

Watlington Neighbourhood Development Plan

Independent Examiner's Clarification Note

Context

This note sets out my initial comments on the submitted Plan. It also sets out areas where it would be helpful to have some further clarification. For the avoidance of any doubt matters of clarification are entirely normal at this early stage of the examination process.

Context

I have read the submitted documents and the representations made to the Plan. I have also visited the Plan area. I am now in a position to raise some issues for clarification. They are designed for the Parish Council. The comments that are made on these points will be used to assist in the preparation of my report and any recommended modifications that may be necessary to the Plan to ensure that it meets the basic conditions.

This Clarification Note should be read in conjunction with the note on the hearing to be held on 5 March 2018. Whilst they address separate issues there are inevitably some areas of overlap. The specific issues in this Note will not be debated at the hearing.

Points for Clarification

Paragraph 2.6

The first paragraph mentions traffic surveys from 2015. Are there any more recent studies?

I can see the strategic approach for the Plan in the fifth paragraph of this section of the Plan. Were other approaches considered? If so how was the preferred strategy chosen against the other options?

Paragraph 2.7

Please can I see a copy of the SODC Air Quality Annual Status Report 2016.

Policy P1

I can see that the policy is intended to have general effect. Nevertheless:

- does it need to be clear that it should be read in the context of other Plan policies?
- does it refer only to Watlington (as the settlement in c) rather than the other settlements in the Plan area?

Do you want me to address WNDP11: Watlington Design Guide as part of the examination?

Given the prominence of Watlington Hill and the view that it affords over the wider landscape in general, and the town in particular, is criterion d) realistic? Should its approach be more general?

Policy P2

Criteria b – should this be expressed in a positive rather than a negative format by identifying what will be supported?

Criteria d – is this a non-land use policy that should be relocated to a separate part of the Plan or given the lack of any clarity on the range of strategies should it be relocated into the supporting text?

Policy P3

As with Policy P1 I can see that this policy is intended to have general effect. Nevertheless:

- does it need to be clear that it should be read in the context of other Plan policies?
- does it apply throughout the Plan area?

Policy P4

In part a) should the Plan set out the amount of green space required?

In part b) WNDP 10 is very comprehensive. Nevertheless, the policy is not a policy as it does not identify the implications of LGS designation. Unless you comment otherwise I propose to recommend a modification to ensure that the policy complies with paragraph 78 of the NPPF.

Policy P5

Is it intended that criteria c) to g) apply to the range of sites identified in both categories a) and b)?

If so c)/d) may be impractical to apply to the smaller schemes. By definition e) cannot apply to the smaller schemes.

Policy P6

In general terms the policy reads well. However, for clarity should there be an 'or' at the end of each criterion? Plainly few, if any, schemes would satisfy all the criteria listed.

Policy P7

Would any development need to comply with just one or all the criteria?

Policy P8

As Policy P6

Policy P9

Criterion a) suggests that the priorities have not yet been determined. However, the supporting text lists the priorities. Was it your intention that there should be a connection between the two?

Criteria b/c – I see these statements as supporting text rather than policy. Any comments to the contrary are invited.

*Section 6**Site A*

What is meant by 'sufficient space' for informal recreation areas and sports areas?

The policy seeks to safeguard a route for a re-aligned B4009 within the site rather than require its delivery as part of the site's development. Could the development of the site be satisfactorily incorporated into the fabric of the town without the associated road being constructed and open to traffic?

How has the proposed allocation of the site taken account of the adjacent Watlington Industrial Estate? Can the two different uses comfortably co-exist in this part of the town?

Site B

The policy seeks to safeguard a route for a re-aligned B4009 within the site rather than require its delivery as part of the site's development. Could the development of the site be satisfactorily incorporated into the fabric of the town without the associated road being constructed and open to traffic?

What is meant by 'land' for green spaces and 'space' for an informal recreation area? How would a developer or SODC have any clarity on the amounts of land required?

Site C

The policy seeks to safeguard a route for a re-aligned B4009 within the site rather than require its delivery as part of the site's development. Could the development of the site be satisfactorily incorporated into the fabric of the town without the associated road being constructed and open to traffic?

As with Sites A and B several of the criteria are vague. Criteria 4-6 are clear examples. Is there any information on the community's expectations?

Criterion 3 fails to provide any clarity for a developer on the educational requirements arising from the development of the site, the relationship between the development of the site and the expansion of the school and the process by which other sites are being explored. Is there any detail on this issue? Is it being addressed more widely by the prospective developers of the three sites and/or by public bodies?

Section 6.6

I can see that the focus in this section is on windfall development. I can also see that the level of detail in relation to the potential opportunities is significantly less than that available for Sites A/B/C.

On what basis has this approach been adopted? I can see that the three specific sites are being 'encouraged' rather than allocated. No clarity is provided either to the site owners or to the District Council on the type of development which would be supported. On this basis should section 6.6 be addressed simply as supporting text and with the policy box removed?

Section 6.7

I can understand the thinking which underpins the first paragraph of this section. Nevertheless, as I read this section it directly conflicts with requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 which specifies that any plan must not relate to more than one neighbourhood area. In addition, some of the representations (not unreasonably) comment directly on sites PYR1 and PYR2 which are outside the neighbourhood area.

On this basis I intend to recommend that the whole of the section is deleted together with Figure 16 subject to any observations that the Parish Council may wish to make on this matter.

Watlington Design Guide WNDP11

Please can I have your comments on the representations made by SODC to this part of the Plan?

In particular it would be helpful to have your thoughts on the first observation under the 'Other Comments' heading. As I read the document it covers an appropriate range of issues for the neighbourhood area. However, the distinction between general commentary, factual information and design guidelines is not immediately clear.

Request for the District Council

Please can I have a plan showing the relationship between the three proposed housing allocations in the neighbourhood area and the current planning application on Site A (P17/S3231/0). It would be helpful if the plan also included the extent of the planning application site on PYR2 (P16/S2576/O) within the Pyrton neighbourhood area to the immediate east of the neighbourhood area.

Protocol for responses

I would be grateful for comments by Wednesday 28 February 2018. Please let me know if this timetable may be challenging to achieve. It is intended to maintain progress on the examination. It also takes account of the hearing to be held on the Plan on 5 March 2018.

In the event that certain responses are available before others I am happy to receive the information on a piecemeal basis. Irrespective of how the information is assembled please can all responses be sent to me by South Oxfordshire District Council and make direct reference to the policy/issue concerned.

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Independent Examiner

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12 February 2018