

## Summertown and St Margaret's 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.

#### **Initial Comments**

The Plan is well-presented. It provides a clear and distinctive vision for the neighbourhood plan area. Its focus on housing development, the natural and built environments, community facilities and the District Centre is both appropriate and distinctive to the neighbourhood area.

#### **Points for Clarification**

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

#### *General*

Several policies are non-land use community actions rather than land use policies. I have listed them on a policy-by policy-basis below:

- HCC3
- TRC1-6 inclusive
- ENC1

I can see that they have arisen naturally from the Plan-making process. I am intending to recommend that they are repositioned into a separate part of the Plan dealing with such matters. Do you have any comments on this intended approach?

#### *Policy HCS1*

The policy refers to 'all' community facilities. The supporting text lists a variety of community facilities

Does the policy apply only to the community facilities set out in the supporting text?

#### *Policy HCC1*

I have looked at the Consultation Statement as the supporting text highlights. Am I correct in focusing on Appendix 7? If so I can see the direction of travel. In the absence of a detailed funding package I am proposing to shift the direction of the policy from a definitive statement (will be created) to a supporting policy (proposals for a new health centre will be supported). Do you have any comments on this intended approach?

#### *Policy HCC2*

As with HCC1 I am proposing to shift the focus of the policy from a directional statement (should be created) to a supporting policy (proposals for the redesign/reconfiguration of Alexandra Park will be supported). Do you have any comments on this intended approach?

#### *Policy RBC1*

I looked at the District Centre in detail when I visited the neighbourhood area.

The second part of the policy reads more as a collaborative approach with the City Council rather than as a land use policy. If your ambition was to produce a land use policy how would you expect the City Council to adopt a clear and consistent approach throughout the Plan period to 'limit/limit/maximise/retain' in this part of the policy?

Does the policy have the clarity required by the NPPF?

#### *Housing Policies*

Is there a missing Policy HOS3 or is the numbering in the Plan incorrect?

#### *Policy HOS6*

I have looked at the Character Assessments in the appendices to the Plan. They are a comprehensive piece of work. However as currently configured the casual reader (and indeed the local planning authority) has to look elsewhere to find the relevant information to make sense of the policy.

As such I am proposing to recommend a modification that would:

- incorporate the Character Assessments directly into the Plan; and
- more closely relate the policy to paragraphs 56 to 61 of the NPPF

Do you have any comments on this intended approach?

#### *Policy HOC3*

Did the Neighbourhood Forum consider any environmental/amenity criteria for this policy?

#### *Policy ENS1*

I can see the relationship between the policy and the first paragraph of the supporting text on page 36. Nevertheless:

- Is Table 1 the element in the light grey box on pages 36/37?
- Where is Map 5?
- Is the policy's primary function to safeguard the four areas identified in Table 1?

#### *Policy ENS2*

I understand the 'conserve' part of the policy. Are there any proposals to 'enhance' the sites listed in the policy?

#### *Policy ENS4*

Is the application of the policy to 'all' proposed developments proportionate given that the vast majority of development proposals in the Plan period are likely to be of a minor/domestic nature?

#### *Policy ENC3*

I saw the importance of mature trees when I visited the neighbourhood area. As such I understand the inclusion of such a policy in the Plan. Nevertheless, its first two components (planting new trees and the maintenance of trees) are beyond planning control. On this basis I intend to recommend the deletion of these elements from the policy and reposition them into the supporting text. Do you have any comments on this intended approach?

*Policy ENC4*

This policy raises similar issues to ENC3. I intend to adopt a similar approach.

***Representations made to the Plan***

Does the Neighbourhood Forum wish to make observations on any of the representations made to the Plan?

In particular does it have any comments on the representations made by the City Council which address the relationship of certain policies (mainly housing policies) to policies in the development plan?

***Protocol for responses***

I would be grateful for responses to this Note by Monday 13 August 2018. Please let me know if this timetable may be challenging to achieve. It reflects the factual basis of the questions raised.

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 the Oxford City Council and make direct reference to the policy/issue concerned.

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Independent Examiner

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