

SONNING COMMON NEIGHBOURHOOD PLAN

Sonning Common Neighbourhood Plan Examination,
A Report to South Oxfordshire District Council

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1. Introduction

The Neighbourhood Plan

This Report provides the findings of the examination into the Sonning Common Neighbourhood Plan (referred to as the Neighbourhood Plan).

Neighbourhood planning provides communities with the power to establish their own policies to shape future development in and around where they live and work.

“Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need.”
(Paragraph 183, National Planning Policy Framework)

Sonning Common Parish Council is the *qualifying body* responsible for the production of this Neighbourhood Plan. This is in line with the aims and purposes of neighbourhood planning, as set out in the Localism Act (2011), the National Planning Policy Framework (2012) and Planning Practice Guidance (2014). A Neighbourhood Development Plan Working Party, comprising residents and Parish Councillors, was established by Sonning Common Parish Council to produce the Neighbourhood Plan.

This Examiner’s Report provides a recommendation as to whether or not the Neighbourhood Plan should go forward to a Referendum. Were it to go to Referendum and achieve more than 50% of votes in favour, then the Plan would be *made* by South Oxfordshire District Council. The Neighbourhood Plan would then form part of the development plan and would be used to determine planning applications and guide planning decisions in the Sonning Common Neighbourhood Area.

Role of the Independent Examiner

I was appointed by South Oxfordshire District Council, with the consent of the qualifying body, to conduct an examination and provide this Report as an Independent Examiner. I am independent of the qualifying body and the local authority. I do not have any interest in any land that may be affected by the Neighbourhood Plan and I possess appropriate qualifications and experience.

I am a chartered town planner and an experienced Independent Examiner of Neighbourhood Plans. I have extensive land, planning and development experience, gained across the public, private, partnership and community sectors.

As the Independent Examiner, I must make one of the following recommendations:

- a) that the Neighbourhood Plan should proceed to Referendum, on the basis that it meets all legal requirements;
- b) that the Neighbourhood Plan, as modified, should proceed to Referendum;
- c) that the Neighbourhood Plan does not proceed to Referendum, on the basis that it does not meet the relevant legal requirements.

If recommending that the Neighbourhood Plan should go forward to Referendum, I must then consider whether or not the Referendum Area should extend beyond the Sonning Common Neighbourhood Area to which the Plan relates.

In examining the Plan, I am also required, under Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, to check whether:

- the policies relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act (PCPA) 2004;
- the Neighbourhood Plan meets the requirements of Section 38B of the 2004 PCPA (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one Neighbourhood Area);
- the Neighbourhood Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.

Subject to the contents of this Report, I am satisfied that all of the above points have been met.

Neighbourhood Plan Period

A neighbourhood plan must specify the period during which it is to have effect. The title page of the Neighbourhood Plan sets out the plan period, 2012-2027.

The plan period is also referred to on pages 11, 26 and 43 of the Neighbourhood Plan. Whilst I note that paragraph B3.1 of the Basic Conditions Statement refers to a slightly different plan period (2016-2027), it is the plan period stated on the Neighbourhood Plan itself during which the document will have effect.

Taking the above into account, I confirm that the Neighbourhood Plan satisfies the relevant requirement in this regard.

Public Hearing

According to the legislation, *when the Examiner considers it necessary* to ensure adequate examination of an issue, or to ensure that a person has a fair chance to put a case, then a public hearing must be held.

However, the legislation establishes that it is a general rule that neighbourhood plan examinations should be held without a public hearing – by written representations only.

Further to consideration of the written representations submitted, I confirmed to South Oxfordshire District Council that I was satisfied that the Sonning Common Neighbourhood Plan could be examined without the need for a Public Hearing.

2. Basic Conditions and Development Plan Status

Basic Conditions

It is the role of the Independent Examiner to consider whether a neighbourhood plan meets the “basic conditions.” These were *set out in law*¹ following the Localism Act 2011 and require that:

- having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
- the making of the neighbourhood plan contributes to the achievement of sustainable development;
- the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area;
- the making of the neighbourhood plan does not breach, and is otherwise compatible with, European Union (EU) obligations.

I have examined the Neighbourhood Plan against each of the basic conditions above.

Page 7 of the Neighbourhood Plan acknowledges that its policies must be in general conformity with the strategic policies of the development plan for the area. The relevant development plan for the Neighbourhood Area comprises the South Oxfordshire Core Strategy, which was adopted in 2012, and the saved policies from the South Oxfordshire Local Plan, adopted in 2006.

The Neighbourhood Plan also recognises, on page 7, that there is an emerging Local Plan (Local Plan 2031). I note that information relating to the emerging Local Plan has been taken into account as part of the plan-making process.

¹ Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990.

European Convention on Human Rights (ECHR) Obligations

I am satisfied that the Neighbourhood Plan has regard to fundamental rights and freedoms guaranteed under the ECHR and complies with the Human Rights Act 1998 and there is no substantive evidence to the contrary.

European Union (EU) Obligations

There is no legal requirement for a neighbourhood plan to have a sustainability appraisal². However, in some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require a Strategic Environmental Assessment (SEA).

With the above in mind, draft neighbourhood plan proposals should be assessed to determine whether the plan is likely to have significant environmental effects.

“Draft neighbourhood plan proposals should be assessed to determine whether the plan is likely to have significant environmental effects.” (Planning Practice Guidance³).

This process is referred to as a “screening” report, opinion or assessment. If the screening report identifies likely significant effects, then an environmental report must be prepared.

The Basic Conditions Statement confirms that South Oxfordshire District Council prepared a Strategic Environmental Assessment Screening Opinion (September 2014). This confirmed that the Neighbourhood Plan required a Strategic Environmental Assessment. In so doing, it referred to the need to address the potential environmental impacts on the Chilterns Area of Outstanding Natural Beauty (the AONB).

The Basic Conditions Statement goes on to confirm that a “Sustainability Appraisal Environmental Report” was prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 (paragraphs (2) and (3) of regulation 12). This Sustainability Appraisal was submitted to South Oxfordshire District Council alongside the Neighbourhood Plan

² Paragraph 026, Ref: 11-027-20150209, Planning Practice Guidance

³ Paragraph 027, *ibid*

In addition to incorporating European Strategic Environmental Assessment Directive requirements, the evidence submitted demonstrates that Sustainability Appraisal formed part of the plan-making process and was consulted upon in an appropriate manner.

The Environment Agency, Historic England and Natural England were all consulted on a draft Sustainability Appraisal Scoping Report (April 2014) and comments informed a revised Scoping Report (January 2015), which was also sent to the statutory consultees for comment.

Further to this, the Sustainability Appraisal involved testing 22 sustainability objectives against a comprehensive set of criteria, in order to assess the Neighbourhood Plan against the requirements of the European Directive. None of the statutory consultees have raised any substantive concerns with regards the Sustainability Appraisal or the Neighbourhood Plan's compatibility with European obligations.

With regards Habitats Regulations Assessment (HRA), the Basic Conditions Statement confirms that information in the evidence base for the Neighbourhood Plan, particularly the Ecology Study and Environmental Report, has been provided to enable South Oxfordshire District Council to undertake an Appropriate Assessment under the Conservation of Habitats and Species Regulations 2010. It goes on to state that this:

"...meets the requirements of the Conservation of Habitats and Species Regulations 2010, as amended by Schedule 2 of the Neighbourhood Planning (General Regulations) 2012 – regulations 102 and 102A."

In this regard, as with the Sustainability Appraisal, none of the statutory consultees raised any concerns with regards compatibility or otherwise with European obligations. With respect to European obligations, I am also mindful that national guidance establishes that the ultimate responsibility for determining whether a draft neighbourhood plan meets EU obligations is placed on the local planning authority,

"The local planning authority must decide whether the draft neighbourhood plan is compatible with EU regulations." (Planning Practice Guidance⁴)

South Oxfordshire District Council has not raised any concerns in this respect.

Taking all of the above into account, I am satisfied that the Neighbourhood Plan is compatible with EU obligations.

⁴ Paragraph 031, Reference: 11-031-20150209, Planning Practice Guidance

3. Background Documents and Sonning Common Neighbourhood Area

Background Documents

In undertaking this examination, I have considered various information in addition to the Sonning Common Neighbourhood Plan. This has included:

- National Planning Policy Framework (The Framework) (2012)
- Planning Practice Guidance (2014)
- Town and Country Planning Act 1990 (as amended)
- The Localism Act (2011)
- The Neighbourhood Planning Regulations (2012)
- South Oxfordshire Core Strategy (2012) (Core Strategy)
- South Oxfordshire Local Plan 2011 (2006) (Saved Policies)
- Basic Conditions Statement
- Consultation Statement
- Sustainability Appraisal

Also:

- Representations received during the publicity period

In addition, I spent an unaccompanied day visiting the Sonning Common Neighbourhood Area.

Sonning Common Neighbourhood Area

A plan showing the boundary of the Sonning Common Neighbourhood Area is provided on page 9 of the Neighbourhood Plan.

The Neighbourhood Area includes the whole of Sonning Common Parish, as well as small parts of Rotherfield Peppard and Kidmore End, comprising land adjacent to the settlement of Sonning Common.

Further to an application made by Sonning Common Parish Council, South Oxfordshire District Council approved the designation of the Sonning Common Neighbourhood Area on 25th October 2013.

This satisfied a requirement in line with the purposes of preparing a Neighbourhood Development Plan under section 61G (1) of the Town and Country Planning Act 1990 (as amended).

4. Public Consultation

Introduction

As land use plans, the policies of neighbourhood plans form part of the basis for planning and development control decisions. Legislation requires the production of neighbourhood plans to be supported by public consultation.

Successful public consultation enables a neighbourhood plan to reflect the needs, views and priorities of the local community. It can create a sense of public ownership, help achieve consensus and provide the foundations for a successful 'Yes' vote at Referendum.

Sonning Common Neighbourhood Plan Consultation

Sonning Common Parish Council submitted a Consultation Statement to South Oxfordshire District Council. In line with legislative requirements, this sets out who was consulted and how, together with the outcome of the consultation and in so doing, the Consultation Statement meets the requirements of the neighbourhood planning *regulations*⁵.

At the start of the process, the Parish Council established a working party of residents and councillors to progress plan-making. Further to local advertising, including the delivery of leaflets to every household, the first of a number of public events took place in April 2012. This was held in the village hall and was attended by 174 people. This was followed by further events in June, July and September 2012, also held in the village hall and advertised by a variety of methods, including leaflet drops.

The events covered a variety of neighbourhood planning matters, including the consideration of fourteen sites identified through the Strategic Housing Land Availability Assessment (SHLAA). During the early consultation stages, each of the SHLAA sites were analysed and assessed and residents were consulted at public meetings, and at individual site meetings, on various options.

A series of well-attended public meetings were then held from 2013 onwards, with much focus on land allocations. During these, residents' views on a range of neighbourhood planning matters were sought and taken into account. I note that a total of 170 site, landscape and character surveys were completed in relation to the assessment of possible land allocations.

⁵Neighbourhood Planning (General) Regulations 2012.

It is also worthy of note that a total of 37 meetings, plus one conference call, with landowners/agents/developers, took place between 2012 and 2015. I find this indicative of the significant lengths that plan-makers went to in order to consider the allocation of land through the neighbourhood planning process. Furthermore, nine meetings were held with residents living close to land identified as potential development sites.

The pre-submission plan underwent initial consultation during February and March 2015. This was supported by three separate exhibitions held in the village hall. The consultation period was extended for a further six week period between April and June 2015, in order to allow for the consideration of the Sustainability Appraisal. Further to taking comments into account, a second pre-submission plan was produced and this underwent consultation between October and December 2015.

From reading through the evidence presented, it is clear that the plan-making process, including the pre-submission consultation periods, was extremely well-publicised. In addition to events, exhibitions and meetings, from June 2013 onwards, information was provided and updated on a dedicated website. Numerous leaflets were produced and distributed throughout the Neighbourhood Area. Advertisements were placed in the Henley Standard and regular information was provided in the frequently published local magazine. Also, plan-makers made use of banners, posters and notice boards, and an email directory was created and used to send information electronically.

It is clear that plan-makers went well beyond legislative requirements to actively engage with local people. Comments were proactively sought over a sustained period of time.

Taking everything into account, the Consultation Statement presents an audit trail to demonstrate that consultation was wide-ranging, comprehensive and transparent. Comments received were duly considered and there is plentiful evidence to demonstrate that the Neighbourhood Plan reflects the views of local people.

People and organisations were provided with a fair chance to have their say and as a result, there is plentiful evidence to demonstrate that the local community shaped the Neighbourhood Plan.

I am satisfied that the consultation process was comprehensive and robust.

5. The Neighbourhood Plan – Introductory Section

Where modifications are recommended, they are presented as bullet points and highlighted in bold print, with any proposed new wording in italics.

The policies of the Neighbourhood Plan are considered against the basic conditions in Chapter 6 of this Examiner’s Report. This Chapter considers the Introductory Section of the Neighbourhood Plan.

The Neighbourhood Plan is well presented. The structure is clear. Subject to the comments below, the text is clearly set out and the Policies are distinctive from the supporting information. Plans, diagrams and photographs combine to produce an attractive and easy-to-read Neighbourhood Plan.

The Foreword provides a positive start to the Neighbourhood Plan, with a particular focus on the significant community input into the process.

Sections relating to background matters and the evolution of the plan-making process are clearly set out and supported by appropriate plans. In a similar way, pages 14-20 of the Neighbourhood Plan provide useful information relating to the history, demography and character of the area.

For clarity, I recommend:

- **Page 7, change last line to “*...adopted in 2018.*”**
- **Page 22, line 7, change to “*...busy-ness.*”**

The aims and vision sections, pages 24-27, provide useful background information to demonstrate how the views of the community have led to the objectives, set out on pages 28 and 29. However, I am concerned that the objectives have been afforded their own numbers – eg, “*SCDS1, SCDS2*”. The objectives of the Neighbourhood Plan are not Policies and they have no Policy status. In this regard, the numbering of objectives introduces unnecessary confusion, to the extent that it detracts from clarity.

The harmful impact of this is exacerbated in the Policy section of the Plan, where each Policy has a numbered objective above it. Further, the “*Principles*” boxes, which, along with the “*Objective*” boxes, are coloured in the same green shading as the Policies themselves, add a further unnecessary and confusing layer of detail, detracting from the status of the Policies that follow. The approach appears to present undue status to objectives and principles, as it suggests that they have some kind of planning policy status, which they do not.

I recommend:

- **Pages 28 and 29, delete all objective numbering (SCDS1, SCDS2 etc)**
- **Policy Section, delete all “Principles.”**
- **Policy Section, delete all objective numbering.**
- **Policy Section, delete green shading from the boxes containing “Objective.”
For clarity, only the Policy box should be shaded green.**

The Development Strategy section of the Neighbourhood Plan is very clearly presented. It not only achieves the difficult task of summarising why the Neighbourhood Plan allocates the land that it does, but it does so through the use of concise and easy to understand language.

It is inevitable that the land allocation process within neighbourhood plans will come under close scrutiny. Like elsewhere in England, housing land values in South Oxfordshire are high and millions of pounds can be made through the change of use of agricultural land to housing land. Given this, it is not unusual that those whose land interests have not been met by the Policies of the Neighbourhood Plan might be concerned about the allocation process.

Furthermore, whilst an AONB designation does not necessarily prevent the allocation of land for development, Sonning Common’s location in respect of the Chilterns AONB places an extra layer of sensitivity over land allocations.

Consequently, in this case, not only is it important for the Neighbourhood Plan to demonstrate that the allocation of development land has followed an appropriate process, but it is also helpful for it to set out how, in layman’s terms, the allocation of land relates to a development strategy. Pages 30-37 of the Neighbourhood Plan largely achieve this.

With particular reference to the allocation of land within the Chilterns AONB, the Neighbourhood Plan includes specific, relevant detail to demonstrate how the Neighbourhood Plan has regard to the National Planning Policy Framework and contributes to the achievement of sustainable development.

However, whilst together, the first two paragraphs on page 38 and the map on page 39, relating to the Neighbourhood Plan’s spatial strategy, provide a coherent summary, I find that the remainder of the text on pages 38-41 largely repeats information and/or provides inappropriate “snippets” of the Policies that follow. This is an unhelpful and confusing approach that detracts from the clarity of the Neighbourhood Plan and the otherwise exemplary nature of this section.

Some of the text reads as though it comprises Policy, which it does not and there are definitive statements, such as “*the village hall will be improved*” unsupported by any evidence. This section of the Neighbourhood Plan adds unnecessary confusion.

In addition to the above, the inclusion of Table 2.2 introduces unnecessary detail. It does not form part of any Policy but simply provides some information from the evidence base. It detracts from the clarity of this section. I also note that, whilst Table 2.2 refers to housing densities, actual densities on the allocated sites will be determined at the planning application stage.

I recommend:

- **Delete Table 2.2 and the preceding sentence “The detail for...below.”**
- **Delete the text from “New homes,” part way down page 38, until the end of page 41. Retain map on page 39.**

The “*Plan Provision*” section simply comprises a subjective view of what some of the Policies that follow may provide for. It is also unnecessary and detracts from clarity.

I recommend:

- **Delete page 42**

6. The Neighbourhood Plan – Neighbourhood Plan Policies

The introduction to the Policy Section is confusing and detracts from the clarity of the Neighbourhood Plan. Following on from the comments above, I note that the layout of the Policies becomes self-explanatory.

I recommend:

- **Delete the text under the heading “Part Three: Policies,” including box relating to “Objectives not repeated...”**
- **Delete paragraph commencing “The green boxes...” This obfuscates rather than provides for clarity**

Development Strategy

The development strategy is explained, succinctly, earlier in the Neighbourhood Plan. The text under this heading on page 43 is unnecessary and confusingly worded. It detracts from the previously clear information, as well as from the Policy that follows. I recommend:

- **Delete text under “Development strategy policies” heading**

Policy DS1: Gaps between villages

Policy DS1 seeks to designate a “*green gap*.” This is a new designation and whilst the Basic Conditions Statement suggests that the Policy is in general conformity with Core Strategy Policies CSEN1 and CSR1, neither of these District-wide policies seeks to designate a green gap, nor anything similar. Policy CSEN1 is a District-wide landscape character policy and Policy CSR1 is concerned with housing in villages. There is no substantive evidence to demonstrate that the creation of a new green gap Policy is in general conformity with the Core Strategy.

The Policy states that any development within the green gap should maintain the separation of villages and complement the landscape characteristics of the gaps. Such an approach appears contradictory. The very nature of the land in the green gaps is that it is green, open and largely undeveloped. It is therefore unclear how development, which by its very nature, tends to be urbanising, will complement existing landscape character. The Neighbourhood Plan provides no details in this regard.

Further to the above, it is also unclear how development would maintain the separation of villages, when, by its very nature, it would be likely to reduce separation. Again, neither the Policy, nor the supporting text, provides clarity in this regard. I also note that the “*green gap*” itself is not the result of a detailed landscape character analysis, but simply designates land in the countryside up to the Neighbourhood Area boundary. This broad-brush approach appears cumbersome, and is unsupported by detailed justification.

The second part of Policy DS1 makes little sense. It concerns proposals in the “*area outside the gap*.” Within the Neighbourhood Area, this would comprise the built up area of Sonning Common. To only allow development related to the purposes of agriculture or forestry in this area would be in direct conflict with many of the other

Policies of the Neighbourhood Plan. It would fail to contribute to the achievement of sustainable development.

Also, were the approach to apply to any countryside areas, it fails to have regard to national policy, which does not restrict all development in the countryside to that related to the purposes of agriculture or forestry.

Taking all of the above into account, Policy DS1 fails to meet the basic conditions. I recommend:

- **Delete Policy DS1**
- **Delete all supporting text and Map 3.1**
- **Delete introductory heading on page 43**

Housing

Policy H1

Policy H1 is intended to ensure that at least 138 dwellings are granted planning permission within the Neighbourhood Area over the plan period. To ensure this, the Policy allocates land for a total of 195 dwellings and in addition, provides reserve sites for a further 44 dwellings.

The Core Strategy does not allocate a target number of homes to Sonning Common, but in setting out the spatial vision for South Oxfordshire, it required the District's "larger villages," which include Sonning Common, to provide for 1,154 dwellings. Of these, South Oxfordshire's Cabinet Committee agreed that 138 homes would need to be allocated to Sonning Common for the period to 2027.

In providing for a minimum of 138 dwellings, the Neighbourhood Plan takes the above into account. However, it also goes further, by allocating sites capable of providing closer to 200 dwellings.

The Neighbourhood Plan recognises that the Oxfordshire Strategic Housing Market Assessment (SHMA) could lead to a requirement for more housing in the Neighbourhood Area than the minimum 138 homes referred to above. Whilst neither this, nor providing for Oxford City's unmet housing need has translated into adopted strategic policies in a development plan, it is clear that, in providing for comfortably in excess of 138 homes, the Neighbourhood Plan has taken a positive approach to providing for future housing growth in the light of relevant information.

In addition, by identifying reserve sites, Policy H1 provides additional allocations which help to ensure that emerging evidence of housing need is addressed by the Neighbourhood Plan (I consider reserve sites in the land allocations section of this Report).

I find that the above approach has regard to the Framework, which seeks to "*boost significantly the supply of housing*" (Paragraph 47).

In addition, by providing for considerably more housing than that originally required by South Oxfordshire District Council, the Neighbourhood Plan takes into account relevant information relating to future housing need.

Further to all of this, I note earlier in this Report that the Neighbourhood Plan has undergone robust public consultation. The housing land allocations have emerged through an appropriate, transparent process and their inclusion in the Neighbourhood Plan reflects the direct power afforded to communities “to develop a shared vision for their neighbourhood and deliver the sustainable development they need” (Paragraph 183, the Framework).

Taking everything into account, I find that Policy H1 contributes to the achievement of sustainable development.

Whilst I consider each of the individual allocations in more detail in the site allocations section below, I note the following matters.

Firstly, in relation to allocation SON 5 and reserve allocation SON 7a, Policy H1 introduces the phrase “up to.” However, no detailed justification for this approach is provided. The precise number of homes on each allocation will only emerge at the detailed planning stage. It is premature and potentially, unduly restrictive to limit housing numbers prior to detailed masterplanning. I find that such an approach could prevent the achievement of sustainable development and there is no substantive evidence to the contrary.

Secondly, site SON 2/3 is located within the AONB. I note earlier in this Report that, with particular reference to the allocation of land within the Chilterns AONB, the Neighbourhood Plan includes specific, relevant detail. It establishes that site SON 2/3 is the most sustainable site across a range of planning criteria and on page 37, considers the allocation of the site against the relevant tests set out in the Framework.

There is no doubt in my mind that, in providing for 50 homes in a small settlement, site SON 2/3 comprises a major development. As such, there is a need to demonstrate the “*exceptional circumstances*” referred to by the Framework. In considering the allocation against paragraph 116 of the Framework, the Neighbourhood Plan does this. In this regard, I am particularly mindful that the development of the site will result in the delivery of new sports and recreation facilities, for which there is significant local need and which would otherwise be unlikely to come forward.

Whilst I acknowledge that national policy affords great weight to conserving landscape and scenic beauty in AONBs, it does not preclude appropriate development and nor does it require all other possible development sites to come forward before the development of land in the AONB. Paragraph 116 sets out the relevant tests and the Neighbourhood Plan has regard to these. The allocation of site SON 2/3 meets the basic conditions.

I also note earlier in this Report that actual densities achieved on any site will only be determined at the planning application stage.

Taking all of the above into account, I recommend:

- **Policy H1, SON 5 and SON 7a, delete “up to”**

Policy H2

The Framework requires planning for:

“a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community” (Paragraph 50).

However, whilst Policy H2 seeks to address housing mix, there is little substantive evidence to demonstrate that current or future demographic trends, market trends and the needs of different groups have been taken into account in seeking to establish a requirement for, for example, 40% of new homes to comprise 2 bedroom dwellings. Rather, the approach is largely based upon a much more simplistic analysis of the Neighbourhood Area’s housing stock, whereby, because most homes in Sonning Common tend to be quite large, the plan-makers consider that more new homes should be smaller.

Whilst there is perhaps some logic in the above approach, I find that it fails to have regard to national policy and consequently, it does not meet the basic conditions. Consequently, it fails to provide an appropriate basis upon which to base Policy H2. Notwithstanding this, I also find that the wording of Policy H2 is itself, flawed. It requires new development to *“address the housing needs of residents...which are set out in Table 3.5.”* However, Table 3.5 simply sets out a desired housing mix. There is no substantive evidence to demonstrate that Table 3.5 reflects *housing needs*.

However, taking all of the information before me into account, I acknowledge that there is some considerable community support for more smaller homes to be delivered and I seek to reflect this in the recommendations below.

Part H2a of the Policy is confusingly worded. No indication is provided with regards when a *“full”* affordable unit might *“address a part unit,”* or to what extent this will comprise an appropriate alternative to a financial contribution. I find that this part of the Policy fails to provide a decision maker with a clear indication of how to respond to a development proposal. Furthermore, there is little evidence to demonstrate that the approach set out can be robustly justified and that it would contribute to the objective of creating a mixed and balanced community in all cases. In this respect, I find that it fails to have regard to paragraph 50 of the Framework.

Whilst the phrase *“would be welcomed”* appears ambiguous in that it is unclear what this would mean in practice, the final part of Policy H2 has regard to that part of Paragraph 50 of the Framework which encourages planning for older people and people with disabilities.

Taking all of the above into account, I recommend:

- **Policy H2, delete “Housing mix: New development...for a different mix.” Replace with “*Within allocated sites, support will be afforded to schemes where the majority of dwellings comprise one, two and three bedroomed homes.*”**
- **Delete Policy H2a**
- **Policy H2b, change to “...accommodation are encouraged”**
- **Supporting text, page 50, line 6, change to “The conclusions drawn from this information are that *the provision of more 1 and 2 bedroom homes, and rented accommodation, would help balance housing provision in Sonning Common.*”**
- **Page 50, line 15, change to “...ORCC survey have helped to inform Table 3.5 below, which sets out an aspirational housing mix.”**
- **Page 50, 7 lines up, delete “The column....development sites:” and delete the three bullet points that follow**

The text following Policy H2 reads as though some of it comprises a Policy, which it does not. I note that optional standards are simply that, rather than something to impose as a requirement. I recommend:

- **Page 51, change paragraph beginning “It will be a requirement...” to “*Development will be encouraged to contribute towards local needs housing, especially that for older people. The Parish Council is keen for developers to adopt Building to National Optional Technical Standards and to integrate affordable housing with market housing.*”**
- **Page 51, delete the four bullet points and delete the final paragraph on page 52.**

Policy H3

During my site visit I observed that much of Sonning Common comprises large back gardens and/or land behind an existing residential frontage. Policy H3 would “*permit*” the development of all such land, subject to maintaining local character. This would introduce an approach without precedent in national or local policy. I find that it could result in inappropriate development, with potential impacts on residential amenity and highway safety, amongst other things. Such an approach would fail to contribute to the achievement of sustainable development.

I also note that, in this case, in referring to “*permitting*” development, Policy H3 runs the risk of pre-determining a planning application without taking relevant factors into account.

The second part of the Policy sets out design criteria related to development proposals on infill plots. Whilst the approach set out is in general conformity with Core Strategy policy CSQ3, which addresses design, nowhere does the Neighbourhood Plan define what is meant by “*infill*.” I address this below.

I recommend:

- **Policy H3, delete “Backland: Proposals...is maintained.”**
- **Change “Policy H3a” to “Policy H3” and add “...on infill sites (*the infilling of a small gap within an otherwise built-up frontage or group of houses*) will be...”**
- **Supporting text, page 53, delete opening sentence above Policy**
- **Change objective (on page 53 and page 28) to “...*infill development* providing...”**
- **Change sentence below Policy to “...*Assessment provides additional relevant background to Policy H3.*”**
- **Delete “With reference to backland...” and the two bullet points that follow**

Policy H4

Policy H4 seeks to introduce a local connection requirement in relation to 20% of affordable housing. Whilst, to some extent, this is reflective of the view that local people and younger family members need homes in Sonning Common, there is a lack of detailed justification for restricting the Policy to the Neighbourhood Area and there is no indication of how the Policy would be implemented.

The Parish immediately adjoins other residential areas, including Shiplake Hill, and it is unclear why, for example, someone who once lived in Sonning Common and happens to have a parent or child living there should be afforded greater priority than someone who has lived all of their life in Shiplake Hill, or in another location adjacent to Sonning Common. Consequently, the approach appears arbitrary, unjustified and inappropriate for inclusion in a Policy.

In addition to the above, the supporting text includes a grey box, within which text “welcomes” the prioritisation of the sale of market housing to local residents. This does not form part of Policy H4, but is worded as though it is a Policy.

Taking all of the above into account, I consider that it would be appropriate to delete Policy H4 and instead, move the Housing for local people section to the “*Actions for the Parish Council*” chapter. In this way, the general intention of preferential access to housing for local people can be retained. In making the recommendation below, I note that South Oxfordshire District Council has an approved Housing Allocations Policy that addresses relevant matters on a District-wide basis.

I recommend:

- **Move all of the “Housing for local people” section to pages 81-83, “Actions for the Parish Council”**
- **Policy H4 would then become Action H4**
- **Re-word as “*The Parish Council will seek to work with other bodies to encourage 20% of all new...*”**
- **For clarity, Policy H4 is deleted and the related text forms an “Action”**

Design

Policy D1

Good design is recognised by national policy as comprising

“a key aspect of sustainable development...indivisible from good planning”
(Paragraph 56, The Framework)

In addition, national policy requires good design to contribute positively to making places better for people (Chapter 7, The Framework) and Core Strategy Policy CSQ3 provides a supportive framework for high quality and inclusive design.

Policy D1 promotes good design and in so doing, it has regard to national policy and is in general conformity with Policy CSQ3. The opening sentence of the Policy is, however, confusing.

“Plotland character” is undefined. Furthermore, whilst it would seem to relate to the plot upon which a development proposal is located, this would fail to take into account surroundings. In this respect, the term *“plotland character”* does not reflect the rest of Policy D1, which refers explicitly to local surroundings.

Notwithstanding the above, as worded, Policy D1 requires *all* development to use soft boundary treatments unless a *“compelling justification”* not to do so is provided. This requirement will not be relevant to some development proposals, for example, advertisements or some household extensions. Consequently, the Policy requirements would fail to be proportionate to the nature and scale of all development proposals. This results in the Policy failing to have regard to Paragraph 193 of the Framework.

I am also mindful of South Oxfordshire District Council’s comment in respect of the Policy seeking to prevent *“harsh urban parking courts”* to the front of properties but not to their rear and I make a recommendation in this regard below.

The second part of the Policy aims to protect the character of Sonning Common by seeking to generally limit building heights. This approach is in keeping with national and local policy, which together amongst other things, protects local character. However, the requirement to demonstrate *“no harm”* fails to allow for the balanced consideration of development proposals as a whole. Such an approach may prevent sustainable development from coming forward.

The final part of the Policy requires proposals for infill development and for the development of allocated sites to be accompanied by a design brief. Whilst the last bullet point refers to housing allocations, for clarity, I recommend the change set out in the final bullet point below.

I recommend:

- **Policy D1, first line, delete “...and plotland character.”**
- **Policy D1, third line, change to “...landscape context. *The development of the residential allocations should use...*”**
- **Policy D1, line 7, delete “...in the front of properties.” (Also delete this reference in the bullet point on page 56)**
- **Policy D1a, change second sentence to “*Such a justification will need to include evidence to demonstrate how the proposal addresses local character and residential amenity.*”**
- **Policy D1b, change opening sentence to “*Proposals to develop infill sites and the sites allocated in this plan must be accompanied...*”**

The final sentence and bullet points of the supporting text on page 56 reads as though it were a Policy requirement, which it is not. I note that it refers to matters captured by development control at the planning application stage and recommend:

- **Page 56, delete final sentence and four bullet points of supporting text to Policy D1**

Village centre

Policy VC1

Policy VC1 protects and supports the vitality and viability of Sonning Common's village centre. This has regard to Chapter 2 of the Framework, "*Ensuring the vitality of town centres.*"

However, it is not clear why any kind of extension to an existing residential property in the village centre would be supported. This could result in unwanted, unforeseen consequences. Furthermore, it is not clear why all such residential extensions would necessarily support the vitality and viability of the village centre.

Permitted development rights largely allow for the conversion of upper floors to residential use, without the need for planning permission. No justification is provided for only supporting residential development on upper floors that supports the operations or economics of the ground floor unit.

The final sentence of Policy VC1 goes well beyond any national or local planning policy requirements without providing any justification for doing so. It states that any development other than ground floor retail, leisure or office use "*will not be permitted.*" In addition to running the risk of pre-determining an application without taking relevant factors into account, this approach is highly restrictive and prevents consideration of what may be complementary or appropriate village centre uses.

Further to the above, the final sentence of Policy VC1 is confusing. It begins by preventing new non "*centre uses*" and ends with reference to the loss of centre uses. It is unclear whether the Policy is seeking to deal with new development, change of use, or both together. Consequently, the proposal fails to provide prospective applicants with clarity and fails to provide a decision maker with a clear indication of how to respond to a development proposal.

I recommend:

- **Policy VC1, delete second and third bullet points**
- **Policy VC1, delete last sentence**
- **Delete paragraph of supporting text below Policy VC1 on page 58**

Policy VC2

Car parking in and around the village centre is a local concern. Policy VC2 supports proposals for car and cycle parking in the village. This has regard to paragraph 40 of the Framework, which encourages improvements to the quality of parking in town centres.

The second part of Policy VC2, as worded, is confusing. It is not clear how “opportunities” will be supported in practice and no indication is provided with regards what “reorganisation of existing highways around the village centre to ‘shared-use’ schemes” actually means, or whether this is viable, deliverable or appropriate.

The Policy does not address matters relating to “school drop off.” There is no Policy requirement in the Neighbourhood Plan for site SON2/3 to provide a ‘shared-space’ solution. I note that no detail is provided with regards precisely what ‘shared-space schemes’ comprise. The supporting text states that “a village wide solution to parking is needed.” Whilst I acknowledge this aspiration, nowhere does the Neighbourhood Plan provide an appropriate Policy approach to address this.

For clarity, I recommend:

- **Policy VC2, change second sentence to “Support will be given to proposals to improve disabled access and make more efficient use of car parking spaces.”**
- **Change title of Policy to “Policy VC2: Parking”**
- **Delete paragraph of supporting text underneath Policy VC2**
- **Delete the four paragraphs of supporting text on the first half of page 60**

Economic and employment

Policy EE1

Chapter 1 of the Framework, “*Building a strong, competitive economy,*” sets out a commitment to achieving economic growth. It requires the planning system to do everything it can to support sustainable economic growth (paragraph 19).

The Neighbourhood Plan recognises that there is a scarcity of local employment land and thus seeks to safeguard an existing employment site, whilst providing for the expansion of it. This has regard to national policy and contributes to the achievement of sustainable development.

Whilst Policy EE1 identifies an employment site and refers to the accompanying map, it does not confirm the expansion area. Furthermore, through use of the phrase “*will be permitted,*” the Policy runs the risk of pre-determining the planning application process.

For clarity, I recommend:

- **Change introductory title to “Economic and employment *policy*”**
- **Change title “Policy EE2” to “Policy EE1”**
- **Policy EE1, change to, “...extend the use of this site, *into the yellow area highlighted on Map 3.4,* will be supported.”**
- **Policy EE1 final sentence, change to “Proposals to change the use of this site to non-employment uses *will not be supported.*”**
- **Supporting text, page 60, first line, add “...evidence of *a high...*”**
- **Supporting text, last line, page 62, change “is” to “*its*”**

In addition to the above, I note that page 62 includes a grey box with an “*Action for the Parish Council*” within it. This appears out of place on page 62 and would be more appropriately located within that section of the Neighbourhood Plan relating to “*Actions for the Parish Council.*”

I recommend:

- **Move grey box on page 62 to “Actions for the Parish Council” section, pages 81-83**

Policy CSH1

The Framework recognises that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities (Chapter 8, *“Promoting Healthy Communities”*).

Paragraph 70 of the Framework states that, in order to deliver the community services needed, planning should:

“Plan positively for the provision and use of shared space, community facilities...and other local services to enhance the sustainability of communities and residential environments.”

Policy CSH1 has regard to this. It supports improvements to local schools, services and facilities. In so doing, the Policy contributes to the achievement of sustainable development.

As worded, the first part of the Policy is repetitive and could have unforeseen circumstances, whereby any kind of development could be supported. I address this in the recommendations below. The second part of the Policy is simply a statement, rather than a land use planning policy and refers to the need to work with a third party. I find that this part of the Policy, and the supporting text relating to it, would be more appropriately located within the *“Actions for the Parish Council”* section.

As worded, the third part of the Policy could have unforeseen circumstances, whereby any kind of development could be supported, so long as it enhanced services or facilities. I address this below.

The final part of Policy CSH1 relates to matters outside the responsibilities and control of the Neighbourhood Plan. I also note that this part of the Policy fails to take into full account the relevant statutory duties for the provision of utilities.

Taking all of the above into account, I recommend:

- **Policy CSH1, second line, delete *“...and/or applications that would support the enhancement and/or refurbishment of these schools...”***
- **Move Policy CSH1a to the *“Actions for Parish Council”* section on pages 81-83. Change from a Policy to an Action. Also, move the last two paragraphs of supporting text on page 63 and the first two paragraphs on page 64, to accompany the new Action. For clarity, Policy CSH1a is deleted.**

- **Delete Policy CSH1c**
- **Delete the supporting text underneath Policy CSH1c, on pages 64 and 65**

I note that the final sentence on page 65 reads as though it were a Policy, which it is not. In any case, I recommend its deletion.

Sport and recreation

Policy CSH2

The Framework recognises that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities (Paragraph 73).

In general, by supporting provision of sports pitches and facilities, Policy CSH2 has regard to national policy.

As worded, Policy CSH2 could have unforeseen circumstances. It supports any form of development that provides land for sport and recreation. Using hyperbole – exaggerating for the purpose of emphasis – as worded, the Policy could provide a positive planning framework for the development of a nuclear power station or an animal waste incinerator in Sonning Common, so long as a football pitch accompanies the development. I address this in the recommendations below.

The second part of the Policy presents a requirement for any land provided in line with it to provide scope for built facilities, such as a community sports hall. As a requirement, this could prevent land for sports pitches alone from coming forward, which, in turn, could prevent the achievement of sustainable development. This turns an otherwise supportive Policy, which meets the basic conditions, into a restrictive and potentially unsupportive Policy.

I recommend:

- **Policy CSH2, delete and re-word as “*The provision of land to address the identified shortfalls in sports pitches and recreational facilities, as set out in the NDP, will be supported.*”**

The last paragraph of the supporting text on page 68 states that all housing development is required to provide public open space for informal recreation, in line with South Oxfordshire Local Plan saved policy R6. This is not a true representation of that Policy, which states that any provision of open space for informal recreation will be in accordance with an amount appropriate to the locality and the size of the development proposed. Notwithstanding this, there is no need for the Neighbourhood Plan to repeat, or paraphrase, an existing policy. I recommend:

- **Delete final paragraph of supporting text to Policy CSH2 on page 68**

Movement, road safety and parking

Policy MRP1

The Framework promotes highway safety and in paragraph 75, requires the protection and enhancement of public rights of way and access.

Policy MRP1 has regard to national policy and contributes to the achievement of sustainable development.

The only change proposed relates to the numbering of Policies in this section, which makes little sense.

- **Change title from “Policy MRP2” to “*Policy MRP1*” and change Policy MRP3 to “*Policy MRP2*”**

Policy MRP2

Policy MRP2 seeks to introduce new parking standards. No information is provided to demonstrate how these will be implemented on the highways identified in the Policy. Furthermore, despite the information provided on page 72, no information is provided with regards how, for example, fractions of car parking spaces (eg, 3.6 spaces) will be dealt with; and there is no detailed justification, in the form of substantive evidence, to demonstrate why, for example, a five bedroomed house needs to provide more than twice as many parking spaces as a two bedroomed house.

Oxfordshire County Council’s parking standards are based on detailed evidence and have been adopted further to examination. The new parking standards proposed in the Neighbourhood Plan are not in general conformity with these adopted parking standards. It is therefore imperative that there is a compelling evidence base to show that the proposed standards are viable, implementable and based on sound information. No such substantive evidence has been provided.

Taking the above into account, whilst I acknowledge earlier in this Report that there are local concerns regarding village centre car parking, there is no relevant evidence to lead me the conclusion that the proposals in Policy MRP2, which do not meet the basic conditions, would address existing issues.

As set out, Policy MRP2 would simply place an unjustified burden on residential development, on the basis that car ownership in Sonning Common is higher than in some other parts of the County. This would fail to have regard to Chapter 4 of the Framework “*Promoting sustainable transport.*”

Given the absence of an appropriate evidence base, I recommend:

- **Delete Policy MRP2 and all supporting text (pages 69 to 72)**

Environmental policies

Policy ENV1

As set out earlier, the Framework affords great weight to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty, in recognition that, together with National Parks, they have the highest status of protection relating to landscape and scenic beauty (Paragraph 115, the Framework).

Generally, Policy ENV1 has regard to this. However, the first line of the Policy is simply a statement rather than a land use planning policy. The Policy then goes on to include the phrases “*thoroughly taken into account*” and “*highest design standards.*” No further definition is provided, so it is unclear why “*thoroughly taking into account*” is any different to “*taking into account*” and no indication is provided with regards what the “*highest*” design standards might actually comprise or be compared to.

In addition to the above, it is unclear why all development “*needs*” to enhance “*the landscape setting of the village*” in addition to conserving and enhancing the AONB. No evidence is provided to demonstrate that such an onerous requirement has regard to national policy or is in general conformity with the strategic policies of the development plan.

Furthermore, no indication is provided with regards to where or when circumstances will arise necessitating the requirements of the final part of the Policy (“*Where appropriate opportunities must be taken...*”). Also, no justification is provided for requiring all development, when these undefined “*opportunities*” arise, to “*improve degraded landscapes, access to the countryside and to lessen the impact on the setting of the development.*” The approach set out is confusing, fails to provide decision makers with a clear indication of how to respond to a development proposal (Paragraph 154, the Framework), and fails to demonstrate that the requirements are necessary, directly related to the development, or fairly and reasonably related in scale and kind to the development (Paragraph 204, the Framework).

Amongst other things, the supporting text to Policy ENV1 suggests that development proposals in the AONB that would cause harm should be refused unless exceptional circumstances exist, but fails to state, having regard to national policy, that such an approach relates to major development.

I recommend:

- **Delete Policy ENV1. Re-word as “*New development in the Chilterns AONB must demonstrate how it conserves and enhances landscape and scenic beauty. Major development in the AONB will not be supported except in exceptional circumstances and where it can be demonstrated to be in the public interest.*”**
- **Delete the paragraph of supporting text underneath Policy ENV1 on page 75**

Policy ENV2

The first part of Policy ENV2 seeks to protect local character and meets the basic conditions. However, the second sentence of the Policy runs the risk of pre-determining planning applications and furthermore, fails to provide any indication of what harm to the landscape might comprise.

The second part of the Policy has regard to Chapter 11 of the Framework, *“Conserving and enhancing the natural environment,”* which affords protection to trees and woodland. However, no indication is provided to demonstrate how it would be possible, or why it would be relevant, viable and necessary, to replace a tree of similar *“root area”* to any mature trees, groups of trees, or woodland replaced on a site.

In the third part of the Policy, the phrase *“wherever possible”* lacks clarity and precision and consequently, fails to provide a clear indication of how a decision maker should react to a development proposal. Further, it will not be relevant, appropriate or necessary for all planning applications to be accompanied by a planting scheme. I address these matters below.

The final part of the Policy considers matters that are the responsibility of other parties and beyond the control of the Neighbourhood Plan.

Taking the above into account, I recommend:

- **Policy ENV2, delete second sentence**
- **Policy ENV2a, second sentence, change to *“...amenity value should be provided on site.”***
- **Policy ENV2b, change to *“As part of new developments the planting of additional trees and hedging, in keeping with local character, will be supported. Applications for major development (as defined by the Town and Country Planning Act) should be accompanied by an indicative planting scheme to demonstrate that a suitable level of sustainable planting can be achieved.”***
- **Delete Policy ENV2c**
- **Delete paragraph of supporting text below Policy ENV2 on page 76**

Policy ENV3

The Framework recognises the importance of biodiversity and requires positive planning for the creation, management and enhancement of green infrastructure networks (Paragraph 114).

As worded, Policy ENV3 is ambiguous. It requires all development proposals should seek to maintain and enhance ecological networks. However, this will simply not be relevant, possible or necessary for many development proposals. Further, there is no evidence to demonstrate that all development can maintain, retain and secure the connectivity of the network identified in Map 3.7.

I recommend:

- **Policy ENV3, re-word as “*The conservation and enhancement of ecological networks will be supported. Where appropriate, development proposals should seek to connect existing wildlife corridors and provide new ones, to enhance biodiversity and provide for freedom of movement for species through the site.*”**

Heritage

Policy HER1

Together, Chapter 12 of the Framework, “*Conserving and enhancing the historic environment*” and Core Strategy Policy CSEN3 provide a careful and detailed approach to protecting the nation’s heritage.

Policy HER1 provides significantly less detail than that already provided by national and local heritage policy. It fails to provide decision makers with a clear indication of how to react to a development proposal. I find that it does not contribute to the achievement of sustainable development and there is nothing before me to the contrary.

I recommend:

- **Delete Policy HER1 and all supporting text**

Delivery

Policy DE1

Public consultation and community engagement is strongly endorsed by national policy and advice. Paragraph 188 of the Framework states:

“Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.”

Policy DE1 encourages pre-application discussion. In so doing, it has regard to national policy and contributes to the achievement of sustainable development.

The first part of the Policy is well-constructed. It is not possible for a land use planning policy to require applicants submitting major development proposals to engage in pre-application discussions with the community. This would go beyond legislation pertaining to planning applications.

The Policy seeks to address this through use of the phrase *“are encouraged.”* Taking this into account, I find that the Policy provides a clear direction to potential applicants. The Policy would encourage any applicant wishing to bring forward a sustainable development, in line with the Framework, to ensure that early engagement is built into the application process.

I recommend:

- **Policy DE1, line one, for clarity add “...applicants *bringing forward a significant development proposal* are encouraged...”**
- **Policy DE1, delete final sentence “Applications for...of this Plan” which is unnecessary**

Site Allocations

The introduction to this section of the Neighbourhood Plan includes a grey box “welcoming” provision for local residents to be prioritised in respect of market housing. This statement was made earlier. It is not a Policy and it appears out of context in this part of the Neighbourhood Plan.

I recommend:

- **Delete grey box and text on page 84**

The “Key considerations” text on page 84 reads as though it is a Policy requirement, which it is not.

I recommend:

- **Delete the section headed “Key considerations for each of the sites” on page 84, including the three bullet points**

The concept plan on page 86 is labelled “Masterplan.” It is not a masterplan with any status, but simply an indicative concept plan. To avoid confusion, I recommend:

- **Delete title on page 86 underneath the concept plan**

For clarity, I also recommend:

- **Include new heading on page 84, headed “Concept Statements”**
- **Include paragraph below stating “There are a number of plans in this section, entitled “Concept Statements.” These do not form part of any Policies and are indicative only. They do not comprise masterplans or requirements, but are intended as a guide only.”**

Each of the housing land allocation Policies provides a number of affordable homes in the box above the Policy. If the actual number of homes delivered on the site changed, then this number would be incorrect. For clarity, I recommend that, rather than show a number, this should simply reflect the District-wide Policy affordable housing requirement, which is 40%.

I recommend:

- **For each housing Policy in this section, replace the number against the Affordable Homes category in the box with “40%”**

SON1

The Framework enables local communities to identify, for special protection, green areas of particular importance to them. Paragraph 76 states that

“By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances.”

Local Green Space is a restrictive and significant policy designation. The Framework requires the managing of development within Local Green Space to be consistent with policy for Green Belts. Effectively, Local Green Spaces, once designated, provide protection that is comparable to that for Green Belt land. Notably, the Framework is explicit in stating that

“The Local Green Space designation will not be appropriate for most green areas or open space.” (Para 77)

Taking the above into account, if designating Local Green Space, plan-makers need to demonstrate that the requirements for its designation are met in full. These requirements are that the green space is in reasonably close proximity to the community it serves; it is demonstrably special to a local community and holds a particular local significance; and it is local in character and is not an extensive tract of land. Furthermore, identifying Local Green Space must be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services.

The Neighbourhood Plan provides evidence to demonstrate that SON1 passes the relevant tests set out in the Framework. It is clear from the evidence provided that the community would like site SON1 to be designated as Local Green Space. Given this and all of the above, I recommend:

- **Provide a Policy “box” and the following text, *“Policy SON1: Local Green Space. Site SON1 is designated as Local Green Space, where no development will take place other than in very special circumstances.”***
- **Create a new Plan, entitled *“Local Green Space, SON1”*. This must show a red line boundary around the whole of Site SON1 (without this, the concept plans are unclear and confusing in this regard)**
- **Delete the last paragraph of supporting text on page 88**

The heading underneath the plan on page 89 is repetitive and confusing. I note that all of the concept plans – which do not form part of any Policy and which are simply indicative – all include large font headings underneath them, repeating information provided in the title. I find that this is confusing and that it detracts from the plans themselves, as well as from the overall presentation of the Neighbourhood Plan.

I recommend:

- **Delete the heading underneath the plan on page 89, which is repetitive and confusing AND delete the corresponding headings on all of the concept plans in the Neighbourhood Plan**

Policy HS1

This Policy relates to site SON 2/3. The opening paragraph of the Policy is confusingly worded. I recommend:

- **Policy HS1, first line, change to “SON 2/3 comprises 7.7 hectares. The land shaded blue on Map 4.3 is allocated for 50 houses. The land shaded green on Map 4.3 is allocated for public recreation. Circa 0.9 hectares...developers.”**

Site SON 2/3 is in the AONB. The developer’s agent states that “...the site’s development is in the public interest and exceptional circumstances exist to enable its allocation because the sports and recreation facility it delivers is needed...” As referred to earlier, the site has been tested against the Framework to demonstrate that exceptional circumstances exist.

Given this, it is clearly essential to ensure that the site’s development does indeed deliver a sports and recreation facility, as clearly required by the Neighbourhood Plan. However, as set out, Policy HS1 does not fully reflect this requirement as the wording does not clearly provide for the delivery of a sports and recreation facility.

As the allocation of the housing site within the AONB and the exceptional circumstances related to the delivery of a sports and recreation facility are, in planning terms, inextricably linked, it is important that Policy HS1 is clear when reflecting the stated purpose of the Neighbourhood Plan. Otherwise, there is the possibility that a situation could arise whereby a major housing development is built in the AONB, but the exceptional circumstances that enabled the allocation of the land in the first place do not materialise, because the Policy is not so clearly worded as to reflect the approach of the Neighbourhood Plan, having regard to national policy.

Taking the above into account, I recommend:

- **Introduce new second paragraph to Policy HS1, “The recreational area will be laid out and provided, together with suitable public access, prior to the sale of the first market house on site SON2/3.”**
- **Change supporting text immediately below the Policy on page 95 to “In addition to ensuring the provision of a public recreation area, the long term aim for the recreation space is to have a community...”**

The above approach ensures the essential delivery of the recreational area, having regard to national policy and the stated intention of the Neighbourhood Plan. It also has regard to Planning Guidance, which requires policies to be precise⁶. Whilst I note that the aspiration for built facilities is dependant upon Community Infrastructure Levy monies and may take a number of years to be collected, the above approach does not prevent this and importantly, it reflects the exceptional circumstances pertaining to site SON2/3.

I acknowledge that there are objections to the allocation of SON2/3, including from the Chilterns Conservation Board. However, I have found that the allocation meets the basic conditions. I note that it has emerged through a robust consultation process. I also note that, ultimately, were the Neighbourhood Plan to progress to Referendum, the decision to make it would lie with the local community. This reflects the power afforded to local communities in the Framework and referred to earlier in this Report.

There is no need for the Policy to refer to different Policies in the Neighbourhood Plan. I note that all of the land allocation Policies include such a reference. The Policies of the development plan should be read together and cross-referencing is unnecessary and detracts from clarity.

I recommend:

- **Delete the Policy reference “The Brief should include the requirements set out at...” in all of the land allocation Policies**

Whilst I acknowledge that the developer’s agent objects to there being a landscaping buffer between the housing allocation and existing housing, this is not a Policy requirement. The concept statement does not form part of Policy HS1, but is simply indicative. I note that there is a requirement to provide a Design Brief, which the developer is encouraged to progress together with the Parish Council.

⁶ Ref: Planning Practice Guidance 41-041020140306.

Policy HS2

No changes recommended (other than those that apply to all land allocation Policies, referred to earlier in this Report).

Policy HS3

I note earlier in this Report that the reference to “*up to*” should be deleted. Map 4.7, which is referred to in Policy HS3, is illegible and is therefore inappropriate for inclusion as the main reference plan for site SON5.

No detailed evidence is provided in respect of why the landscape boundary needs to be precisely 15 metres in depth or why root protection zones need to be “*of some 5 metres.*” These are matters to be determined at the detailed application stage and their inclusion in Policy HS3 appears overly-prescriptive without justification.

I recommend:

- **Delete Map 4.7 and replace with a clear red line plan**
- **Second bullet point, delete “..., 15 metres in depth...”**
- **Third bullet point, delete “...(of some 5 metres)...”**

Policy HS4

No changes recommended (other than those that apply to all land allocation Policies, referred to earlier in this Report).

I acknowledge that representations have been made in respect of the scope for this site to provide for more housing. However, there is no requirement for plan-makers to allocate land for more housing than they do. I note above that the land allocations meet the basic conditions and that the Neighbourhood Plan has emerged through a robust consultation process.

Policies HS5 and HS6

Sites SON7, SON7a and SON8 are allocated as Reserve sites. As sites identified for development, it is recognised that SON7, SON7a and SON8 are sustainable and national policy states that:

“Development that is sustainable should go ahead, without delay – a presumption in favour of sustainable development that is the basis for every plan, and every decision” (Ministerial Foreword, the Framework)

However, the Neighbourhood Plan identifies and reserves SON7, SO7a and SON8, in a manner set out in Policy SCHR1, considered later in this Report.

In this regard, I refer earlier to the fact that plan-makers have taken into account emerging evidence of housing need. In this regard, Planning Practice Guidance⁷ states:

“Neighbourhood Plans should consider providing indicative delivery timetables, and allocating reserve sites to ensure that emerging evidence of housing need is addressed.”

It is evident that the Neighbourhood Plan has done this, having regard to national policy.

Given the above and also that the Neighbourhood Plan supports the strategic development needs set out in the Core strategy, plans positively to support local development and it does not promote less development than that required, I consider that the allocation of Reserve sites provides the Neighbourhood Plan with the flexibility to cope with changing conditions over time and contributes to the achievement of sustainable development.

The first bullet point in Policy HS6 on page 120 refers to replacing trees that have already been removed. This is an onerous requirement and there is no substantive evidence to demonstrate that it is necessary or justified. The fifth bullet point refers to a non-land use planning matter.

I recommend:

- **Remove references in first paragraph of Policy HS5 to “up to”**
- **Delete sentence “Extra care...Essex Way” from Policy HS6, which is not supported by substantive evidence**
- **Delete first and fifth bullet points on page 120**

⁷ Ref: Planning Practice Guidance Para 009 Reference ID: 41-009-20160211.

Whilst I note that South Oxfordshire District Council has some concerns over the total number of homes that can be provided on SON7, this is something that will emerge during the detailed application stage and there is no evidence to demonstrate that the allocation of Policy HS5 fails to meet the basic conditions in this regard.

Policy HS7

No changes recommended (other than those that apply to all land allocation Policies, referred to earlier in this Report).

Policy EMP1

No changes recommended (other than those that apply to all land allocation Policies, referred to earlier in this Report).

Traffic management

Policy HP1

Policy HP1 does not comprise a phasing Policy. In this regard, I note South Oxfordshire District Council's comment that *"the requirement for a traffic management plan was intended to overcome the need to phase the sites."*

I note that the Policy is applicable to the allocated sites and address this below. The Policy has regard to paragraph 32 of the Framework, which promotes safe and suitable access.

I recommend:

- **Change title of this section to *"Traffic Management"***
- **Policy HP1, add *"...applicants seeking to develop any of the allocated sites will be required to..."***
- **Supporting text, line four, change to *"...proposed that a traffic management..."***

The supporting text includes a grey box, within which the text is written as though it were a Policy, which it is not. I recommend:

- **Delete the grey box/text on page 133**

Reserve sites

Policy HR1

Policy HS5 refers to the need for SON7 and SON7a to be developed together. The requirement in Policy HR1, for the sites to be phased, conflicts with this.

There is no need to separate Policy HR1 into several separate policies. This is unnecessarily confusing and reduces the clarity of the Policy. Similarly, there is no need to repeat the Reserve allocations, which are stated in Policy HS1.

Subject to the above, the Policy has regard to Planning Practice Guidance which, as referred to earlier, states that neighbourhood plans should consider the provision of indicative delivery timetables and allocating reserve sites to ensure that emerging evidence of housing need is addressed.

I recommend:

- **Policy HR1 remove titles “HR1a, HR1b, HR1c and HR1d”**
- **Policy HR1, delete first line “To facilitate...below”**
- **Policy HR1, second paragraph, change wording to “...lapses *Reserve sites SON7 and SON7a will be released....period.*”**
- **Policy HR1, delete third paragraph “If Reserve site SON7...period.”**
- **Policy HR1, fourth paragraph, change to “If Reserve sites SON7 and SON7a cannot...period.”**
- **Delete Table 5.4**

Financial contributions

Policy DE2

Policy DE2 comprises a statement. It is not a land use planning policy.

I recommend:

- **Delete Policy DE2**
- **Replace with “*Action for Parish Council: The Parish Council will seek to ensure that all financial contributions...*” and move this and all supporting text to the appropriate pages (currently 81-83)**

7. Neighbourhood Plan – Other Matters

I have recommended a number of additions to the “*Actions for the Parish Council*” section. These should be added to pages 81-83, which will necessarily expand.

The inclusion of Principles, Objectives and Action Numbers in this section is unnecessary and confusing. The Actions do not form Policies and do not require various boxes, titles and numbers.

I recommend:

- **Delete Principles, Objectives and Action Numbers. Simply head each Action with the title of that action**
- **Map 3.4, include the former NatWest bank building as part of the Retail Site**

I note that the above recommendations in this Report will have an impact on page numbers and Contents. These should be checked for consistency further to making the recommended changes.

8. Summary

I have recommended a number of modifications further to consideration of the Sonning Common Neighbourhood Plan against the basic conditions.

Subject to these modifications, I confirm that:

- having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the Neighbourhood Plan;
- the making of the Neighbourhood Plan contributes to the achievement of sustainable development;
- the making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area;
- the making of the Neighbourhood Plan does not breach, and is otherwise compatible with, European Union (EU) obligations.

Taking the above into account, I find that the Sonning Common Neighbourhood Plan meets the basic conditions. I have already noted above that the Plan meets paragraph 8(1) requirements.

9. Referendum

I recommend to South Oxfordshire District Council that, subject to the modifications proposed, the **Sonning Common Neighbourhood Plan should proceed to a Referendum.**

Referendum Area

I am required to consider whether the Referendum Area should be extended beyond the Sonning Common Neighbourhood Area. I consider the Neighbourhood Area to be appropriate and there is no substantive evidence to demonstrate that this is not the case.

I recommend that the Plan should proceed to a Referendum based on the Sonning Common Neighbourhood Area as approved by South Oxfordshire District Council on 25th October 2013.

Nigel McGurk, May 2016
Erimax – Land, Planning and Communities

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