

BRIGHTWELL CUM SOTWELL PARISH NEIGHBOURHOOD PLAN

2016 – 2032

BASIC CONDITIONS STATEMENT



Published by Brightwell cum Sotwell Parish Council under the Neighbourhood Planning (General) Regulations 2012

February 2017

I. INTRODUCTION

I.1 This statement has been prepared by Brightwell cum Sotwell Parish Council (“the Parish Council”) to accompany its submission to the local planning authority, South Oxfordshire District Council (“the District Council”), of the Brightwell cum Sotwell Parish Neighbourhood Plan (“the Neighbourhood Plan”) under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”).

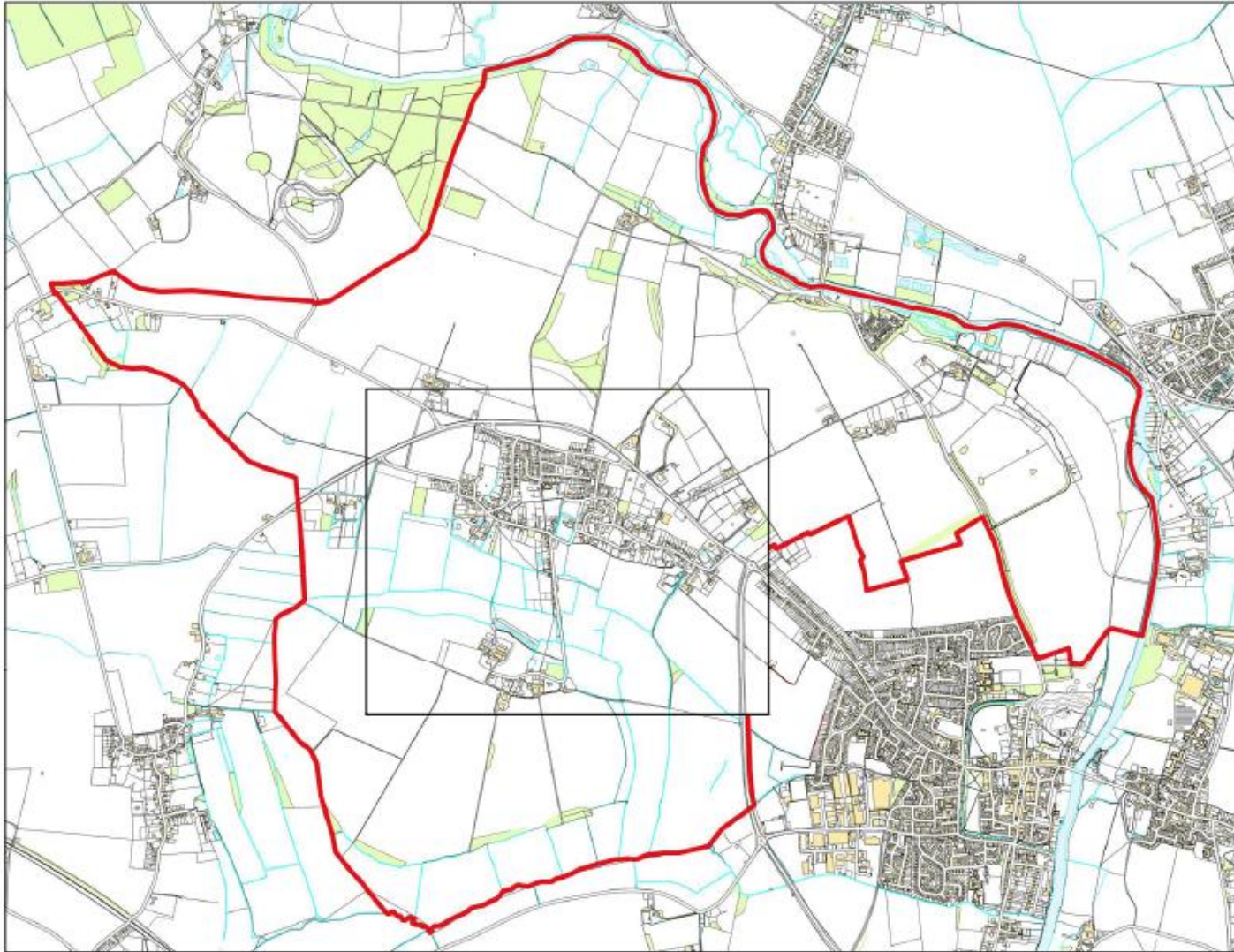
I.2 The Neighbourhood Plan has been prepared by the Parish Council, a qualifying body, for the Neighbourhood Area covering the whole of the Parish, as designated by the District Council on 17 April 2015 (see Plan A below).

I.3 The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Neighbourhood Area. The plan period of the Neighbourhood Plan is from 1 April 2016 to 31 March 2032, a period that coincides with the period of the emerging South Oxfordshire Local Plan. No policy contained in the Neighbourhood Plan seeks to control ‘excluded development’, as defined by the Regulations.

I.4 The Statement addresses each of the four ‘Basic Conditions’ required of the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Town & Country Planning Act.

I.5 The Regulations state that a Neighbourhood Plan will be considered to have met the conditions if:

- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Neighbourhood Development Plan,
- The making of the Neighbourhood Development Plan contributes to the achievement of sustainable development,
- The making of the Neighbourhood Development Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
- The making of the Neighbourhood Development Plan does not breach, and is otherwise compatible with EU obligations.



Plan A: Designated Brightwell cum Sotwell Neighbourhood Area

2. BACKGROUND

2.1 The Plan preparation process has been led by the Parish Council, as the ‘qualifying body’ under the 2012 Regulations. It has delegated the day to day responsibility for managing the project to a Steering Group of parish councillors and local people, which has met since 2015. The Group has been delegated authority by the Parish Council to make day-to-day decisions on the preparation of the Neighbourhood Plan. However, as the qualifying body, the Parish Council approved the publication of the Pre Submission Neighbourhood Plan in November 2016 and the Submission Neighbourhood Plan now.

2.2 The Parish Council has consulted the local community extensively since the start of the project in 2015 and benefited from its legacy work on the Community-led Parish Plan, which was published in August 2014 after two years of preparation. Importantly, engagement activities over the last few months allowed the Parish Council to test opinions, both informally and then formally, on the spatial options and on the sites that were made available for housing development. The separate Consultation Statement describes this legacy and the work done on the Neighbourhood Plan itself in detail.

2.3 The project has also benefited from a positive working relationship between Parish and District Councils. The District Council has considerable experience in neighbourhood planning compared to many other planning authorities, and has used this to advise and support the Parish Council. Both have been especially mindful of the challenges presented to neighbourhood plans by a lack of an up-to-date strategic policy framework and by an uncertain five-year housing land supply position. So, from the start of the project, they have worked hard to collate and examine the evidence base, to design and iterate policy proposals and to define the proper relationship between the Neighbourhood Plan and the policies of the adopted 2012 Core Strategy, the saved policies of the adopted Local Plan 2011 and the reasoning and evidence of the emerging Local Plan 2011 – 2031.

2.4 The result of this work has been the need for the Parish Council to plan for considerably more housing growth than was envisaged at the start of the project. Then, and until relatively recently, the expectation was that the small village of Brightwell cum Sotwell (the only settlement of any scale in the Parish) would only need to provide up to 20 homes (which was also assumed at the time of the original SA SEA Screening Opinion – see below). This would have been consistent with past and currently adopted planning policy covering what is a small village in a rural area with few local services or facilities. However, over the last six months, it has become clearer that to have a long ‘shelf life’, and to help defend the Parish from unplanned and harmful development, the Neighbourhood Plan would need to be more positive about housing development. Given many in the local community were not happy with the original scale of growth, this has taken considerable courage and community leadership by the Parish Council.

2.5 Inevitably, the District's housing supply policy vacuum has led to a series of planning applications being submitted in recent months, some on sites allocated in the Neighbourhood Plan and others not. The Parish Council has sought to use the opportunity of pre-application consultations, where it has been approached by applicants, to encourage proposals to be made in line with the provisions of its emerging Neighbourhood Plan, which appears to have been generally successful. It has also responded to other invitations by land owners to meet to discuss their proposals, to ensure a consistency in approach. Only once its preferred spatial option and site allocations had been chosen, did it liaise further with land interests in order to ensure that the specific allocation policy provisions would be considered acceptable and therefore viable.

2.6 The Neighbourhood Plan contains 17 land use policies in all, many of which are defined on the Policies Map as being geographically specific. For the most part, the plan has deliberately avoided containing policies that may duplicate saved development plan policies. There are also some non-statutory proposals that are included for the completeness of the Neighbourhood Plan. In making a clear distinction between land use planning policies and non-statutory proposals relevant to land use planning, the Neighbourhood Plan allows for the examination to focus on the requirement of the policies to meet the Basic Conditions but also allows the local community to see the Neighbourhood Plan in the round. In any event, the non-statutory proposals will each have a land use effect at some later point but cannot do as part of the Neighbourhood Plan as they fall outside its scope.

3. CONFORMITY WITH NATIONAL PLANNING POLICY

3.1 The Neighbourhood Plan has been prepared with regard to national policies as set out in the National Planning Policy Framework 2012 (NPPF) and is mindful of the Planning Practice Guidance (PPG) in respect of formulating neighbourhood plans.

3.2 In overall terms, there are three key NPPF paragraphs that provide general guidance on neighbourhood planning, to which the Neighbourhood Plan has directly responded:

§ 16 & §184

3.3 The Parish Council believes it has fully grasped the opportunity presented by the Neighbourhood Plan to shape the future of the Parish, and of the main village especially, through a coherent and deliverable spatial strategy. Although the focus has inevitably been on shaping housing growth, the Neighbourhood Plan contains many other proposals to enhance the enjoyment of living and working in the Parish, whether that be within its settlements or out in the countryside. On the one hand, these proposals seek to retain what is most precious about the landscape and heritage of the Parish. On the other, opportunities have been taken to promote new community and tourism facilities and renewable energy projects.

3.4 The Parish Council believes the Neighbourhood Plan establishes a clear and realisable vision for the Parish and main village that reflects the desires of the local community for the place that they should become. The Plan is considered to be in general conformity with the strategic policy framework of the development plan comprising the adopted South Oxfordshire Core Strategy and the saved policies of the Local Plan 2011, as set out in Section 5 below. Although parts of that framework are now out of date, its basic principles of heritage conservation, landscape protection and managing development in small villages have all been adhered to, and refined in some cases, by policies of the Plan.

§ 185

3.5 In the absence of an up to date strategic policy framework, the Parish Council has laid out a series of modest, non-strategic proposals in its Plan. Its social and green infrastructure proposals operate well at this rural scale, respecting national/district scale policy principles – heritage, flood risk, designated landscapes, biodiversity – to form a well-evidenced and complementary package of initiatives that carry the support of the local community.

3.6 As ever, the Neighbourhood Plan has faced the challenge of establishing a coherent growth strategy without knowing precisely how this will fit with the District-level framework. The Parish Council has observed how some neighbourhood plans in these circumstances have attempted to define and prove a housing target figure by extrapolating Strategic Housing Market Assessment and other data collected at a scale above the Parish level. It considers such an approach dangerous in that until an adopted Local Plan has determined its spatial approach to distributing its objectively assessed housing need within its area, a target may be considered too open to question. By contrast, it has seen how many other plans have successfully taken a more common sense approach and accepted that this task is about planning judgement not raw statistics. It appears that provided there is coherence to the spatial strategy that recognizes the status of the settlement in the hierarchy, and a broad reflection of the scale of housing growth expected of such settlements in the locality, then at the very least sufficient provision to contribute to meeting the five year housing land supply will be made. Should a subsequently adopted Local Plan determine that insufficient provision has been made over the full plan period, then in the plan-led system, there will be time for the Parish Council to undertake a review of the Plan if necessary. The Parish Council has therefore chosen this latter approach.

3.7 In terms of identifying a benchmark for its housing supply strategy, the PPG states, “Neighbourhood plans are not obliged to contain policies addressing all types of development. However, where they do contain policies relevant to housing supply, these policies should take account of latest and up-to-date evidence of housing need. In particular, where a qualifying body is attempting to identify and meet housing need, a local planning authority should share relevant evidence on housing need gathered to support its own plan-making.” (§41-040)

3.8 The District Council has yet to determine in its emerging Local Plan how it will meet its objectively assessed housing need over the plan period. Its Draft Local Plan of 2016 indicated that it will maintain the spatial strategy of the Core Strategy in focusing housing and economic development on the main towns of the District, and then distribute growth across its rural areas in relation to the hierarchy status of its villages. This is a conventional and reasonable approach, and there is nothing to suggest that its adopted plan in due course will differ greatly. In which case, the District Council has advised that the rural villages should look to plan for 5% - 10% growth in their total housing stock to 2032, taking into account their facilities and local environmental constraints. For Brightwell cum Sotwell village, as the only settlement of any scale in the Parish and with c. 450 total housing stock, this means growth in the order of 22 – 45 homes. In the next five years of the plan (say April 2017 to March 2021 assuming the Plan is made in summer 2017), this means the plan needing to allocate deliverable sites of at least one third of this number, i.e. 8 – 15 homes. The remainder of this total would come from other deliverable sites (i.e. available now, meaning a greater supply of new homes delivered in the period to 2021) and from developable sites (i.e. those sites that are not ready to come forward before 2021 but are otherwise suitable for housing).

3.9 In this respect, it is also important to acknowledge that §11 and §12 of the NPPF remain consistent with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 in requiring applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. It does not change the statutory status of the development plan as the starting point for ‘plan-led’ decision making. The efficiency of neighbourhood plan making, compared to the lengthy preparation of Local Plans, has enabled local communities to ensure that the essence of the plan-led system is maintained or is quickly addressed should the supply of housing land in the local area fail to keep up with objectively assessed need. The Government has made a series of clarifications to the Planning Practice Guidance and used Written Ministerial Statements to restate the importance of the role that neighbourhood plans are evidently playing.

TABLE A: NEIGHBOURHOOD PLAN & NPPF CONFORMITY SUMMARY

No.	Policy Title	NPPF Ref.	Commentary
BCS1	Brightwell cum Sotwell Village Boundary	14, 47, 50, 113, 115, 126	<p>This policy establishes the key spatial strategy for directing future development proposals in the parish towards the main village as the only settlement defined in the District hierarchy. On the one hand, it reflects the presumption in favour of sustainable development and will guide how development will be delivered over the plan period in line with §14 and §50. On the other, it acknowledges the constraints imposed by the special historic interest of much of the village and its location in a valued landscape, as per §115, much of which is either in an AONB or forms its setting. The NPPF requires special attention is paid to sustaining and enhancing heritage assets (§126) and to designated landscapes (§113).</p> <p>The principle of using a development boundary policy mechanism to contain and manage settlement growth is therefore consistent with national policy, provided, as here, the boundary defines the outcome of decisions made on the scale and location of growth in line with an as up-to-date as possible assessment of objectively assessed housing need. In which case, there is no inherent conflict between this mechanism and §47 seeking to boost housing supply.</p>
BCS2	Land at Bosley’s Orchard	50, 58, 109,	This policy will contribute to boosting the supply of housing in the local area, as

		118, 173	per §50, by providing for a residential development of approximately 20 homes and by specifying the type of housing to be supported. Its development principles are in line with §58, without being too prescriptive, and have the support of the landowner/developer, and so can be considered viable, as per §173. It accords with §118 by recognising the significance of the loss of aged or veteran trees when determining a planning application and with §109 by seeking to requiring a net gain in biodiversity value.
BCS3	Land at Little Martins & Home Farm Barns	50, 58, 109, 118, 173	This policy will contribute to boosting the supply of housing in the local area, as per §50, by providing for a residential development of approximately 20 homes and by specifying the type of housing to be supported. Its development principles are in line with §58, without being too prescriptive, and have the support of the landowner/developer, and so can be considered viable, as per §173. It accords with §118 by recognising the significance of the loss of aged or veteran trees when determining a planning application and with §109 by seeking to requiring a net gain in biodiversity value.
BCS4	Land at Thorne's Nursery	50, 58, 109, 118, 126, 132, 173	This policy will contribute to boosting the supply of housing in the local area, as per §50, by providing for a residential development of approximately 20 homes and by specifying the type of housing to be supported. Its development principles are in line with §58, without being too prescriptive, and have the support of the landowner/developer, and so can be considered viable, as per §173. It accords with §118 by recognising the significance of the loss of aged or veteran trees when determining a planning application and with §109 by seeking to requiring a net gain in biodiversity value. The site lies within a Conservation Area and its access will affect the setting of some Listed Buildings, but the policy will enhance the appearance of the land and the Area, as per §126, and by restricting the number of new homes, a scheme will not adversely affect the character of the Listed Buildings, as per §132.
BCS5	Slade End Green	28, 50, 58, 109, 118, 126, 132, 173	This policy will contribute to boosting the supply of housing in the local area, as per §50, by providing for a residential development of approximately 20 homes and by specifying the type of housing to be supported. Its development principles are in line with §58, without being too prescriptive, and have the support of the landowner/developer, and so can be considered

			<p>viable, as per §173. It accords with §118 by recognising the significance of the loss of aged or veteran trees when determining a planning application and with §109 by seeking to requiring a net gain in biodiversity value. The site lies within a Conservation Area and its access will affect the setting of some Listed Buildings, but the policy will enhance the appearance of the land and the Area, as per §126, and by restricting the number of new homes, the schemes will not adversely affect the character of the Listed Buildings, as per §132.</p> <p>This policy also supports a new business facility with sufficient parking for the community and beyond to enjoy. It is therefore in line with §28 which supports sustainable rural tourism and leisure developments in rural areas.</p>
BCS6	Local Gaps	17(5)	<p>This policy seeks to prevent the visual coalescence of the two gaps created by a sequence of open spaces between the main village of Brightwell cum Sotwell and its smaller neighbour, Mackney, to the south, and its much larger and growing neighbour of Wallingford to the east. The fifth bullet point of §17 allows plan makers to take account of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside. The principle of preventing harmful coalescence has been long established in rural areas like this, when planning for growth. Importantly, the policy sits within a wider set of proposals that provide for that growth in more sustainable locations, and so the Plan does not seek to deploy a blanket restriction on development. And the policy itself does not prevent all types of development, but merely seeks to ensure its location, height and scale do not harm the open character of the gap.</p>
BCS7	Landscape Character and the Villages	17(5), 109, 115	<p>This policy accords with §109 and §115 by requiring the protection of landscapes, including the AONB and its setting, from harmful development that may otherwise be suited or necessary to a countryside location. The fifth bullet point of §17 allows plan makers to take account of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside.</p> <p>Importantly, the policy sits within a wider set of proposals that provide for the growth of the village in more sustainable locations, and so the Plan does not seek to deploy a blanket restriction on development.</p>

BCS8	The Green Heart	73, 77	This policy accords with § 73 by designating the Green Heart an open space, to contribute to the health and wellbeing of the community. This connected sequence of open spaces allow for a more integrated village. Four of those spaces are considered to qualify as Local Green Spaces under policy BCS11, in line with §77.
BCS9	Design Principles in the Parish	58, 60, 126	This policy accords with §58 and §126 in seeking to ensure high quality design solutions by identifying common design features derived from the appraisal of local design character. In line with §60 it does not seek to require every proposal to include every feature that is characteristic of the Parish – rather they are intended to guide proposals that may make provision for them in modern architectural solutions. Although much of the main village and Mackney is designated a Conservation Area, and the group value of many listed buildings around the village centres and their edges are especially valuable as heritage assets, the policy looks to guide proposals outside the Area and its immediate setting.
BCS10	Design Principles in the Conservation Areas & their Settings	58, 60, 126	This policy accords with §58 and §126 in seeking to ensure high quality design solutions by identifying common design features derived from the Conservation Areas Appraisal. In line with §60 it does not seek to require every proposal to include every feature that is characteristic of the Area – rather they are intended to guide proposals that may make provision for them in modern architectural solutions.
BCS11	Local Green Spaces	76, 77	This policy responds to §76 by designating spaces to rule out new development that would undermine their essential open character. The spaces are each considered to meet the tests of §77 as each is located in reasonably close proximity to the local community, each is demonstrably special to the local community, and each is local in its character. Further details are provided in the Local Green Space report in the evidence base.
BCS12	Biodiversity, Trees, Hedgerows & Wildlife Corridors	58, 118	This policy accords with §118 by recognising the biodiversity value the Parish, and especially its veteran trees and hedgerows, requiring this to be considered when determining planning applications. As a type of design policy, it also

			accords with §58 in requiring any unavoidable loss of trees to be replaced with trees of an equivalent species as part of a successful landscape scheme.
BCS13	Footpaths & Bridleways	69	This policy accords with § 69 by encouraging the creation of new pedestrian footpaths, whilst seeking to protect current footpaths from obstruction or urbanisation. The NPPF seeks to ensure policies relating to this matter should aim to achieve the encouragement of safe and accessible developments, containing clear and legible pedestrian routes.
BCS14	Renewable Energy	99, 109	This policy accords with §99 by promoting solar energy but requires proposals to be carefully considered in terms of their landscape effects, as per §109.
BCS15	Community Facilities	70	This policy accords with §70 by supporting proposals that positively support the provision and use of shared community facilities, to enhance the sustainability of communities and residential environments. The policy resists any proposals that will result in the loss of these facilities.
BCS16	Tourism Facilities	28	This policy accords with §28 by supporting the provision of new visitor facilities, supporting proposals that encourage sustainable rural tourism and leisure developments that benefit business in rural areas.
BCS17	Natural Burial Ground	70	This policy accords with § 70 by supporting proposals to widen the range of local burial choices for local people.

4. CONTRIBUTION TO ACHIEVING SUSTAINABLE DEVELOPMENT

4.1 A Sustainability Appraisal (incorporating a Strategic Environmental Assessment) has been undertaken and it demonstrates that the Neighbourhood Plan has taken account of the need to contribute to the achievement of sustainable development in terms of how its policies will have positive environmental benefits and will avoid negative effects.

4.2 The report concludes:

“10.1 The assessment indicates that the preferred policies of the Submission Plan have avoided leading to any significant, negative environment effects and will contribute, in overall terms, to achieving a sustainable pattern of growth and consolidation in the village.

10.2 This is no mean feat, given the scale of development that the Plan provides for, which far exceeds the scales of housing growth in the village of the last few decades. Crucially, the spatial strategy has found ways of infilling some of the edges of the village that retain its essential shape and character, without requiring incursions into the surrounding countryside. Its neutral effect in this regard contrasts with the negative effects of the reasonable alternative spatial options tested.

10.3 Not all the policies will have neutral effects. Some will have positive effects, especially in terms of enabling the village to contribute to meeting local housing need and providing a mix of new homes to address housing issues in the village itself. Others will collectively ensure that the distinctive character of the village will remain unharmed and improved through the reuse of redundant horticultural land. On the other hand, the assessment identifies the potential for some marginal negative landscape effects of the proposals at Slade End.

10.4 Having tested the alternative spatial strategies and the ‘no policy’ options, it does not seem likely that any of the alternatives will lead to a better sustainability outcome than the proposed policies. In some cases, notably in respect of heritage and landscape effects, the alternatives assess less well.”

4.3 As the Appraisal forms part of the submission documentation, its details are not repeated here. In addition, a Site Assessments Report is published in the evidence base. Again, it is not necessary to repeat all its contents here, although the methodology that has been adopted to inform the eventual selection of the Neighbourhood Plan site allocation policies is worth reiterating, as it is important the relationship between the Plan, the SA SEA report and the Site Assessments report is properly understood. The indication from the Regulation 14 consultation period is that it was not, and so further clarification needs to be provided. The PPG guidance on this matter is ambiguous and the guidance on SEA pre-dates the advent of neighbourhood planning.

4.4 The method is set out in detail in the introduction to the Site Assessments Report but, in essence, is based on site selection via the development and appraisal of spatial options comprising a mix of sites. This method is not conventional in other site allocation development plan documents or in their sustainability appraisals. This is primarily for two reasons: the scale at which those documents are prepared is significantly larger than a Parish-level plan; and the SEA Directive and Regulations have been interpreted to mean that the appraisal of 'reasonable alternatives' must be undertaken on a site-by-site basis.

4.5 The Sustainability Appraisals of Core Strategies and Local Plans will always assess the sustainability merits of different spatial strategies at the District scale. In this sense, there is a parallel with the approach taken by the appraisal of this Neighbourhood Plan. But there is often a disconnect between decisions made on the preferred strategy and the process of selecting sites, which are rarely related to that strategy in anything other than the number of homes they will deliver. Instead, if the Local Plan is proposing strategic or other site allocations, the sites will be assessed and ranked in relation to each other and not the spatial strategy. This is because there is rarely the time and resource available to the plan makers to undertake spatial planning exercises for each settlement in their areas. That has led to the custom and practice of appraising sites in relation to each other as 'reasonable alternatives'.

4.6 The SEA Directive says, "... an environmental report shall be prepared in which the likely significant effects on the environment of implementing the plan or programme, and reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme, are identified, described and evaluated" (Article 5.1). Information to be provided in the Environmental Report includes "an outline of the reasons for selecting the alternatives dealt with (Annex I (h))." The Practical Guide to the SEA Directive of September 2005 says, "Only reasonable, realistic and relevant alternatives need to be put forward. It is helpful if they are sufficiently distinct to enable meaningful comparisons to be made of the environmental implications of each. Some alternatives are discrete, involving a choice between one alternative and another ... these are often the broad options considered early in plan and programme preparation. Other alternatives can be combined in various ways. Alternatives may be grouped into scenarios, for instance rapid economic growth, 'most sustainable' option, etc."

4.7 It is clear from the Directive and the Practical Guide that there is no obligation to assess individual sites if they have already been 'grouped into scenarios' and assessed as part of these 'broad options'. Neighbourhood plans allow for a focus on spatial planning at a very local scale that is not normally feasible at larger scales. And they allow for different spatial scenarios/options to be developed and tested before addressing the specific contribution that an individual site can make. Importantly, the approach ensures that sites that may not 'score' as well as others on an individual basis, may be selected for their group contribution (e.g. in enabling the delivery of a complementary community benefit) rather than having to be discarded as supposedly inferior.

5. GENERAL CONFORMITY WITH THE DEVELOPMENT PLAN

5.1 As noted above, judging the conformity of the Neighbourhood Plan with the development plan has been a challenge. It had been hoped at the start of the project that the new Local Plan 2016 – 2032 would have been adopted by now, and would have established a clear, coherent strategic policy framework to work within. As it is, the examination of the Neighbourhood Plan must rest on its conformity with the adopted Core Strategy (adopted in 2012) and with the remaining saved policies of the Local Plan 2011 (adopted in 2006).

5.2 Set out in Table B below is an assessment of how each policy relates to the Core Strategy (policy references beginning ‘CS’) and/or the Local Plan. However, where the reasoning and evidence of the emerging Local Plan may be relevant, this is also identified.

TABLE B: NEIGHBOURHOOD PLAN & DEVELOPMENT CONFORMITY SUMMARY

No.	Policy Title	Commentary
BCS1	Brightwell cum Sotwell Village Boundary	<p>The policy is in line with Policy CSS1 (The overall strategy) supporting villages like Brightwell by allowing for limited amounts of housing and employment and by the provision and retention of services; and outside the village by requiring any change will need to relate to very specific needs such as those of the agricultural industry or enhancement of the environment.</p> <p>Policy CSRI (Housing in villages) is no longer considered up to date.</p> <p>The policy is in line with Policy CSEM4 (Supporting economic development) by supporting new premises or the conversion of existing buildings on suitable sites within the built-up area of settlements.</p> <p>The policy is in line with Policy CSR2 (Employment in Rural Areas) in supporting small-scale infill schemes in villages including mixed housing and employment schemes.</p> <p>The policy is in line with Policy CSEN1 (Landscape) by protecting the Parish’s distinct landscape character and key features against inappropriate development. Where development is acceptable in principle, it allows for measures to be sought to integrate it into the landscape character of the Parish. Its spatial strategy has given high priority to the conservation and enhancement of the Chilterns and North Wessex Downs Areas of Outstanding Natural Beauty (AONBs) and its setting.</p>

		<p>The policy is in line with Policy G5 Making the best use of land in supporting development proposals within the built-up areas of settlements where the best use of vacant land and buildings has been sought, thus reducing the need for the development of greenfield sites or of sites in non-sustainable locations in the Parish. In seeking to make the best use of land, this policy and others has had regards to the role and importance of open space within the main village.</p>
BCS2	Land at Bosley's Orchard	<p>The policy is in line with Policy CSS2 (Transport) as the location close to the village services will enable modal shift to public transport, cycling and walking.</p> <p>The policy is in line with Policy CSH2 (Density) by providing for a density of 25 dwellings per hectare (net).</p> <p>The policy is in line with Policy CSH4 (Meeting housing needs) by enabling a mix of dwelling types and sizes to meet the needs of current and future households.</p> <p>The policy is in line with Policy CSQ3 (Design) as it requires a high quality and inclusive design that responds positively to and respects the character of the site and its surroundings, enhances local distinctiveness and ensures that the scheme will be of a scale, type and density appropriate to the site and its setting, providing links into the local network of green infrastructure.</p> <p>The policy is in line with Policy CSG1 (Green infrastructure) by requiring a net gain in green infrastructure including biodiversity and that the proposals demonstrate that they have taken into account the relationship of the proposed development to existing green infrastructure.</p> <p>The policy has not repeated Policy R2 (Formal recreation) in respect of requiring the provision of outdoor playing space for the new residents to a minimum standard of 2.4 hectares per 1000 persons.</p> <p>The policy is in line with Policy T1 as the site is capable of providing for a safe and convenient access to the highway network; safe and convenient routes for cyclists and pedestrians; is accessible by public transport and have a safe walking route to nearby bus stops or new bus stops; can be served by an adequate road network which can accommodate traffic without creating traffic hazards or damage to the environment. However, to maintain the distinct rural appearance of the village, it does not require new roads, pedestrian routes, cycleways and street lighting are necessarily constructed to adoptable standards if that requires highways works that will harm that character.</p>

BCS3	Land at Little Martins & Home Farm Barns	<p>The policy is in line with Policy CSS2 (Transport) as the location close to the village services will enable modal shift to public transport, cycling and walking.</p> <p>The policy is in line with Policy CSH2 (Density) by providing for a density of 25 dwellings per hectare (net).</p> <p>The policy is in line with Policy CSH4 (Meeting housing needs) by enabling a mix of dwelling types and sizes to meet the needs of current and future households.</p> <p>The policy is in line with Policy CSQ3 (Design) as it requires a high quality and inclusive design that responds positively to and respects the character of the site and its surroundings, enhances local distinctiveness and ensures that the scheme will be of a scale, type and density appropriate to the site and its setting, providing links into the local network of green infrastructure.</p> <p>The policy is in line with Policy CSG1 (Green infrastructure) by requiring a net gain in green infrastructure including biodiversity and that the proposals demonstrate that they have taken into account the relationship of the proposed development to existing green infrastructure.</p> <p>The policy has not repeated Policy R2 (Formal recreation) in respect of requiring the provision of outdoor playing space for the new residents to a minimum standard of 2.4 hectares per 1000 persons.</p> <p>The policy is in line with Policy T1 as the site is capable of providing for a safe and convenient access to the highway network; safe and convenient routes for cyclists and pedestrians; is accessible by public transport and have a safe walking route to nearby bus stops or new bus stops; can be served by an adequate road network which can accommodate traffic without creating traffic hazards or damage to the environment. However, to maintain the distinct rural appearance of the village, it does not require new roads, pedestrian routes, cycleways and street lighting are necessarily constructed to adoptable standards if that requires highways works that will harm that character.</p> <p>CSH2 Density On sites where housing development is acceptable in principle, a minimum density of 25 dwellings per hectare (net) will be required unless this would have an adverse effect on the character of the area.</p>
BCS4	Land at Thorne's Nursery	The policy is in line with Policy CSS2 (Transport) as the location close to the village services will

		<p>enable modal shift to public transport, cycling and walking.</p> <p>The policy is not in line with Policy CSH2 (Density) as scheme of a density of 25 dwellings per hectare (net) cannot be serviced by the access road.</p> <p>The policy is in line with Policy CSH4 (Meeting housing needs) by enabling a mix of dwelling types and sizes to meet the needs of current and future households.</p> <p>The policy is in line with Policy CSQ3 (Design) as it requires a high quality and inclusive design that responds positively to and respects the character of the site and its surroundings, enhances local distinctiveness and ensures that the scheme will be of a scale, type and density appropriate to the site and its setting, providing links into the local network of green infrastructure.</p> <p>The policy is in line with Policy CSG1 (Green infrastructure) by requiring a net gain in green infrastructure including biodiversity and that the proposals demonstrate that they have taken into account the relationship of the proposed development to existing green infrastructure.</p> <p>The policy has not repeated Policy R2 (Formal recreation) in respect of requiring the provision of outdoor playing space for the new residents to a minimum standard of 2.4 hectares per 1000 persons, but as the site is less than 0.4 hectare (net) improvements to an existing outdoor playing space or, if appropriate, provision in a nearby area will be sought.</p> <p>The policy is in line with Policy T1 as the site is capable of providing for a safe and convenient access to the highway network; safe and convenient routes for cyclists and pedestrians; is accessible by public transport and have a safe walking route to nearby bus stops or new bus stops; can be served by an adequate road network which can accommodate traffic without creating traffic hazards or damage to the environment. However, to maintain the distinct rural appearance of the village, it does not require new roads, pedestrian routes, cycleways and street lighting are necessarily constructed to adoptable standards if that requires highways works that will harm that character.</p> <p>The policy is in line with Policy CSEN3 (Historic Environment) and Policy CON5 (The setting of listed buildings) as it seeks to conserve and enhance the nearby Listed Buildings in terms of restricting vehicular movements on the access road.</p> <p>The policy is in line with Policy CON7 (Conservation Areas) as the development of the land will</p>
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		enhance the character and appearance of a conservation area in this location.
BCS5	<p>Slade End Green</p> <ul style="list-style-type: none"> - Slade End Farm - Strange's Nursery - Slade End South to West of Green Lane 	<p>The policy is in line with Policy CSS2 (Transport) as the location close to the village services will enable modal shift to public transport, cycling and walking.</p> <p>The policy is not in line with Policy CSH2 (Density) as scheme of a density of 25 dwellings per hectare (net) cannot be serviced by the access road.</p> <p>The policy is in line with Policy CSH4 (Meeting housing needs) by enabling a mix of dwelling types and sizes to meet the needs of current and future households.</p> <p>The policy is in line with Policy CSQ3 (Design) as it requires a high quality and inclusive design that responds positively to and respects the character of the site and its surroundings, enhances local distinctiveness and ensures that the scheme will be of a scale, type and density appropriate to the site and its setting, providing links into the local network of green infrastructure.</p> <p>The policy is in line with Policy CSG1 (Green infrastructure) by requiring a net gain in green infrastructure including biodiversity and that the proposals demonstrate that they have taken into account the relationship of the proposed development to existing green infrastructure.</p> <p>The policy has not repeated Policy R2 (Formal recreation) in respect of requiring the provision of outdoor playing space for the new residents to a minimum standard of 2.4 hectares per 1000 persons, but as the site is less than 0.4 hectare (net) improvements to an existing outdoor playing space or, if appropriate, provision in a nearby area will be sought.</p> <p>The policy is in line with Policy T1 as the site is capable of providing for a safe and convenient access to the highway network; safe and convenient routes for cyclists and pedestrians; is accessible by public transport and have a safe walking route to nearby bus stops or new bus stops; can be served by an adequate road network which can accommodate traffic without creating traffic hazards or damage to the environment. However, to maintain the distinct rural appearance of the village, it does not require new roads, pedestrian routes, cycleways and street lighting are necessarily constructed to adoptable standards if that requires highway works that will harm that character.</p> <p>The policy is in line with Policy CSEN3 (Historic Environment) and Policy CON5 (The setting of listed buildings) as it seeks to conserve and enhance the nearby Listed Buildings in terms of restricting</p>

		<p>vehicular movements on the access road.</p> <p>The policy is in line with Policy CON7 (Conservation Areas) as the development of the land will enhance the character and appearance of a conservation area in this location.</p>
BCS6	Local Gaps	<p>The policy is in line with Policy CSEN1 (Landscape) by protecting the distinct landscape character of these gaps against inappropriate development that would have the effect of creating the visual coalescence of the main village with Mackney to the south and the expanding Wallingford to the east..</p> <p>The policy is in line with Policy C4 (The landscape setting of settlements) in seeking to prevent development which would damage the attractive landscape setting of the main village.</p> <p>The policy is in line with Policy C9 (Landscape Features) by seeking to prevent development that would cause the loss of landscape features where those features make an important contribution to the local scene.</p>
BCS7	Landscape Character and the Villages	<p>The policy is in line with Policy CSEN1 (Landscape) by protecting the distinct landscape character of the Parish against inappropriate development that would have the effect of harming that character.</p> <p>The policy is in line with Policy C4 (The landscape setting of settlements) in seeking to prevent development which would damage the attractive landscape setting of the main village.</p> <p>The policy is in line with Policy C9 (Landscape Features) by seeking to prevent development that would cause the loss of landscape features where those features make an important contribution to the local scene.</p>
BCS8	The Green Heart	<p>The policy is in line with Policy CSR3 (Community facilities) by protecting this valuable and popular network of established informal and formal recreational spaces in the main village from unnecessary harm.</p> <p>The policy is in line with Policy CSQ3 (Design) by requiring new development that lies within or adjoins the Green Heart to be of a high quality design that provides links into green infrastructure where available. The policy is in line with Policy CSG1 (Green infrastructure) in requiring proposals</p>

		for new development to demonstrate that they have taken into account the relationship of the proposed development to their Green Heart.
BCS9	Design Principles in the Parish	<p>The policy is in line with and refines Policy CSQ3 (Design) by identifying some specific design features of the Parish and village, the incorporation of which may ensure that a scheme responds positively to and respects the character of the site and its surroundings, particularly the historic significance and heritage values of the historic environment, enhancing local distinctiveness and ensuring that new development is of a scale, type and density appropriate to the site and its setting.</p> <p>The policy is in line with Policy EP3 (Light pollution) by discouraging proposals for new floodlighting and other external lighting that would have an adverse effect on neighbouring residents, the rural character or biodiversity of the village.</p> <p>The policy is in line with Policy D2 (Vehicle and bicycle parking) by restating the importance of new developments incorporating adequate, safe and secure parking for vehicles and cycles, with vehicle parking provided in a discreet and sensitive manner.</p>
BCS10	Design Principles in the Conservation Areas & their Settings	The policy is in line with and refines Policy CSEN3 (Historic Environment) and Policy CON7 (Conservation Areas) in identifying some specific design features of the Conservation Areas and their settings, the incorporation of which may ensure that a scheme responds positively to and respects the character of the site and its surroundings, particularly the historic significance and heritage values of the historic environment, enhancing local distinctiveness and ensuring that new development is of a scale, type and density appropriate to the site and its setting.
BCS11	Local Green Spaces	The policy is in line with Policy CSG1 (Green infrastructure) by protecting these essential local green infrastructure assets from development that is not exceptional in its justification.
BCS12	Biodiversity, Trees, Hedgerows & Wildlife Corridors	The policy is in line with Policy CSG1 (Green infrastructure) and CSBI (Conservation and improvement of biodiversity) by requiring a net gain in green infrastructure including biodiversity and that the proposals demonstrate that they have taken into account the relationship of the proposed development to existing green infrastructure.
BCS13	Footpaths & Bridleways	The policy is in line with Policy CSG1 (Green infrastructure) by protecting these essential local green infrastructure assets from development that obstructs or harms them and by requiring that the proposals demonstrate that they have taken into account the relationship of the proposed

		<p>development to existing green infrastructure.</p> <p>The policy is in line with Policy R8 (Public rights-of-way) by requiring the retention and protection of the existing public rights-of-way network in the Parish and by supporting appropriate proposals to improve it.</p>
BCS14	Renewable Energy	The policy is in line with CSQ1 (Renewable Energy) by encouraging proposals provided any adverse impact on the landscape, heritage and biodiversity of an area, traffic generation or the amenities of local communities is outweighed by their wider environmental, social, economic or other benefits.
BCS15	Community Facilities	The policy is in line with Policy CSR3 (Community facilities), Policy CF1 (Safeguarding community facilities and services) and Policy CF2 (Provision of community facilities and services) by encouraging proposals which result in the provision of facilities and services in the main village and by preventing those which result in the loss of its services and facilities.
BCS16	Tourism Facilities	The policy is in line with Policy CSEM1 (Supporting a successful economy), Policy TSM1 (Tourism) And Policy TSM2 (Tourist attractions and facilities) by supporting the prosperity of the local tourism industry and recreation-based rural diversification where proposals are of a scale and type appropriate to their location in respect of local landscape and heritage effects.
BCS17	Natural Burial Ground	<p>The policy is in line with Policy CSR3 (Community facilities) by encouraging proposals for this specific type of community facility.</p> <p>The policy is in line with Policy CSEN1 (Landscape) as the use ought to be compatible with protecting the local landscape character.</p>

6. COMPATABILITY WITH EU LEGISLATION

6.1 The District Council issued a Screening Opinion on the need for a Strategic Environmental Assessment (SEA) of the Plan in August 2015. In accordance with EU Directive 2001/42 on SEA, the District Council considered the Neighbourhood Plan was likely to contain policies that may have significant sustainability effects, primarily based on the prevalence of its heritage assets and landscape character. The Parish Council therefore committed to undertake the SEA and to incorporate it into a Sustainability Appraisal. This decision was supported by the statutory bodies, who were duly consulted on the scope of the Appraisal, in line with the regulations. A separate Sustainability Appraisal Report has been prepared for the evidence base of the Neighbourhood Plan that demonstrates its policies will have no significant social, economic nor environmental effect (as described in Section 4 above).

6.2 As part of that screening exercise, the District Council issued a Screening Assessment in respect of the need for an Appropriate Assessment under the Conservation of Habitats and Species Regulations 2010. At that time, the Assessment concluded that the Neighbourhood Plan will have potential significant effects on Natura 2000 sites, and therefore, an Appropriate Assessment would be required. However, the District Council is consulting with Natural England on its proposed re-screening of the Submission version of the Plan. The District Council now considers that the Neighbourhood Plan is sufficiently comparable to the proposals within the adopted Core Strategy and emerging Local Plan and therefore, the impact of the type and scale of development proposed has been assessed by the 2012 and 2015 Appropriate Assessments. In which case, the Neighbourhood Plan will not have potential significant effects on Natura 2000 sites and, therefore, an Appropriate Assessment for the Neighbourhood Development Plan will not be required. The new Screening Assessment was not available by the deadline to append to this Statement, but will be completed before the submission documents are published for the pre-examination publicity period.

6.3 The Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act.

Brightwell Cum Sotwell NP

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Neighbourhood Plan

