Please find attached the Council’s formal response to the Submission Weston on the Green Neighbourhood Plan.

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Dear Diane

**Weston on the Green Neighbourhood Plan: Proposed Submission Plan – Regulation 16**

Thank you for submitting the Weston on the Green Neighbourhood Development Plan Submission Version to Cherwell District Council for publication and consultation as part of the Regulation 16 Consultation process.

This letter is a formal representation to the submitted Plan and is made without reviewing the representations made by other parties. This representation is a consolidation of officer comments received from across the whole Council.

The proposed Weston on the Green Neighbourhood Plan and supporting documents as listed below were provided to the Council. The submission consultation commenced on 19 November 2018 and ends on 11 January 2019. The documents are:

- Weston on the Green Neighbourhood Development Plan – Submission Version
- Map Identifying the Weston on the Green Neighbourhood Plan Area
- Basic Conditions Statement
- Consultation Statement
- Strategic Environmental Assessment – Screening Statement

These documents have been made available for consultation in accordance with the regulations.

As well as consulting on the Neighbourhood Development Plan the Council also provides a response to the plan as part of this consultation. This response will be submitted to the Examiner along with all other consultation responses received. We will, of course, provide all the representations for you to review once the consultation has closed.

The Council has welcomed the opportunity to collaborate with Weston on the Green Parish Council and its neighbourhood plan group. It has liaised closely with it throughout the preparation of its Neighbourhood Development Plan. The whole parish and particularly those working on the Neighbourhood Plan are to be congratulated for their hard work, commitment and dedication in preparing the Plan.
The Parish Council provided a copy of the Regulation 14 pre-submission consultation draft to the Council on 15 May 2017. A written response setting out officer comments at that time was sent on 26 June 2018. There were subsequent meetings and correspondence between the neighbourhood plan group and council officers.

The comments now provided are intended to assist the Parish Council in determining whether it wishes to proceed to examination, and in due course, to assist the Examiner’s consideration of the Plan. There is also an opportunity for the Parish Council to submit further documents to the examiner which could, for example, include a schedule of minor modifications and responses to representations. We would be very happy to discuss this further at the appropriate time.

**Basic Conditions**

Only a draft neighbourhood plan that meets each of a set of basic conditions can be put to a referendum and then subsequently made. The basic conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004.

In accordance with legislation the Council will give its formal view on whether or not the Weston on the Green Neighbourhood Plan meets the following Basic Conditions after the Examination.

Without prejudice to the Council’s final consideration, our initial observations are:

a) **has regard to national policies and advice contained in guidance issued by the Secretary of State**

It is clear that from the references to the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) that regard has been given to national policies and advice.

b) **contributes to the achievement of sustainable development**

The Plan does contribute to the achievement of sustainable development.

c) **Is in general conformity with the strategic policies contained in the development plan for the area.**

It is considered that the Plan is in general conformity (subject to the detailed comments set out below) with the strategic policies in the adopted Cherwell Local plan Part 1 2011-2031.

d) **Does not breach, and is otherwise compatible with EU obligations including any significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012)**

At this stage, officers are not aware of any breach.

e) **Meets and complies with prescribed conditions**

At this stage, officers are not aware of any non-compliance.

**General Comments**

Overall the structure of the Plan is well set out, clear, concise and accessible. The structure is very logical with the evidence base and processes followed in identifying the concerns and aspirations of the local community which informed policy explained.

**Biodiversity, Green Spaces, Green Infrastructure**

It is noted and welcomed that the Plan addresses at length, and in detail, the protection and enhancement of biodiversity and the key role of green spaces/green infrastructure. This is important as all public authorities have a legal duty to have regard for biodiversity under Section 40 of the NERC Act 2006. “A key aim of the Neighbourhood Plan is to conserve and increase biodiversity in the parish environment and to support this through our Plan policies”.

The development policies in the Plan include the protection/creation/enhancement of new(existing) habitats and green corridors for wildlife and people, particularly C1 and E1 & 2, and so accord with the Cherwell Local Plan and NPPF in this regard.
One key site is proposed as a potential protected grassland habitat (Area B, policy C1) to be used as a passive recreational open space and to be managed in order to enhance biodiversity in the parish.

The Plan supports a habitat corridor which links important sites and traverses Weston-on-the-Green parish north-east to south-west and which is extended and strengthened by the protection and conservation of important and designated green spaces in the village.

The Plan states “As a matter of principle and policy, all development should seek to provide a net gain for biodiversity in the local area, thereby positively contributing to the network of green spaces that link wildlife corridors county-wide”.

Biodiversity in the built environment for new development is addressed in policy E2.

Additional to the policies and actions in the Plan, the Parish Council intends to oversee or to ensure that the Green Spaces and priority habitats are suitably managed, to maintain and enhance biodiversity and, where possible, to create new habitats for wildlife.

Other Specific comments

Table A – it would be helpful if this was updated.

Page 15 - Cherwell Local Plan Part 2 is referred to in the text. The Council’s latest LDS (December 2018) no longer refers to this document. It is now proposed to undertake a Cherwell Local Plan Review. However it is anticipated that this will fulfil the same purpose as Local Plan Part 2 and also be a review of the adopted Cherwell Local Plan 2011-2031 to ensure key planning policies are kept up to date, to assist implementation of the JSSP and to, where appropriate, replace the remaining saved policies of the 1996 Local Plan.

Figure 1 - The boundary of Green Belt is not shown/not clearly shown as suggested in the text.

Page 25 - Ancient woodland is not shown on Figure 5 as suggested by the text. Weston Wood and Warmough Copse (the areas to the south of the A34) are also Local Wildlife Sites. There are also other smaller areas of Ancient Woodland in the Parish – Meizen Copse straddling the A34, Middleleys Spinney and two small unnamed areas.

Page 45 – Calculated Housing Need for Weston-on-the-Green - This states that 60% of new housing should be affordable housing which is more than the Cherwell Local Plan Policy BSC 3 requirement of 35%. However there is no explanation of how this was calculated. There is information in Appendix B regarding the consultation and Appendix D at page 109/110 states that 47% of residents wanted new housing to fall into one of “affordable, retirement/sheltered, Shared Ownership or Council/Housing Association” categories but unfortunately there is no correlation between the questionnaire results and the 60% affordable housing requirement.

Table B – This would benefit from quoting the data source ie 2011 Census.

Policy E6 – suggested rewording as follows:

Four sites, the boundaries of which are shown in Figure 15, are designated as Local Green Spaces. They are:

I Weston Manor Grounds fronting the B430;

II The stocks situated on a small green at the junction of Church Road and the B430;

III St Mary’s Churchyard;
IV The Playing Field

Delete remainder of policy after ‘Local Green Spaces’.

Policy E7: Suggest deleting everything after the first sentence. These sentences would be more appropriate in the lower explanatory text.

Policy H1: Suggest deleting (as planning approval has been granted, policy H3 does not apply)

The policy should be future proofed as revised/new applications may be submitted for this site.

Policy H2 states ‘that sustainable residential development within the village confines will be permitted...typically but not exclusively less than 10 dwellings’.

add ‘......typically but not exclusively for less than 10 dwellings, ......’

Policy H3 states that new developments should contribute to the overall target of 30% 1/2 beds, 40% 2/3 beds, 25% 3/4 bedrooms and 5% 4/5 bedrooms. Again it is not clear how this has been calculated. A justification would be helpful explaining why it is not in line with the 2014 Oxfordshire SHMA which states that the required mix is 15% 1 bed, 30% 2 beds, 40% 3 beds and 15% 4 beds.

Policy C1: The second paragraph is more appropriate as lower case text to support the policy.

Appendix A: Design Code – The Design Code is welcomed and commended.

Appendix B: Statement of Community Engagement – This appendix is probably not necessary as its contents are covered in the separate Consultation Statement.

Appendix F: For the avoidance of any doubt it would be helpful to clarify that the ‘Reasons for rejection under this plan’ in the table are the conclusions of the Neighbourhood plan assessment and do not reproduce the assessments in the HELAA.

Yours sincerely

Christina Cherry
Senior Planning Policy Officer