3) is comprehensive and based on a recommended template.</i> |

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| | | <p>Designation would conflict with other policy aspects of the NPPF and cannot be shown to be consistent with wider strategic or local plans</p> <p>To satisfy the specific requirements for designation the space must be demonstrably special to the local community and hold particular local significance. The evidence provided in support of this proposal is both flawed and flimsy and should be given little or no weight. There are also a number of significant other factors which need to be considered when evaluating whether these requirements have been met.</p> | | <p><i>The evaluation in Appendix 4, attachment 3 is our submission of evidence on these points.</i></p> |
| | | <p>The reasons cited for designation will not endure throughout or beyond the period of the plan</p> | | |
| | | <p>There are significant issues with the way in which the consultation has been conducted which introduce bias and which exaggerate the apparent special nature of the sites</p> <p>The only real evidence provided, other than the assertions of the Parish Council who have proposed the site for designation is the Character assessment which was commissioned and directed by the Parish Council and the survey. The survey results should be given little or no weight as the manner in which it was conducted is fundamentally flawed. In any event the results do not demonstrate that the requirements have been met and in fact indicate they have not.</p> | | <p><i>Our Community survey was carried out under the guidance of Community First Oxfordshire and independently analysed and reported by them. We have confidence in the results as a reflection of the views of residents.</i></p> |

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| | | | <p>When presented with a series of options and asked to rate whether they are important there is a tendency for respondents to rate everything as important – this is born out when the results of the survey as a whole are considered. Given this inherent bias it is surprising that 20% of respondents apparently considered neither the orchard nor the allotments to be important. Only 40% of the households in the village responded and we know that this is likely to include a disproportionate representation of people who consider green spaces to be important (you are much more likely to respond if you think the survey addresses issues which are important to you).</p> | | <p><i>Comments noted. CFO consider the 43% response good for a survey of this type. Those who took the time to respond deserve to have their views considered.</i></p> |
| | | | <p>In total, despite the inherent bias only 20% of households in the village have responded that they consider Lawsons Orchard and the Tudor House Allotments combined to be important and open space in general ranked low down in peoples' priorities.</p> | | <p><i>We refute the suggestion of bias.</i></p> |
| | | | <p>The fact that the Parish Council choose to combine these two sites (as if they were one) when undertaking the survey is extremely telling. The sites are entirely distinct, in both their location and their characteristics. Clearly those proposing designation do not distinguish these sites on the basis of their specific local significance or because they see the individual sites to be special in their own right but rather view them both as pleasant open spaces near the centre of the village that they wish to keep entirely unchanged as a matter of general principle.</p> | | <p><i>The sites have in common that they are attractive spaces in the centre of the historic village. the format of the questions was chosen nder the guidance of CFO.</i></p> |
| | | | <p>The site assessment seeks to give the impression</p> | | <p><i>Our opinions may differ, but aour statements are not</i></p> |

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| | | | of a road hemmed-in by a continuous wall of development relieved only by the gap in buildings represented by this site ('referred to in the assessment as an oasis'). This is patently misleading. | | <i>misleading.</i> |
| | | | The site can be viewed only from a point immediately adjacent to the main road through the village and has no public access. Hardly a tranquil oasis. To characterise the space as being 'in the midst of the built environment' is mis-leading. | | <i>We disagree. The green view provides an atmosphere of tranquility that is appreciated by many.</i> |
| | | | Tranquility – the site cannot be characterised as a tranquil oasis within a built environment. It cannot be entered but only viewed from the roadside and there are a wide variety of other opportunities to meet the local need for tranquility many of which are of much greater significance. The evidence does not meet the bar required to demonstrate particular local significance for tranquility. | | <i>Comments noted: our evaluation is outlined in Attachment 4</i> |
| | | | Historical significance – the evidence of historical significance is the presence of uninvestigated archaeological remains and remnants of a historic orchard. The orchard remnants are in fact 2 or 3 trees in poor condition. | | <i>Comments noted: our evaluation is outlined in Attachment 4. Historic references are based on the Character Assessment</i> |
| | | | Wildlife – the site has no particular habitats which are not widely provided across the surrounding area nor does it have any wildlife which is not also present abundantly across the area. | | <i>Comments noted: our evaluation is outlined in Attachment 4</i> |
| | | | Beauty – at best a nebulous concept. The assessment ignores a number of other relevant factors. The site can be viewed only from one side which looks across to an exposed electricity substation. For the majority of the consultation | | <i>Comments noted: our evaluation is outlined in Attachment 4. The electricity sub-station is certainly not the first thing one sees on viewing the site. We have no knowledge of fly-tipping.</i> |

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| | | <p>period and throughout the development of the draft plan there has been scruffy orange plastic fencing along one side of the site. There are a variety of fence type bordering and within the site wood, wire and plastic in varying states of disrepair. The site suffers from fly-tipping and fly-posting and has an ugly telephone pole with inappropriate street lighting and unsightly overhead cables. It is rough uneven ground with several piles of logs, brambles and weeds in places as well as an assortment of sheds and structures.</p> | | <p><i>The previous owners kindly allowed a notice board to be put on the telegraph pole - perhaps this is the fly-posting referred to?</i></p> |
| | | <p>Enduring nature of the features which support designation:</p> <p>The features which the plan cites as making the site 'beautiful' are all entirely ephemeral. It cites, chickens, sheep and hollyhocks specifically. There are no sheep on the site and no plans to re-introduce them. There have been no chickens on the site throughout the majority of the period of the development of and consultation on the plan. We have recently agreed to allow chickens back onto the land but these can be removed at any time.</p> | | <p><i>We agree that sensitive management is key to the value of the site.</i></p> |
| | | <p>Defining boundaries:</p> <p>We do not consider that the proposal to designate the site has met the requirements set out. However, if the Examiner takes a different view further consideration is needed regarding the definition of the boundary to be applied. If the objective is to provide an open character the designation of the entire site is not necessary to achieve this.</p> | | <p><i>Comments noted</i></p> |
| | | <p>Preventing development :</p> <p>It is a requirement that the plan be prepared with the objective of promoting sustainable</p> | | <p><i>The original list of sites for designation was 6, selected from a longer list suggested in the character Assessment.</i></p> |

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| | | | development. It appears to us that rather than promoting specific sites which have evident special meaning and local significance for designation the Parish Council has in fact proposed every open site which did not obviously fall foul of the size criteria for designation. | | <i>The proposals for Green Spaces have been reviewed (and numbers reduced) following the consultation.</i> |
| | | | Appendix 1 - inaccuracies in site evaluation | | <i>Comments noted.</i> |
| | | | Appendix 2 - Validity of community survey | | <i>Points noted above.</i> |

13. Comments related to Fields south of Millenium Wood, proposed as Local Green Space (Mill. Wood, Site C in Site Assessment, Appendix 4, Attachment 4)

| ID | Policy /page no | Type | Summary of response | Change Plan? | Comments |
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| Comments of owners of fields south of Millenium Woodl | | | | | |
| 16 | | | We have read the printed copy of East Hagbourne plan, and found it an interesting and informative document. Information we have received tells us that land owned by the Powell family, ie land south of the Millennium wood, bordering Butts Piece, and our homes on the east side, is recommended in the plan as a local Green Space. Although we have no intention of applying for building on this land in the near future, circumstances may change in years to come. With this in mind, we are not in agreement with the above mentioned land becoming a local Green Space. We hope you understand our views on this. | | <i>Noted, thank you.</i> |

14. Comments related to Paddocks on Bakers Lane, proposed as Local Green Space (Bakers Lane Paddocks A, B & C in Site Assessment and Appendix 4, Attachment 4)

| ID | Policy /page no | Type | Summary of response | Change Plan? | Comments |
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| Comments of owner of paddock A | | | | | |
| 83 | | | With ref to green spaces at Bakers lane. We do not feel it requires the green space classification as the site already has a conservation listing and is next to a listed building. The two acre site also has a restrictive covernant, so building on the site would be unlikely. | | <i>Noted, thank you.</i> |
| Comments of owners of paddock B | | | | | |
| 15 | | | As the owner of the central paddock of three paddocks, west of Bakers Lane, I would have no objection to such a designation to this land. However, I would only be happy if all three of the paddocks were treated the same. I also understand that these paddocks are already "important open space" within the Conservation Area Character Study 2000, therefore a greater level of protection to this land would in my opinion be appropriate, but only as a whole. | | <i>Noted, thank you</i> |
| 15 | | | Planning application P17/S1604/FUL for a single dwelling house on Paddock C was refused -Surely this creates a precedent for no development on any of these Paddocks A, B, C Bakers Lane. Planning permission P14/S1016/FUL for an | | <i>P17/S1604/FUL was refused for the following reasons:- "An important, open, undeveloped paddock within East Hagbourne Conservation Area. Diminishing the important contribution the site makes to the wider character and appearance of East Hagbourne Conservation Area. Harm to the</i> |

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| | | | <p>overspill carpark for Passeys Garage was granted. The decision notice states:- “Shall be used only for domestic vehicles associated with customers of Hagbourne Garage during the opening hours (8.00-5.30 Mon-Fri and 8.00-1.00 Sat). Outside these hours the area shall not be used for parking for the reason that the site lies within the Conservation Area and permission is only granted for economic viability of garage and shop.” Furthermore, “if at any time the parking area is no longer needed it should return to pasture land”.</p> | | <p><i>landscape setting of Chestnut Cottage. Contrary to policy CSEN3 of SODC Core Strategy 2027 and saved policies G2, C4, D1, CON5, CON7, and H4 of SODC’s local plan 2011.</i></p> <p><i>We note that permission P14/S1016/FUL was granted retrospectively.</i></p> |
| <p>Comments of owner of paddock C</p> | | | | | |
| 4 | | | <p>I wish to build a modest house for my retirement on the frontage of my paddock to Bakers. This would only occupy a small part of the paddock and would still allow views from bakers lane on each side of the new cottage and from the footpath</p> <p>I have no issue with the major part of the paddock remaining an open space, but for the whole paddock to be open space seems unreasonable, surely there must be a compromise. To make this paddock as a whole an important open space appears unreasonable especially as the important views from the footpath will not be obstructed, the views from Bakers Lane are of a bungalow accessed from the Croft which by any ones terms is not a good view. If this paddock is confirmed a green area, so soon after my application was rejected, it appears I am being penalised unfairly</p> | | <p><i>The Planning officers did not agree with this assessment of the site and refused permission for a single dwelling</i></p> <p><i>There appears to be broad agreement that the combined site is an important open space.</i></p> |

15. Comments related to Fields on Manor Farm Lane, proposed as Green Space (Western Village Plotlands, Site D in site Assessment, Appendix 4, attachment 5)

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| Comments of land owners | | | | | |
| | | | | Yes | <i>The way in which the site is considered in the Neighbourhood Plan has been reviewed to focus more closely on its particular value, which is to a the setting for important views from the railway embankment and surrounding footpaths towards the historic church/manor complex. It is no longer proposed as a Local Green Space, but is included, together with adjoining areas, as a Green Gap in Policy VC1b</i> |
| 5 | Policy E1b Pastures at Manor Farm Lane | Obj | <p>The attractive features of the site such as ridge and furrow exist because we have chosen to retain them. Of the land owned by us, these fields (The Close and the Railway Field) have always been considered to have the most potential for housing and in recent years we have been approached by several developers; however we have chosen not to engage with them.</p> <p>We feel at present it would not be in the interest of our business or the village, we also consider the area west of the Church to be one of the most beautiful parts of the parish and we take great pride in maintaining its characteristics and the footpaths for all to enjoy.</p> | | <i>Noted, we are pleased that you also consider these fields to be of value</i> |
| | | | For the foreseeable future we plan to continue our family farming business much along the same lines | | <i>Noted, thank you.</i> |

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| | | | <p>as we have since 1980 - growing and expanding.</p> <p>Commercial farming on a small scale is financially unsustainable and we find ourselves competing to farm in a modern sustainable way, which necessitates the use of large farm machinery and modern farm buildings which do not always find favour with some residents.</p> <p>We grow grass on The Close and the Railway Field because it serves a purpose for our business, not for the pastoral scene it creates.</p> | | |
| | | | <p>Whilst we have no desire to make any move towards developing The Close or Railway Field for housing should a time come that changes the way our business is to be structured we may wish to consider a sympathetic development of some nature. If such a time arises we would like the opportunity to choose what we do with our land to support the best interests of our family and the needs of the village, we completely understand the responsibility we have owning this land and it's bearing on the village. To have the option of choice taken away by your proposal is totally unacceptable.</p> | | <i>Noted.</i> |
| | | | <p>We wish you to understand that we all object very strongly to being dictated to what we can and cannot do on own land that we purchased for our own use no matter what purpose that might be. We are seeking legal assistance to help ensure our assets do not come under this special protection plan both now and in the future. We sincerely hope you understand our concerns and our right to object</p> | | <i>Noted. We hope that our revised proposals will be more acceptable to you</i> |

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| | | | to your proposals. | | |
| Comments of Mr Tom Ormesher, NFU | | | | | |
| 6 | Policy E1b Pastures at Manor Farm Lane | Obj | <p>We are concerned that promoting these fields (VF05) as local greenspace signals incorrectly to the wider public that the area is now public recreational space, which it is not. In promoting the site as such this would increase visitor pressure, adding to the costs and risks associated with farming this land. For example you may be aware that dogs often carry a parasite called Neospora caninum, which frequently leads to abortion in cattle.</p> <p>This and other factors associated with public access (e.g. litter, livestock worrying, public safety, vandalism, wear and tear) can only increase costs, stress and general nuisance of undertaking farming and land management on this land. The farm needs to be allowed the flexibility of managing their private land, without unnecessary interference or an increase in visitor pressure.</p> | | <p><i>DCLG guidance on Open Spaces 2014, Paragraph 017 states:</i></p> <p><i>"Designation does not in itself confer any rights of public access over what exists at present. Any additional access would be a matter for separate negotiation with land owners, whose legal rights must be respected."</i></p> <p><i>We therefore believe your concerns about public access are unfounded.</i></p> <p><i>We agree that dogs should be kept under control and not allowed to access farmland.</i></p> |
| | | | <p>With relevance to public access, planning practice guidance states "land could be considered for designation even if there is no public access (e.g. green areas which are valued because of their wildlife, historic significance and/or beauty). Designation does not in itself confer any rights of public access over what exists at present. Any additional access would be a matter for separate negotiation with land owners, whose legal rights must be respected."</p> <p>Our reading is that for areas with no public access,</p> | | <p><i>Comment noted. We have refined our evaluation to more clearly explain the community value of the site.</i></p> |

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| | | | which is the majority of VF05, designation should be for non-recreational reasons only. | | |
| | | | Going further the guidance states “There is no need to designate linear corridors as Local Green Space simply to protect rights of way, which are already protected under other legislation.” Our reading of this is that the public right of way aspects of VF05 should be entirely disregarded. It is the value additional to the right of way that should be considered. | | <i>We disagree. the adjacent rights of way allow the land and the views across it to be appreciated by the public.</i> |
| | | | <p>With reference to NPPF 77 the correct test is whether the evidence passes the threshold of being “Demonstrably special, holding particular local significance”. This implies designations must achieve significance over and above that which is normal to the village.</p> <p>Our reading is that the designation must be distinctive and set out from any general or common experience of the village. Otherwise the rationale risks being applied to the whole village, which is clearly not the intended outcome. From this position we believe the burden of evidence is lacking in some of the claims made by the assessment. For example as set out in the general observations on page 64, views across fields towards barns, oasthouse and church are in themselves relatively common in a rural setting and would not pass the threshold if considered without the right of way. Protecting a view because development might “impair recreational value” places too much emphasis on the fact that there is a public right of way in this location.</p> | | <i>Our evidence in support of these criteria is set out in Appendix 4.</i> |

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| | | | The statement “VF05 functions as both a parcel of farmland on the edge of the village and a rural context to the manor house and church” also bears no clear relevance to beauty, historic significance, tranquillity or richness of wildlife. This simply reads as an attempt to set the village envelope at its current location for the sole reason that it is the rural edge of the village. This is not a sufficient reason for designation, as it would apply to any and all parts of the village that have fields nearby. | | <i>The evaluation for potential designation has been carried out using a standard recommended template.</i> |
| | | | As you are aware “designation should not be proposed as a ‘back door’ way to try to achieve what would amount to a new area of Green Belt by another name” and yet it seems this is precisely what is trying to be achieved? | | <i>The evaluation for potential designation has been carried out using a standard recommended template.</i> |
| | | | <p>In summary we suggest that the balance of evidence provided does not achieve the demonstrably special threshold. Also in designating the area it could have counterproductive outcomes in undermining the capacity of the farm business to keep this area in good agricultural and environmental condition.</p> <p>For these reasons we respectfully request you remove VF05 from the Neighbourhood Plan as more positive management outcomes are achievable without the constraints and impact it will cause.</p> | | <p><i>We agree that the strength of the evidence is yet to be tested.</i></p> <p><i>We disagree that designation would impair the ability of the owners to continue farming the area sensitively.</i></p> <p><i>Our revised Plan proposes a policy approach to safeguard the value of the site.</i></p> |
| Comments of Mr Peter Canavan, Carter Jonas | | | | | |
| 7 | Policy E1b Pastures at | | I read with interest Mr Ormesher’s comments and your own, and see no reason to go over national policy and guidance again, but I am pleased to see | | <i>Noted.</i> |

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| | Manor Farm Lane | | <p>that the Neighbourhood Plan Steering Group are considering these matters seriously in the drafting of your plan.</p> <p>Mr and Mrs Drewe are not supportive of the designation of their land as Local Green Space. Notwithstanding the already recorded concerns about increased visitor pressure and the potential unintended consequences of the community misunderstanding the role of Local Green Space, confusing it with publically accessible land; there is still the need to demonstrate that this land is appropriate for such a designation.</p> | | |
| 7 | | | <p>I note, particularly, your comments regarding the importance of the Manor Farm Fields to the character and setting of the village. I have read the Village Character Assessment and Landscape Study and the East Hagbourne Conservation Area character study and understand the opinions expressed about the significance of the land in question. I do, however, question whether it is necessary to designate the Manor Farm Fields as Local Green Space to conserve and enhance the character of the village, and important views of heritage assets.</p> <p>It could be that there are alternatives to achieve the same goal. These alternatives could include policies to protect and enhance those specific views mentioned in the Village Character Assessment and Landscape Study that do not preclude the use of land for other activities. This would provide a more specific and tailored response to an identified issue rather than the proposed 'broad brush'</p> | | <p><i>Noted, thank you.</i></p> <p><i>We have reviewed our NP following the consultation and made changes that seek to protect this site through policies rather than designation as a Local Green Space.</i></p> <p><i>The site is no longer proposed as a Local Green Space, but is included, together with adjoining areas, as a Green Gap in Policy VC1b</i></p> |

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| | | | designation. | | |

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| 9 | | | 1.1 The land owners do not support the designation of their land – referenced in the EHNP as pastures in Manor Farm Lane – as Local Green Space in the draft policy E1b. Furthermore, it is considered that the designation of the land as Local Green Space lacks the necessary evidence and justification for its identification. There has also been insufficient consideration of alternative courses of action and/or policies to meet the EHNP objectives. | | <i>Noted.</i> |
| | Policy E1b Pastures at Manor Farm Lane | | 1.2 We request that “Pastures in Manor Farm Lane” is removed from draft policy E1b. We also suggest that this policy and draft policies VC1a, VC1b and VC2 are reviewed for their conformity with the basic conditions and redrafted before the EHNP is formally submitted to South Oxfordshire District Council for its examination | | <i>This area has been removed from draft policy E1b. The VC policies have been reviewed and strengthened.</i> |
| | Appendix 4: Evaluation of Green Spaces | | 3.1 . . it (is) considered that the conclusions reached – with regard to pastures at Manor Farm Lane – are not sufficiently justified and do not relate specifically enough to the full extent of the land identified. | | <i>Noted.</i> |

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| | | | <p>3.2 We are also not convinced that the appropriate policy or designation has been chosen, because the overall assessment is that the site is important to the setting of heritage assets, and landscape setting of the village. These are both elements that can be better protected and enhanced through specific policies that already exist in national and local policy and do not require the additional protection of a Local Green Space</p> | | <p><i>Noted, as explained above, the revised Plan addresses this site in a different way.</i></p> |
| | | | <p>3.3 With reference to “Attachment 5: Pastures in Manor Farm Lane of Appendix 4: Evaluation of Green Spaces,” we shall demonstrate our concerns about the justification of the designation by considering each of the criteria in turn in the following paragraphs. We also question exactly what evidence is used to support all the claims that are being made.</p> | | <p><i>Noted</i></p> |
| | <p>App 4/Att 5 Section 1</p> | | <p>3.5 Point 1.7 fails to demonstrate explicitly which community is served by the site or how the land identified specifically serves a community. The assessment states that the site is “visibly accessible” and this is an ambiguous statement. It is true to suggest that the site can be seen but the use of the word accessible is misleading, as there is no public access to the site. The statement then goes on to detail footpaths and a road that are beyond the site boundaries and therefore should not be considered as part of the assessment of how the site serves the community. In any case as we note</p> | | <p><i>We disagree: the adjacent rights of way allow the land and the views across it to be appreciated by the public.</i></p> <p><i>We have revised the description to more clearly bring out the community value of the site.</i></p> |

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| | | | above at our paragraph 2.2 the PPG explains how public rights of way are afforded their own protection. | | |
| | App 4/Att 5 Section 2 | | 3.6 It is agreed that there is no relevant planning history on the site. However, the statement made at 2.1 that “development of the sight would significantly harm the setting of the church-manor complex” is neither evidenced, quantified nor justified. The tests of (substantial or less than substantial) harm to heritage assets require detailed surveying and assessment of relevant and particular proposals, and the bar set for the identification of substantial harm is very high | | <i>We refer to the comments in the East Hagbourne Village Landscape & Character Assessment. (appendix 3)</i> |
| | | | 3.7 In any case, regardless of what level of harm development might, or might not, have on heritage assets this is irrelevant to the question. If it were considered that a scheme could demonstrate that any harm was less than substantial, and should planning permission be granted on the site, it is entirely possible and indeed very likely that development proposals would include open space. This open space could help to preserve and enhance the character of the listed buildings and Conservation Area and also provide some green space that could be accessible to the community unlike the current site. | | <i>Noted</i> |

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| | App 4/Att 5 Section 3 | | 3.8 It is agreed that the site is approximately 6 hectares in size, and it is also agreed that a stand-alone parcel of land at 6Ha is unlikely to constitute an “extensive tract of land.” However, as outlined in section 5.0 below, the cumulative nature of all the Local Green Spaces proposed, together with the “Green Gaps” does raise concerns about attempts at a ‘back door’ way to try to achieve what would amount to a new area of Green Belt by another name (as specifically warned against in the PPG Reference ID: 37-015-20140306). | | <i>Noted.</i> |
| | | | 3.9 The statement at 3.3 relates to public rights of way that are beyond the site boundaries, therefore the site would be more accurately described as adjacent to the current built up edge of East Hagbourne village. We note the identification of the railway embankment as a “firm boundary.” | | <i>Noted</i> |
| | App 4/Att 5 Section 4 | | 3.10 Point 4.1 suggests that the need for Local Green Space is related to the rural setting of the village, particularly with reference to a view from outside of the site, to a point beyond the opposite boundary of it (i.e. from the former railway line to the listed church and manor house buildings). These arguments do not necessarily result in the need for a Local Green Space designation. | | <i>Noted</i> |
| | | | 3.11 The rural setting of the village is not a unique argument for this site and could be said of any field adjacent to East Hagbourne. This is therefore not strong justification for the proposed designation. Indeed, the converse could be true, because the | | <i>We disagree. Common experience, the views expressed by the land owners (above) and the evaluation in the character Assessment all indicate that this is one of the most attractive areas of the parish - it is not just 'any field'.</i> |

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| | | | railway embankment creates a “firm boundary” it is more likely that the fields to the west of that contribute to the rural setting of the village, beyond a defined edge, rather than incidental fields that could reasonably be understood to be part of the settlement. As could be considered to be the case with the land to the north of Main road between the railway line and the village hall, which now has permission for development. | | |
| | | | 3.12 The setting of heritage assets – including Conservation Areas and Listed Buildings – are protected by policies in the NPPF and the local strategic policies of the South Oxfordshire Development Plan (the extant Core Strategy and the emerging Local Plan). Views of heritage assets from public rights of way are considered as part of their setting, therefore there is no need to designate a Local Green Space to protect something that is already protected by other policies and legislation. | | <i>Noted</i> |
| | App 4/Att 5 Section 5 | | 3.13 It is agreed that the site is within 2km of the identified landmarks stated at point 5.1. The claims made at 5.2 however, are strongly refuted. The site is not “accessible on all sides by public rights of way.” The site is entirely in private ownership with no permissive rights of access in or across it. This has been raised as a matter of acute concern with the parish council in the past and we remain concerned that this signals incorrectly to the wider public that the area is public recreational space, which it is not. This risks an increase in visitor pressure, adding to the costs and risks associated with farming this land. For example you may be aware that dogs often carry a parasite called | | <p><i>We agree, as noted above, that there is no public access onto the land itself.</i></p> <p><i>We assert that the enjoyment of the land afforded by views from the surrounding public rights of way provide a value to the community.</i></p> <p><i>We concur that dogs should be kept under control and not allowed to roam on the land.</i></p> <p><i>The public have a right to use the rights of way, but this should not interfere with management of the land.</i></p> <p><i>We appreciate the challenges in effectively farming the land, but do not believe that our NP imposes any</i></p> |

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| | | | Neospora caninum, which frequently leads to abortion in cattle. This and other factors associated with public access (e.g. litter, livestock worrying, public safety, vandalism, wear and tear) can only increase costs, stress and general nuisance of undertaking farming and land management on this land. The farm needs to be allowed the flexibility of managing their private land, without unnecessary interference or an increase in visitor pressure. | | <i>additional burdens.</i> |
| | | | 3.14 Put simply the farm has sensitively managed this land for decades, delivering landscape and environmental value that the Village Character Assessment (VCA) has now recognised. The proposed designation however risks an adverse outcome if visitor pressure causes an unsupportable constraint on farm management. The green space proposal risks the very management activities that the Plan seeks to preserve and as such will not be effective in delivering the desired outcomes. | | <i>The surrounding footpaths are well used and will undoubtedly continue to be so. If the behaviour of footpath users becomes a problem, this needs to be addressed outside the NP process.</i> |
| | App 4/Att 5 Section 6 | | 3.15 We do not dispute the facts and figures quoted in section six. We do however question the basis of the evidential weight placed on the community response. The Neighbourhood Plan Community Survey simply asked “How important are these green spaces to you?” and listed a selective number of predetermined open spaces. The question is subjective and lacks sophistication and justification. There was no attempt to explain “importance” or the implication of responses to the survey. The material weight of this survey result is limited as it does not relate explicitly to Local Green Space designation, and neither is there any argument or reason provided by any of the respondents for their | | <i>Our Community survey was carried out under the guidance of Community First Oxfordshire and independently analysed and reported by them. We have confidence in the results as a reflection of the views of residents. This evidence is supplemented by the professional evaluation in the Character Assessment.</i> |

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| | | | preferences. We therefore question what evidence there is to show that the land in question is demonstrably special to the local community. | | |
| | App 4/Att 5 Section 7 | | 3.16 As referenced above, the setting of the church tower and the views from the public rights of way, do not necessitate the designating of Local Green Space, and are not focussed specifically on the land proposed to be designated. Instead the cited assets are beyond the boundaries of the proposal. | | <i>Noted</i> |
| | | | 3.17 The footpaths, trees and hedges at the boundary of the site and the visual setting of the village and listed buildings are mentioned, but are not the intrinsic value of the land itself | | <i>Noted.</i> |
| | | | 3.18 We note the land is not covered by any particular heritage or landscape designation. | | <i>Noted. Our Character Assessment is comprehensive and seeks to be into more depth than is afforded by the statutory lists.</i> |
| | | | 3.19 Statements at 7.5 regarding the heritage significance of Ridge and Furrow are considered at section 4.0 below. As already mentioned, the heritage value of these assets, and those referenced at 7.6, do not necessitate a Local Green Space designation. | | <i>Thank you for your analysis. Independent of the Green Space criteria, we do consider that remaining ridge and furrow is a valuable asset.</i> |

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| | App 4/Att 5 Section 8 | | <p>3.20 Section eight focusses more closely on assets of value and evidence that is not actually on the land in question and therefore adds little value to designating the land proposed within the area shown on the plans. The historic buildings or remains (railway line and tunnel) referenced at point 8.2; the footpath at point 8.3; and, the listed buildings (church and Manor Farm) are not on the land proposed for Local Green Space.</p> <p>3.21 At section 4.0 below we question the significance of the ridge and furrow markings, but notwithstanding this we are also not convinced that Local Green Space is an appropriate policy response to this issue. The heritage value of the setting of the Conservation Area and associated listed buildings is protected through existing policies in the NPPF and the SODC Core Strategy and emerging Local Plan.</p> <p>3.22 We do not consider that local tradition and the assertion that a Civil War skirmish may have taken place on the land is robust evidence for the designation of land for any purpose.</p> | | <i>Noted.</i> |
| | App 4/Att 5 Section 9 | | 3.23 Given that there is no public access to the land, and again the references to public rights of way (at 9.3 and 9.4) are beyond the proposed boundaries it is not correct to assert that the field has recreational value. | | <i>Noted</i> |

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| | App 4/Att 5 Section 10 | | <p>3.24 We disagree with the assertions made at 10.2. The built form to the east of the land, Main Road to the north and the proposed development beyond Main Road, point to limited tranquillity. The land will soon have development on two sides and a “firm boundary” on its western side. The fields beyond the railway line cannot be enjoyed from within the site, so its tranquillity is reduced significantly, and can only be assumed from footpaths beyond the southern boundary. These footpaths also benefit from open space to their south and need not rely on this site.</p> <p>3.25 We note that the land is not officially recognised as a ‘tranquil area.’</p> | | <p><i>We disagree with the statement " The land will soon have development on two sides" - the land to the north of the site consists of the cemetery and the school playing field, neither of which are proposed for development.</i></p> <p><i>On tranquillity, our views differ - many people find the area tranquil. Not all areas of tranquillity are officially designated.</i></p> |
| | App 4/Att 5 Section 11 | | 3.26 Statements made at 11.2, 11.3 and 11.5 relate to brooks, streams and other biodiversity that is not a part of the land in question. They are beyond the boundaries identified. We do not consider the Red Kite to be a species of particular local significance to warrant protection of certain hedge rows or green spaces over others. | | <p><i>Noted.</i></p> <p><i>It is not the intention that each piece of evidence should alone justify designation as Local Green Space, rather that a judgement can be made based on the overall evaluation.</i></p> |
| | App 4/Att 5 Section 12 | | 3.27 The statement at 12.2 is similar to many others made in the assessment; that views into the village from beyond the land have importance. Throughout the above paragraphs we have demonstrated how the significance of the view does not necessitate a Local Green Space designation to protect it, and the railway line and the heritage assets are beyond the site and therefore should not be counted towards the direct evaluation of the particular piece of land. | | <p><i>Noted. It appears that we are in agreement that the views are significant.</i></p> |

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| | App 4/Att 5 | | <p>The significance of Ridge and Furrow (summary): for context, the number of listings in Historic Environment Records for Ridge and Furrow locally are as follows: - Oxfordshire: 148, Buckinghamshire: 46, Berkshire: 35. Leicestershire and Northamptonshire are recognised as having more such earthworks than other Midlands counties, and have the following listings: - Northamptonshire: 2724, Leicestershire: 56 (recognised but not listed), and in Lincolnshire 1729 records are listed. We note the number of listings for Ridge and Furrow in Oxfordshire, especially compared to neighbouring authority areas, and even compared to the number in Leicestershire a recognised area for the concentration of such earthworks.</p> | | <p><i>Thank you for this information We consider that the figures illustrate that remaining ridge & furrow in Oxfordshire should be valued.</i></p> |
| | | | <p>4.6 The village character assessment, also, identifies a number of areas of Ridge and Furrow. These areas include land to the north of Main Road adjacent to the village hall. Planning permission has been given on Land Adjacent to the Village Hall, Main Road (P17/S2469/O) and we note that there was no objection from the Conservation Officer (also the potential impacts on the Conservation East Hagbourne Neighbourhood Plan (EHNP) – Pre-submission response: Mr & Mrs Drewe Page 7 of 10 Area, and green space in general, was considered in this scheme and the proposed mitigation is accepted as reasonable in response to the constraints).</p> | | <p><i>Each planning application is considered on its merits - the ridge and furrow on the development site is not very evident.</i></p> |

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| | | | 4.7 All of the above brings into question the significance of the earth workings on the “Pastures in Manor Farm Lane.” We do not consider it necessary to ‘protect’ them any further than is afforded through existing national and local policy, and certainly not through the proposed broadly drawn Local Green Space. | | <i>Noted</i> |
| | Green Spaces - overall comments | | 5.1 We have encountered some difficulty in understanding the full extent of the proposed areas for the designations. They are not clearly defined within the draft EHNP, and therefore we have used the shapes mapped in ‘Appendix 4’ to interpret the proposed Local Green Spaces and the broad character areas to interpret the Green Gaps. The measurements cited for the proposed Local Green Spaces, both in the draft EHNP and ‘Appendix 4’ appear inaccurate. We note that they are cited as approximate measurements, but if they are to relate to a spatial policy, then measurements and extents should be more accurate. | | <i>We consider the maps in Appendix 4 sufficiently accurate to clearly define the proposals. These maps will be incorporated into the revised Plan itself.</i> |
| | | | 5.2 There is considerable overlap between the two proposed designations of Local Green Space and Green Gaps. The overlap should be reflected upon by the Parish Council and they should consider whether both policies are necessary, if either are appropriate at all. | | <i>Noted, we agree and have revised our policies accordingly.</i> |
| | | | 5.3 The total areas proposed for Local Green Spaces is nearing 40 hectares and the combined total for the Local Green Spaces and Green Gaps is in excess of 190 hectares. We assume, although it is not made clear in the draft EHNP, that there is overlap between some areas and estimate this to | | <i>The proposals have been revised</i> |

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| | | | <p>be around 30 hectares. The net result of this is an area of potentially designated land of 130 hectares. Whatever the total area that has been identified is, with any of the cumulative totals identified, we raise very strong concerns that this is in fact in direct contravention of the PPG reference ID: 37-015-20140306 and is an attempt at a 'back door' way to try to achieve what would amount to a new area of Green Belt by another name.</p> | | |
| | | | <p>5.4 We note the references to the Didcot Garden Town Delivery Document in the draft EHNP and remind the Parish Council that the delivery document is not a development plan document. Except for the 'principles' that are included in both the Vale of White Horse and South Oxfordshire Local Plans the Garden Town proposals have not been scrutinised for their material weight in planning terms or been through any planning examination process. There is the proposal to create a Garden Town 'Local Plan' of some kind, but this process has not yet begun</p> | | <p><i>Noted. Like the Emerging Local Plan 2033, our Neighbourhood Plan supports the principles and aspirations of the Didcot Garden Town</i></p> |
| | General | | <p>6.1 Whilst reviewing the policies referring to "Pastures in Manor Farm Lane" we have encountered some matters of detail that the Parish Council should review before they submit the plan to the district council. Of particular relevance to our concerns regarding the policy drafting is advice in PPG Paragraph: 041 Reference ID: 41-041-20140306, that policies should be clear and unambiguous:</p> <p>6.2 We only consider four policies in this representation, and reserve the right to make further</p> | | <p><i>Thank you, your comments are helpful. We have reviewed and revised the wording in our policies in the light of these and other comments.</i></p> |

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| | | | comments on others as necessary at the next stage of the neighbourhood plan drafting process. | | |
| | E1b Local Green Spaces | | 6.2 The extent of the proposed Local Green Spaces are not shown in Figure 7 (they are only shown in 'appendix 4'). In order for the decision maker to understand the extent of the designation it should be properly mapped. The phrase "...only be permitted in exceptional circumstances" is used in the draft policy incorrectly. The correct phrase in the NPPF is "very special circumstances" (paragraph 76). | | <i>Noted</i> |
| | VC1a | | 6.2 There are a number of undefined phrases in the draft policy. This again, will make it very difficult for the decision maker to be clear of the purpose of the policy. For example, there is no definition of what "inappropriate development" is, who is "resisting" it and how this will be enforced or managed. The supporting text to the policy demonstrates a concern that we have also cited with the premise to draft policy E1b – namely that is an unnecessary and additional layer of policy. The final paragraph states: Though development plan policies provide a significant level of protection of the open land between Didcot and East Hagbourne, local people are concerned that the separation between village and town remains vulnerable to development pressure, particularly towards the latter part of the Local Plan period. Therefore, additional policy safeguards are required to protect this critical and | | <i>Noted</i> |

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| | | | <p>vulnerable landscape feature.</p> <p>It is stated that there are already policies to ‘protect’ the open land, and there is limited justification for additional policies. It is not clear what evidence is being used to support the claims of concern in this paragraph and this should be rectified. Also, there appears to be a reference to land supply (i.e. the plan period) and we remind the Parish Council that should land supply fall below what is necessary all the policies of the development plan will be measured for their relative material weight.</p> | | |
| | | | <p>6.2 This policy too contains a number of undefined terms, including “modification,” “respect,” and “sympathetic.” The majority of the criteria repeat the essence of national or local policy, although it should be noted that the approach should be to conserve and enhance not preserve.</p> <p>The true value of neighbourhood plan policies is in the local context. The criteria refer to the village and the parish, but would be much more effective if they were specific about first which village and then which assets they referred to.</p> | | <i>Noted</i> |
| | VC2 | | <p>6.2 Similarly to our comments relating to VC1b, there are limited references to locally specific heritage assets, and so most of the policy is repetitive of national and local level versions.</p> | | <i>Noted</i> |

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| | General | | 7.2 We also recommend that the Parish Council considers the overall direction and intended performance of draft polices E1b, VC1a VC1b and VC2 against the basic conditions. There should be particular focus placed on a review of the cumulative nature of the proposed Local Green Spaces; the significance of the identified heritage assets; and, the conformity or repetition of the draft EHNP policies with those at the national and local level. | | <i>Noted, thank you.</i> |

16. Comments related to Tudor House Allotments, proposed as Local Green Space (Appendix 4, Attachment 6)

| Comments of owners | | | | | |
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| 8 | Policy E1b, p49 Tudor House allotments | Support | We have no comments about Tudor House allotments being recommended as a local green space. | No | <i>Noted, thank you.</i> |