

Milton-under-Wychwood Parish Council proposed Neighbourhood Plan (NP):

Regulation 16: Our responses to points in Examiner's Clarification Note and to points in Representations received

Notes: 1. Positive comments (i.e. requiring no response) are excluded from this analysis;
and 2. Our proposed replacement texts are set out in this blue colour

VERSION 15/12/2022

Organisation and Representation Subject	Comments from Organisation	Parish Council responses to comments
Examiner's Clarification Note	The comments made on the points in this Note will assist in the preparation of my report and in recommending any modifications that may be necessary to ensure that the Plan meets the basic conditions.	Please find our responses below.
Policy CH1	<p>This is a very good policy which is underpinned by the excellent Character Assessment.</p> <p>In my view the second paragraph reads as supporting text rather than policy. Does the Parish Council have any observations on this conclusion?</p> <p>In addition, the final bullet point reads more as a community action rather than as a criterion of the policy and appears to have little reference to the sentence which prefaces the criteria. Does the Parish Council have any observations on this conclusion?</p>	<p>Re. the second paragraph, we agree this paragraph be deleted.</p> <p>We propose substituting the final bullet by:</p> <ul style="list-style-type: none"> • The design and nature of any new development should not interfere in any way with either, the preservation of the Village Green as an open and public green space within the heart of the village or, its seamless visual connection to the wider Wychwood landscape.
Policy CH3	<p>I looked carefully at the gap between Milton-under-Wychwood and Upper Milton. The purpose of the policy is clear.</p> <p>Nevertheless, there appears to be an inconsistency between the supporting text and the policy. The former comments about 'retaining' the remaining gap whereas the policy comments that proposals which would 'result in the coalescence' of the two settlements will not be supported. Which is the intended approach?</p> <p>In addition, the first paragraph reads as policy and the other three read as supporting text. Does the Parish Council have any observations on this conclusion?</p>	<p>The intention of the policy is to ensure that there is no new development that would 'result in the coalescence' of the two settlements. On reflection we agree that paragraphs 2, 3 and 4 read as 'supporting text' and may be deleted.</p> <p>We propose to substitute the entire policy wording with:</p> <p>Development proposals which would result in the coalescence and loss of the separate identities of the village of MuW and the hamlet of Upper Milton will not be supported.</p> <p>In particular, any new development that would result in a further reduction of the size of the gap between these two unique and distinct settlements will not be supported.</p>

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Policy CH4	<p>As with Policy CH3 I understand the purpose of the policy. However as submitted the effect of the policy would be more restrictive than Green Belt policy. Is the intention not to support built development which would reduce the separation between the two settlements?</p> <p>In addition, the first paragraph reads as policy and the other two paragraphs read as supporting text. Does the Parish Council have any observations on this conclusion?</p>	<p>The intention is not to support development that would reduce the separation between the two settlements.</p> <p>We agree on the observation that paragraphs 2 and 3 read as ‘supporting text’ and may be deleted. We propose to substitute the entire policy wording with: Any development proposal that would result in erosion of the distinct and separate historic character, landscape character, and identity of the two settlements of MuW and Shipton-under-Wychwood will not be supported. In particular, any proposal for development on the land identified by the Environment Agency as having a high risk of flooding or on the land identified as a Blue-Green Corridor between these two settlements will not be supported.</p>
		<p><i>Further clarification: Policy CH3 is fundamentally about preventing coalescence, something that has already been threatened by the approval on appeal of the St Jude’s Meadow development, whilst Policy CH4 is about preventing development on land that has a high risk of flooding and is important for wildlife that, in addition, provides a natural zone of separation between the two settlements. The Policies should not be combined.</i></p>
Policy E1	<p>In my view the third paragraph reads as policy and the other three read as supporting text. Does the Parish Council have any observations on this conclusion?</p>	<p>We agree that paragraphs 1, 2 and 4 read as ‘supporting text’ and may be deleted. <u>Before</u> the third paragraph we propose the following statement be inserted for clarity: The following Blue-Green Corridors (BGCs) are identified:</p> <ul style="list-style-type: none"> • BGC1: in the North of the parish along the River Evenlode and abutting Bruern Wood • BGC2: along the Simmonds Brook and its tributaries • BGC3: along the Littlestock Brook and its tributaries • BGC4: in the West of the parish along the Coombe Brook and part of Taynton Bushes

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Policy E2	<p>The initial part of the policy appropriately lists the proposed local green spaces (LGSs). However, the second paragraph of the policy goes well beyond the simple approach taken in paragraph 103 of the NPPF. I am minded to recommend that the policy is modified so that it follows the matter-of-fact approach taken in the NPPF. Does the Parish Council have any comments on this proposition?</p> <p>I am satisfied that LGS5 is 'in close proximity' to the village and is 'local in character and not an extensive tract of land'. Nevertheless, does the Parish Council wish to comment further on the extent to which it is 'demonstrably special to the local community' and the weight which it has given to the various criteria in Appendix 6? To what extent (if any) has the demarcation of the footpath altered the overall character of the site?</p>	<p>We note that the spirit of protection from change of use that we placed in the second paragraph is extended by paragraph 103 of the NPPF (2021) stating that policies for managing development within a Local Green Space should be consistent with those for Green Belts. In particular we draw comfort from NPPF (2021) paragraphs 140 and 141. We agree our policy E2 should not attempt to surpass the matter-of-fact approach taken in the NPPF but, in order to give our parish audience some pointers to the level of protection afforded by NPPF, we propose substitution of our second paragraph simply by reciting:</p> <p>Policy Note: under NPPF (2021) paragraph 103, each LGS is subject to national policies for managing development consistent with those for Green Belts as set forth in NPPF Section 13. Protecting Green Belt Land at paragraphs 137 – 151.</p> <p>Although this might be regarded as supporting text, it provides our public with the exact point of reference for an understanding of Green Belt protection that is extended to each LGS.</p> <p>LGS5: We consider the extent to which the site is special to the local community is best substantiated by the results of our 2018 Community Survey, where, out of 449 responding users of public footpaths, our Appendix 11 reports that our public declared regular use of the footpaths in and around the site as follows as to number of users (and percentage of respondents):</p> <p>Public footpath 301/6 on the southern edge: 294 (65%) Public footpath 301/7 on the north-eastern fringe: 303 (67%) Public footpath 301/10 within LGS5 on the north-western side: 308 (69%). By a narrow margin the footpath 301/10 within the site had the greatest use but all three paths have heavy use. Footpath 301/6</p>

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		<p>is historically important since it was already defined in 1846.</p> <p>Our Appendix 5 Figure 21 (page 31) demonstrates the part played by LGS5 in a Blue-Green Corridor 3 and its importance in contributing to uninterrupted Key Views 1, 3 and 11 across the rural landscape to and from the village centre and as described in Appendix 8.</p> <p>We do not feel able to apply different weights to the various criteria in Appendix 6. However, please consider our specific responses to the Representation from OCC below which include some corrections.</p> <p>In our response below to the Representation from OCC we comprehensively discuss the site's footpaths and their history since Enclosure in 1846 when the current footpath 301/6 was already defined in national mapping.</p>
Policy F1	<p>Does the second paragraph serve any specific purpose given that the retention of the Grove Business Park will not need planning permission and the District Council's approach towards an Article 4 direction is not matter for the neighbourhood plan to address?</p> <p>The fourth paragraph of the policy does not have the clarity for a development plan policy required by the NPPF as a policy cannot set out a 'priority' for one type of development over another type of development. Please can the Parish Council explain its approach to this matter?</p>	<p>We agree the second part of paragraph 2 is outside our remit. Also, considering the comment on paragraph 4, we now propose to substitute the entire policy wording with:</p> <p>Recognising the growing need, especially in a COVID-19 environment, to provide firstly, facilities that enable working at or close to home; secondly, the environmental benefits of reducing the need for travel to and from work; and thirdly, the benefits to mental health of facilities that allow for social interaction and encourage collaboration, proposals that provide for shared workspaces will be supported.</p> <p>In particular, proposals that would adapt, in a manner consistent with their heritage and the surrounding buildings, under-utilised existing farm buildings into premises suitable for small businesses, shared workspaces or other community shared spaces will be supported.</p>

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		<p>Where planning permission is required, the change of use or loss of buildings and areas currently designated for small businesses and/or shared workspaces, including the village's central area known as 'Groves' Business Park', will not be supported.</p>
Policy F3	<p>In my view the fourth paragraph of the policy reads as supporting text for the third part of the policy. Does the Parish Council have any observations on this conclusion?</p>	<p>We agree to remove the fourth paragraph.</p> <p>On the advice of WODC below, relating to local and national policies, we propose rewording the second paragraph to incorporate the sense of Local Plan Policy EH5 and NPPF (2021) paragraph 99.</p> <p>The complete wording of this policy would thus be revised as follows:</p> <p>The maintenance and improvement, including changes designed to facilitate use by people with a disability, of existing clubs and facilities will be supported.</p> <p>Changes of use or loss of buildings and areas currently designated for recreation and play will not be supported unless the change of use is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current use.</p> <p>Proposals to create additional and new recreational facilities that are compatible with the existing village character and form, and support a more inclusive community, will also be supported in principle with priority to be given to the re-use of suitable, existing buildings.</p>
Representations	<p>Does the Parish Council wish to make any comments on the representations made to the Plan?</p>	<p>Yes. Please see as itemised below.</p>

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	<p>I would find it helpful to have the Parish Council's comments on the representations made by:</p> <ul style="list-style-type: none"> · Oxfordshire County Council; and · West Oxfordshire District Council 	<p>Yes. Please see as itemised below.</p>
Oxfordshire County Council (OCC)		
Overall View of OCC		
Policy E2	<p>Comments previously drafted at Regulation 14 stage relating to Policy E2 still stand and should be read in conjunction with this response. OCC Estates' comments about the consistency of the wording with national policy and guidance remain as an outstanding objection.</p>	<p>We noted the OCC comments made at the Regulation 14 stage and, where we made no corresponding changes at Regulation 15 Submission, we stand by our response to them as detailed in our Appendix L to the Consultation Statement unless otherwise revised in our response (a) to the Examiner's Clarification Note above or (b) to the detailed Representation below.</p>
Policy E2: LGS5	<p>OCC last provided comment on the draft plan in January 2022, and we note some of our comments have been addressed, which is welcomed, particularly the amendment to the boundary of site LGS5. However, we observed some inconsistency with the precise boundary of OCC owned land between NP Figure 23, Appendix 6 Figure 20 and Appendix 6 Figure 21. In OCC Estates' opinion, the position of the boundary is most accurately depicted on Figure 21 because it appears to allow sufficient width at the Green Lane end of the excluded land to provide a vehicular access into the excluded land.</p>	<p>As we have endeavoured to present, we agree the position of the Southern boundary is most accurately depicted in the full-page scale of Appendix 6 Figure 21 because it allows sufficient width at the Green Lane end of the excluded land to provide vehicular access into the excluded land. We comment on this point further below.</p>
Conservation and enhancement of heritage assets (Policy proposal)	<p>We also suggest that the Plan contains a policy to ensure conservation and enhancement of heritage assets.</p>	<p>We acknowledge the good intentions of this recommendation but do not wish to change the NP. Our response to the detailed advice of OCC Archaeology, is set out below.</p>
Concluding remarks	<p>Detailed officer comments from Transport, Minerals and Waste, Property and Estates and Archaeology are provided in Annex 1. These comments should also be read in conjunction with our previous comments made at Regulation 14 stage by our Public Health and Innovation teams.</p>	<p>We note the complimentary comments from OCC Transport and the helpful correction of referencing from OCC Minerals and Waste to which we respond below. We address the constructive comments from OCC Property and Estates, particularly on LGS5, below. We noted the OCC comments made at the Regulation 14 stage and, where we made no corresponding changes at Regulation 15 Submission, we stand by our response to them as detailed in</p>

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		our Appendix L to the Consultation Statement unless otherwise revised in our response (a) to the Examiner's Clarification Note above or (b) to the detailed Representation below.
OCC Transport Comments	All new developments will be assessed on their provision of walking and cycling links. Where pedestrian and cycle links relevant to a new development are poor and / or require upgrading, OCC officers will typically request developers to provide infrastructure upgrades.	Comments are noted.
OCC Minerals and Waste Comments	Suggest first paragraph of page 20 is amended as below so that it reflects the current position. The Oxford Minerals and covered the period to 2006. It will be replaced by the new Mineral and Waste Local Plan that is being prepared in two parts. The Oxfordshire Minerals and Waste Local Plan is in two parts. In Part 1 of The Oxfordshire Minerals and Waste Local Plan (2017), the adopted Core Strategy sets out the vision, objectives, spatial planning strategy, and policies for meeting development requirements for the supply of minerals and the management of waste in Oxfordshire over the period to 2031. <u>It also contains a schedule of the saved policies from the Minerals and Waste Local Plan that are still in effect.</u>	We appreciate this update and agree to amendment of the first paragraph of page 20 under the subheading " Oxfordshire Minerals and Waste Local Plan " to read: <u>The Oxfordshire Minerals and Waste Local Plan is in two parts. In Part 1 of The Oxfordshire Minerals and Waste Local Plan (2017), the adopted Core Strategy sets out the vision, objectives, spatial planning strategy, and policies for meeting development requirements for the supply of minerals and the management of waste in Oxfordshire over the period to 2031. It also contains a schedule of the saved policies from the Minerals and Waste Local Plan that are still in effect.</u>
OCC Property and Estates Comments		
Policy E2	The policy remains as previously drafted at Regulation 14 stage, and therefore OCC Estates' comments about the consistency of the wording with national policy and guidance remain as an outstanding objection	As in our response to Examiner above, we appreciate the advice and have accordingly adjusted our proposed Policy wording to avoid exceeding the provisions of NPPF.
Policy E2: LGS5	Policy E2 Plans — OCC Estates welcomes the amendment to the boundary of site LGS5 to exclude the southern parcel of land from the proposed LGS. This will be important in enabling OCC to continue to manage the public land holding to ensure that it can be used to support the provision of facilities of benefit to the community in the future. OCC Estates is keen to ensure there is consistency between plans depicting the precise boundary of OCC-owned site LGS5. In particular,	We note these observations and it should please be noted that our mapping applied the default Public Rights of Way (PROW)

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	<p>the southern boundary of LGS5 appears to differ between NP Figure 23, Appendix 6 Figure 20 and Appendix 6 Figure 21. For the avoidance of doubt, In OCC Estates' opinion, the position of the boundary is most accurately depicted on Figure 21 because it appears to allow sufficient width at the Green Lane end of the excluded land to provide a vehicular access into the excluded land. However, it is noted that the plan at Figure 21 only shows some of the footpath excluded (at the eastern end adjacent to Green Lane) whereas it would be preferable if the whole footpath width is excluded.</p> <p>OCC Estates wishes to clarify that in order for the excluded land to be used in future by OCC to "<i>support the provision of facilities like The Paddocks extra care housing scheme</i>" (see Consultation Statement Appendix L Steering Group response, page 18) it will be necessary for sufficient width to be available to provide a vehicular access into the land to serve any development (which access can include a public right of way) and therefore this should ideally include the full width of the footpath corridor and adjacent narrow strip of land. The Planning Practice Guidance website makes clear that "<i>Areas that may be considered for designation as Local Green Space may be crossed by public rights of way. 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. Paragraph: 018 Reference ID: 37-018-20140306 Revision date: 06 03 2014</i>"</p> <p>Therefore, it would seem that there is no need to include the southern right of way (or indeed other rights of way on the two other boundaries) within the proposed LGS as it is already protected.</p>	<p>'polygon' layer provided by HM Ordnance Survey (OS) in the ParishOnline programme. The OCC identification number and description of each PROW in our parish are presented in our NP Appendix 11. There may be minor errors in the OS alignments that we used for mapping.</p> <p>We agree that the scale offered in the full-page map at Appendix 6 Figure 21 provides the best definition of the boundary of OCC-owned site LGS5 among the maps offered in the NP documentation. Please also refer to Appendix 11 page 15. We continue to agree that the subject public footpath (OCC number 301/6) should be excluded from LGS5 and we continue to hope that Figure 21 attests to this by placing the LGS southern boundary parallel to and abutting the fence on the northern edge of the public footpath 301/6. We are happy to acknowledge that, as regards the OCC land excluded from LGS5, it will be necessary for sufficient width to be available to provide vehicular access into the land to serve any future development, more specifically the full width of the 301/6 footpath corridor and adjacent narrow strip of land bordering The Paddocks extra care housing scheme.</p> <p>As stated above, we agree there is no need to include the southern right of way (301/6) within the proposed LGS. The right of way 301/7 (see Appendix 11 page 16) described by OCC as "<i>From FP 6 at the NW end of Green Lane, W of heath Farm, leading NW across FP10 to Lyneham Road, N of vicarage</i>" is presented (by default OS mapping in our Appendix 6 Figure 21) as within LGS5. However, for many years the public has simply used the track extension of Green Lane towards the part of 301/7 path known as Lancut and not used the mapped</p>

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	<p>NP Appendix 6 LGS Assessment — OCC Estates wishes to clarify / correct some of the statements in the assessment table at Appendix 6:</p> <ul style="list-style-type: none"> · Q1.7, 5.2, 9.3, 9.4 There has been no public access to the site for at least the last 25–30 years. Research as to the historic use of the site has confirmed that the land has been fenced as two plots, separated by the footpath, for many years. In the early 1990s electric fencing was erected to form separate paddocks for grazing purposes. The land has been occupied as grazing land (cattle and more recently horses) for many years and has not permitted wider public access. Indeed, the County Council's tenancy documentation precludes any tenant from permitting any unauthorised access. · Q12.2 In the Planning Statement supporting the application for the Paddocks, Cottsway Housing Association — the applicant - noted at Section 5.1 that "<i>The proposed building is to be set within extensive tree planting in the form of a country park. The trees over time will mature to provide partial screening of the development from</i> 	<p>alignment within the field of LGS5. It follows that we agree the right of way 301/7 should be excluded from LGS5 although we have no right to change the mapping of alignment of 301/7 which would require an OCC Definitive Map Modification Order (DMMO).</p> <p>The third right of way under discussion is 301/10 (see Appendix 11 page 19) which is described by OCC as "<i>From FP 7, NW of Heath Farm, leading SSW to FP 6, following the E side of the fence, then SSW from FP6</i>". The respective fence has for many years been buried in a mature hedgerow, visible in the aerial photography of Appendix 6 Figure 21, which we consider integral to the LGS5 as noted in our written assessment at several responses in Appendix 6 at pages 38 – 40.</p> <p>For this reason, as shown in Appendix 6 Figure 21 we continue to consider it vital for the right of way 301/10 to remain inside LGS5.</p> <p>Our further enquiries with a lifetime resident of MuW (born 1944) confirm the assertions of OCC in respect of Q1.7, 5.2, 9.3, 9.4 to be mostly correct. Up to the 1990s children living in Green Lane periodically availed access to the whole field.</p> <p>We disagree with the OCC comment relating to Q12.2 on the The Paddocks housing scheme because tree screening, including a natural roadside hedgerow allowed to grow high, applies to Green Lane and not the existing open view from The Paddocks onto the excluded area of OCC land and into LGS5. We</p>

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	<p><i>Green Lanes and the adjacent rural landscape</i>". Therefore, the purpose appears to have been to prevent views by ECH residents over the majority of the proposed LGS and to screen the development from the surrounding area. The plans were amended during the application to exclude any additional land.</p>	<p>acknowledge that any new planting of trees could block The Paddocks from the adjacent rural landscape.</p> <p>We agree replacement of the entire text in the indicated five numbered respective sections of Appendix 6, within pages 35 - 40, under the following responses:</p> <p>Q1.7: The visual amenity and tranquillity of this space, including its hedgerows and lower wetland, serve the whole of Milton-under-Wychwood community (MuW; pop. 2,068) who make daily use of two footpaths (301/6 and 301/10) that link Green Lane and Lancut Public Footpath 301/7 with the Village Green. The whole of the land was accessible to the community up to Enclosure in 1846 when the unenclosed East-to-West public footpath - now numbered 301/6 - across the land was already mapped.</p> <p>Q5.2: Yes. Since the 1990s, with the exception of use of footpath 301/10 (pig wire fenced on both sides) within the site, the pig wire fencing of footpath 301/6 has kept the public outside the site yet able to view it alongside. Footpaths 301/6 and 301/10 are shown by photography in Figures 22 to 25. Up to the 1970s, before the extension of Green Lane into a new track leading to Spring Cottage and the Lancut path, the public footpath now numbered 301/7 ran through the field as is (OCC and OS default) mapped in Figure 21. Moreover, there was a locked farm gate at the Northern end of Green Lane and access to 301/7 necessarily was gained by entering an adjacent kissing gate into 301/6 and then turning sharp right. The public ceased to exercise the right to walk in the field for right of way 301/7 once the farm gate had been dismantled and Green Lane had been connected with Lancut by a track.</p> <p>Q9.3: Yes but the public are corralled in the double fencing of footpath 301/10 within the site. OCC mapping suggests the</p>

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		<p>public can still use the field route of footpath 301/7 from Green Lane to Lancut but in practice the public use Green Lane and the track extending from it, keeping outside LGS5. Pig wire fencing of footpath 301/6 keeps the public outside the site yet able to view it alongside.</p> <p>Q9.4: Yes. Strictly speaking this applies only to the public footpath 301/10 within the site which is used by dog walkers, walkers and joggers but use of the footpath 301/6 alongside the site gives the same services and the illusion of being within the site.</p> <p>Q12.2 The site abuts hedgerows and a small copse of the Village Green and forms a natural landscape edge and link between accessible green space within MuW and the wider countryside. It also forms an integral part of three Key Views 1, 3 and 11 (Appendix 8) to which this LGS makes a vital contribution. The planning application for The Paddocks extra care housing scheme to the South of the proposed LGS5 referenced the new development would be located in a 'Country Park' setting. The current setting offers tranquillity for residents and views over green space. This space is important to the health and wellbeing of the mostly elderly and disabled residents of The Paddocks, some of whom are able to use the adjacent footpath 301/6 to walk to the village centre via the Village Green.</p>
<p>OCC Archaeology Comments</p>	<p>Although the neighbourhood plan highlights the heritage of Milton under Wychwood there is no specific policy relating to the historic environment and preservation and enhancement of the parishes heritage assets.</p> <p>This Neighbourhood Plan does correctly reference policy EH16 from the West Oxfordshire Local Plan 2031 which highlight that heritage assets are not limited to bult heritage only and include archaeological remains.</p> <p>This however is not carried over to this plan which excludes any consideration of archaeological heritage assets.</p>	<p>We truly appreciate the comments and policy recommendation but do not wish to change the NP. We consider our documentation provides meaningful consideration of archaeological heritage assets and the settings that they provide. It also describes designated and non-designated heritage assets in meaningful detail.</p>

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	<p>We would recommend that the Character and Heritage Objectives in section 6.2 contains reference to and objective for conserving and enhancing the Built and Historic Environment which contributes greatly to the sense of place of the village.</p> <p>Section 7.1 should then contain a policy to ensure this conservation and enhancement as set out below.</p> <p>Policy - Historic Environment The parish's designated historic heritage assets and their settings, both above and below ground including listed buildings, scheduled monuments and conservation areas will be conserved and enhanced for their historic significance and their important contribution to local distinctiveness, character and sense of place. Proposals for development that affect non-designated historic assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset as set out in the National Planning Policy Framework (NPPF 2021).</p>	
West Oxfordshire District Council (WODC)		
Planning and Strategic Housing: Planning Policy		
Section 4	<p>Section 4 provides further information on the planning and development context of the parish. Paragraph 4.3 looks specifically at housing development and refers to there being a 5.3 year housing land supply. However, following a recent appeal decision in relation to land at Burford, at the present time, the District Council acknowledges that it is unable to demonstrate a 5-year supply of deliverable housing land. The effect of this is the engagement of the 'tilted balance' of the NPPF (paragraph 11d), whereby relevant policies of the Local Plan are classed as out of date and thus able to be afforded less weight and there is a presumption in favour of permission being granted. The NPPF does identify two exceptions to this: where there would be significant and demonstrable harms which would outweigh the</p>	<p>The information is noted. The NP at Section 4.3, page 23 can factor the recent correction for housing land supply by replacing "5.3 years" by the following text: "some 3.7 years which was determined at an Appeal in late summer 2022 when a Planning Inspector noted the housing land supply had been overestimated by about one quarter".</p> <p>We see no reason to change our proposed policies.</p>

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	benefits; and where the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed – such areas/assets include Areas of Outstanding Natural Beauty .	
Suggested approach to ‘Developer contributions/planning obligations’ (Policy proposal)	The District Council has employed a Senior Infrastructure Delivery Officer who is keen for those producing neighbourhood plans to consider local infrastructure and services and, in particular, the possible impacts of proposed development and requirements for supporting infrastructure. He suggested a policy for potential inclusion within neighbourhood plans. This was sent to the NPSG in February but with the observation that we realised that this may be too late their neighbourhood plan. I attach at Appendix 1, for your information, the suggested approach to ‘Developer contributions/planning obligations’.	We noted this WODC proposal at the Reg 14 stage. Future revisions of a Made Plan will enable alignment with future policy decisions of District Council on impacts of proposed development and requirements for supporting infrastructure and services to be considered.
Paragraph 4.1	Policy H1 (Cotswolds) and Policy T4 contain minor typos	<p>Noted with thanks. We are sorry we mistyped the name which should read Policy T4 – Parking Provision on page 18.</p> <p>To eliminate our errors, the complete NP text featuring Local Plan Policy H1 at page 17 should now read.</p> <p>Policy H1 - Amount and distribution of housing: MuW falls within the Burford-Charlbury sub area. The Local Plan identifies a target of 774 new homes for this sub area. The accompanying paragraph 5.20 states: “Within the Burford – Charlbury sub-area, to take account of the more restrictive approach to development that applies to the Cotswolds AONB, no reliance is placed on future windfall development and the amount and distribution of housing identified in Policy H1 is based on past completions and commitments only (as of 1 April 2017) – 774 homes.”</p> <p>Paragraph 5.12 states: “...the 774 homes figure should not be treated as a ‘cap’ or ‘ceiling’ to development and planning permission may be granted for additional housing within the sub-area where the proposed development is shown to accord</p>

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		<p>with national and local policy including Policies H1, H2, OS2 and EH1 (where relevant) of this Local Plan.“</p> <p>Paragraph 5.39 states “Within the Cotswolds AONB, windfall housing proposals on undeveloped land adjoining built up areas will be particularly closely scrutinised and will only be supported where there is convincing evidence of a specific local housing need such as needs identified through a neighbourhood plan or affordable housing needs specific to a particular settlement, for example through a rural exception site. Any such development would also need to be in accordance with the indicative distribution set out in Policy H1 and other relevant policies, including in particular the general principles in Policy OS2 and Policy EH1.”</p>
5.2 Retail and Local Services (page 26)	With regard to Alfred Groves Industrial Estate, reference is made to the expiry of the Article 4 Direction on the site restricting changes of use from office to residential use. In light of change in legislation and the introduction of new permitted development rights, the District Council is considering what action, if any, it could potentially take.	Noted and we hope our sentiments will be considered by WODC.
7.2.1 Policy E1 – Blue-Green Corridors.... (page 52)	Page 52 in the section on the Environment, talks about the emerging Local Nature Recovery Network and proposed policies of the Oxfordshire Plan 2050. In August 2022, however, the preparation of the Oxfordshire Plan was cancelled. For many issues, this has resulted in the abandonment of countywide policy research and studies. Much of the work on the natural environment continues and may well expand as a result of the formation of the Oxfordshire Local Nature Partnership in the summer 2022.	<p>Noted with thanks. The NP can factor these corrections. We welcome the formation of the ‘Oxfordshire Local Nature Partnership’. We therefore suggest the addition of a final sentence to the penultimate paragraph on Page 52 of our plan to read...</p> <p><i>Whilst we are aware that preparation of the Oxfordshire Plan 2050 was cancelled in August 2022, work in connection with the development of that plan continues and may, we understand, expand as a result of the formation of the Oxfordshire Local Nature Partnership in the summer of 2022.</i></p>
7.3.3 Policy F3 – Recreation and Play (page 73)	Policy F3 sets out to protect and improve buildings and areas for recreation and play. The second paragraph reads: ‘Changes of use or loss of buildings and areas currently designated for recreation and play will not be supported.’ Both Local Plan Policy EH5 and the NPPF (paragraph 99) include a number of provisos, such as: ‘... unless ... the	Based on the advice in respect of the second paragraph, we have proposed to Examiner above that the second paragraph of our policy F3 should be reworded to specifically incorporate the sense and some of the important words in Local Plan Policy EH5 and NPPF paragraph 99.

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	loss ... would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location'. Should a similar approach be added to Policy F3?	Please also see our response to Examiner where we agree to remove our fourth paragraph.
8.1 Implementation (page 77)	The potential changes to the planning context of the Neighbourhood Plan are set out, including the emerging Oxfordshire Plan 2050 (work on which has already ceased), the review of the West Oxfordshire Local Plan (underway), the potential change to the administration of the Cotswolds National Landscape and the Government's plans to reform planning.	Noted and the NP can factor the cessation of the Oxfordshire Plan 2050 by replacing the words "the emerging Oxfordshire Plan 2050" by " future planning at County level ".
Historic England		The Reg 16 response was generic and offered no "detailed comments at this time". Historic England referred to "any previous comments submitted at Regulation 14 stage" but none were received at that stage. We note the weblink offered for historic environment considerations for neighbourhood planning.
Natural England	Natural England does not have any specific comments ...	Noted
Thames Water	<p>General Water and Wastewater Infrastructure Comments</p> <p>.....</p> <p>A key sustainability objective for the preparation of Local Plans and Neighbourhood Plans should be for new development to be co-ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure. Paragraph 20 of the revised National Planning Policy Framework (NPPF), 2021, states: "Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for... infrastructure for waste management, water supply, wastewater..."</p> <p>.....</p>	Noted. The response from Thames Water does not comment on specific policies offered in the draft NP and Appendices.
	In light of the above comments and Government guidance we agree that the Neighbourhood Plan should include a specific reference to the key issue of the provision of wastewater/sewerage and water supply infrastructure to service development proposed in a policy. This is necessary because it will not be possible to identify all of the water/sewerage infrastructure required over the plan period due to	We consider the recommendations fall within the purview of the Local Planning Authority, i.e. WODC. Our position in these matters is set out in background information and project proposals at Appendix 7 – Community Projects.

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	<p>the way water companies are regulated and plan in 5 year periods (Asset Management Plans or AMPs). We recommend that the Neighbourhood Plan include the following policy/supporting text:</p> <p>“Where appropriate, planning permission for developments which result in the need for off-site upgrades, will be subject to conditions to ensure the occupation is aligned with the delivery of necessary infrastructure upgrades.”</p> <p>“The Local Planning Authority will seek to ensure that there is adequate water and wastewater infrastructure to serve all new developments. Developers are encouraged to contact the water/waste water company as early as possible to discuss their development proposals and intended delivery programme to assist with identifying any potential water and wastewater network reinforcement requirements. Where there is a capacity constraint the Local Planning Authority will, where appropriate, apply phasing conditions to any approval to ensure that any necessary infrastructure upgrades are delivered ahead of the occupation of the relevant phase of development.”</p>	
	<p>Water Efficiency/Sustainable Design</p> <p>The Environment Agency has designated the Thames Water region to be “seriously water stressed” which reflects the extent to which available water resources are used. Future pressures on water resources will continue to increase and key factors are population growth and climate change.</p> <p>Water conservation and climate change is a vitally important issue to the water industry. Not only is it expected to have an impact on the availability of raw water for treatment but also the demand from customers for potable (drinking) water. Therefore, Thames Water support the mains water consumption target of 110 litres per head per day (105 litres per head per day plus an allowance of 5 litres per head per day for gardens) as set out in the NPPG (Paragraph: 014 Reference ID: 56-014-20150327) and support the inclusion of this requirement in the Policy.</p>	Noted

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	<p>Comments in Relation to Flood Risk and Sustainable Drainage Systems</p> <p>The National Planning Practice Guidance (NPPG) states that a sequential approach should be used by local planning authorities in areas known to be at risk from forms of flooding other than from river and sea, which includes "Flooding from Sewers".</p> <p>Flood risk sustainability objectives and policies should also make reference to 'sewer flooding' and an acceptance that flooding can occur away from the flood plain as a result of development where off site sewerage infrastructure and capacity is not in place ahead of development.</p> <p>With regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, watercourses or surface water sewer. It is important to reduce the quantity of surface water entering the sewerage system in order to maximise the capacity for foul sewage to reduce the risk of sewer flooding.</p> <p>Limiting the opportunity for surface water entering the foul and combined sewer networks is of critical importance to Thames Water. Thames Water have advocated an approach to SuDS that limits as far as possible the volume of and rate at which surface water enters the public sewer system. By doing this, SuDS have the potential to play an important role in helping to ensure the sewerage network has the capacity to cater for population growth and the effects of climate change.</p> <p>SuDS not only help to mitigate flooding, they can also help to: improve water quality; provide opportunities for water efficiency; provide enhanced landscape and visual features; support wildlife; and provide amenity and recreational benefits.</p> <p>With regard to surface water drainage, Thames Water request that the following paragraph should be included in the Neighbourhood Plan "It is the responsibility of a developer to make proper provision for surface water drainage to ground, water courses or surface water</p>	<p>We consider the recommendations fall within the purview of the Local Planning Authority, i.e. WODC.</p> <p>Our position in these matters is set out in background information, our Policy CH4 (as revised in our response to Examiner, above) and project proposals at Appendix 7 – Community Projects.</p>

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	sewer. It must not be allowed to drain to the foul sewer, as this is the major contributor to sewer flooding.”	
	<p>Site Allocations</p> <p>There are no new allocations in the draft Neighbourhood Plan and the level of information does not enable Thames Water to make an assessment of the impact the proposed development will have on the waste water/sewerage network infrastructure and sewage treatment works. To enable us to provide more specific comments we require details of the type and scale of development together with the anticipated phasing.</p>	Noted.

END