

Neighbourhood Development Plan

Community Questions and Answers

January 2020, updated July 2020

The Steering Group held community events in September 2019 to update residents of Kidmore End Parish on the progress being made towards the production of our Neighbourhood Development Plan (NDP). A large amount of information was provided to the community on the range of evidence that has been gathered and the independent advice that has been received to date, resulting in a proposed overall approach for the NDP, its objectives and key policies. Key information provided to the parish included the rationale for choosing to allocate a small site for development within the NDP. The site is referred to in all documents as CFS8 and is situated in Tokers Green Lane in the village of Kidmore End.

Residents across the parish were asked to complete a survey to provide their feedback on the work already carried out as well as the proposed approach and the recommendation to include an allocated site. Surveys were completed either at the events or in the weeks following them. The full results of the survey were published in November 2019 and can be found on the KEPC website:

<https://www.kepc.info/2019/11/27/ndp-community-event-survey-results/>

The survey results show that a large majority of residents in the parish are supportive of the approach being taken to complete the NDP, including the decision to allocate a site and for that site to be at the proposed location in Kidmore End village.

The production of an NDP is a complex process which requires careful consideration of many different, and often changing, factors. Following the community events, the Steering Group have received a number of questions, either through the survey or directly from residents, interested in gaining further clarification on a number of points of concern or interest. The purpose of this Q&A document is to answer these questions in an open and transparent way with the information currently available to the Steering Group. The information provided is correct at the time of writing.

1. Why are we going ahead with the NDP when the Local Plan hasn't been finalised?

The NDP carries legal weight regardless of whether or not there is a ratified Local Plan. As of 9th October 2019, the South Oxfordshire Emerging Local Plan was placed under temporary Direction from the Secretary of State for Housing Communities and Local Government and the Steering Group has continued to take direction from the Core Strategy ratified in 2012 and saved policy from the 2011 Local Plan. Advice to the Steering Group from SODC has been to continue with the NDP with or without an updated Local Plan as this best represents local requirements.



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Updated July 2020: Recently, progress has been made with the Emerging Local Plan. The public hearing of the inspector's examination was held in the week of 20th July 2020, with an expected decision date in the Autumn of 2020.

2. *Why is the NDP focused solely on housing and not on traffic and transport etc?*

The NDP is a planning document and so its policies relate to issues most closely related to planning. Many transport issues such as highway maintenance and traffic controlling measures are the responsibility of the county council and outside the scope of neighbourhood planning. Inside the scope of the NDP are things such as ensuring sufficient parking for new developments and ensuring existing infrastructure is able to cope with any additional housing. The Steering Group are aware of concerns about road safety across the parish and are currently exploring the extent to which the NDP might be able to address these issues.

3. *Why is it necessary to allocate a site when our housing targets have reduced to zero?*

This is one of the most important decisions within the NDP and the Steering Group have considered this at length. Despite there not being a housing target for smaller villages currently, this could change. The results of the Household Survey in 2018 indicated an appetite across the parish for more housing, on small sites. This appetite for small, controlled growth was reiterated in comments provided in the September 2019 Community Survey.

The Steering Group have sought advice on the pros and cons of including an allocated site versus relying on organic growth to deliver the number and types of housing that would match our local requirements. For all the reasons outlined at the September 2019 Community Event, available to view in the event information document on the KEPC website, we believe we are in the best position to contest large scale speculative development and other unsuitable developments by taking a proactive and positive approach to allocation in line with the National Planning Policy Framework 2019 (NPPF). If the parish has a housing allocation within the NDP, the whole plan area is covered and protected by a 3 year land supply. This is important as the current delay with the finalisation and ratification of the SODC Local Plan increases the risk of speculative development interest across the district.

4. *Why has the one proposed site (CFS8) been deemed appropriate when it is within the AONB?*

Feedback from residents in the Household Survey 2018 indicated that there is a perceived need for more housing in the parish. One factor of great importance is that any development should be within a village rather than in the open countryside between villages.



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During the Call for Sites process, of the 21 sites reviewed by independent consultants, Aecom, only one was rated as 'green'. This is detailed in the Kidmore End Neighbourhood Plan Site Options and Assessment Report 2019.

<https://www.kepc.info/wp-content/uploads/2020/02/Topic-Paper-Housing-Requirement-and-Allocation-updated-Jan-2020f.pdf>

The one 'green' site located in Kidmore End makes only a minimal extension of Kidmore End's hard edge to the countryside on one side of the road and sits well within the development on the other side of the road, thus not encroaching on the open countryside between villages.

The CFS8 site sits within the AONB, however, the site is relatively small and on the edge of farmland, leaving the majority of the field unaffected. Advice from the Countryside Officer and Conservation Officer was received as follows: *'There are no known constraints on this site which is a rotation grassland on a former arable field. The site does not appear to have any significant ecological constraints that would affect its allocation.'*

Whilst it is recognised that there are some compromises in this decision, overall the site is deemed appropriate for development and in line with the NDP's aim which is to allocate one site limited to 3 – 4 dwellings. Proactively allocating one small site helps protect us against further development on AONB land and the wider parish setting.

5. *Previously, development of land around the CFS8 site was rejected for development by Highways. What has changed?*

In 2004/5 a number of sites across the parish were considered as possible sites for affordable housing. The field where CFS8 is situated was a potential site. In the context of approximately 7 dwellings being developed and the speed limit at the time being 30 miles an hour, Highways deemed the site to be unsuitable.

In 2019, Highways provided comments on the CFS8 site in the context of potential provision for up to 5 dwellings. The speed limit on this stretch of road is now 20mph. Advice from Highways was for a Holding Objection, which means there is no fundamental outright objection and where, if improvements were demonstrated to address the issues raised, this would likely remove the objection. A full Highways assessment would take place as part of any planning application.

6. *Why can't alternative sites be proactively put forward by the community?*

The Call for Sites process stipulates that landowners should be invited to put forward available land if they would like it considered for development. The Steering Group is not able to suggest sites and can only request the assessment of sites put forward by or on behalf of landowners. Of the sites put forward by landowners in the parish, only one of those, CFS8, was rated as a 'green' site by Aecom as detailed in the Kidmore End Neighbourhood Plan Site Options and Assessment Report 2019.



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7. *If neighbours object to building on an allocated site, how much weight do those objections carry?*

Any allocated site in an NDP still needs to obtain planning permission. Once the landowner submits a planning application, as with all planning applications, people are invited to provide comments on the proposal. Applications are determined in accordance with the Development Plan (in the case of SODC currently, saved policies from the local plan 2011 and the Core Strategy 2012 and any adopted Neighbourhood Plans) unless material considerations indicate otherwise.

Representations by members of the Parish to the Steering Group form part of our Consultation Process and will be considered throughout the NDP process (see Q18 added July 2020). Ultimately the whole Parish is invited to approve or reject the NDP by majority in a referendum.

8. *If a site is agreed for a specific type and number of houses, how do we safeguard against developers ignoring the brief?*

The NDP can stipulate the number and type of houses and developers are required to respect this unless there are compelling material considerations that justify deviating from the plan.

9. *How do we safeguard against sites being expanded over time?*

The greatest control we have over sites being extended over time is by keeping the NDP up to date to ensure that it remains valid and continues to carry legal weight.

10. *How supportive are SODC of our NDP objectives and policies?*

SODC have been very supportive of our process and we are working with them to ensure that our NDP best fits with the anticipated direction of the Emerging Local Plan. The support of SODC is important as it is the district council who will formally adopt the NDP after the independent examination and community referendum.

11. *To what extent can we be sure the NDP is respected and not at the mercy of appeals from developers?*

Adopted NDPs form an important part of the criteria for assessing both planning applications and appeals. Having an NDP doesn't stop developers from appealing but with the NDP in place we stand a better chance of successfully countering those appeals.

12. *When is the NDP likely to be finalised?*

Creating an NDP is very complex and has been a two year project to date which has involved three community events, two community surveys and the commissioning of expert consultants to conduct landscape studies, advise on the Call for Sites process



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and gather other important evidence. The Steering Group has now gathered enough evidence to write the NDP policies which form the most important part of the NDP as these provide the local criteria for planning applications.

Updated July 2020: The draft policies have now been approved in principle by experts and the Steering Group are preparing the full draft of the main NDP. Once the complete document is drafted, the community will be asked to give feedback through the pre-submission consultation process (regulation 14) before it goes forward for independent examination. This is expected to take place in the Autumn of 2020 (see Q18). It is hard to predict a final date for final ratification, however, the Steering Group are aiming for it to be completed in 2021.

13. How do residents keep up to date?

All of the NDP information is posted on the KEPC website (www.kepc.info/ndp). In line with the Terms of Reference of the Steering Group, NDP meetings are closed meetings and subject to appropriate declarations of interest and confidentiality obligations. Progress is reported at the Kidmore End Parish Council (KEPC) meetings which are public, and minutes from both the NDP Steering Group and the KEPC meetings are posted on the KEPC website. Information is also regularly provided in the Parish Newsletter and updates are posted on the KEPC Facebook page. Email updates are sent to residents who have agreed to receive parish emails. The recent community events were also publicised via posters in each of the villages and via the school and the pubs as well as on various local WhatsApp groups.

The Steering Group is committed to being open and transparent and each community event is used to facilitate two-way communication either through conversations or by means of a survey or questionnaire. The next community event is planned for the early part of 2020.

Anyone who wishes to participate more fully in the Steering Group is invited to volunteer by emailing Sue Biggs on ndp@kepc.info. Similarly, if you are not yet receiving parish emails and would like to, please contact Sue Biggs via email.

Additional Questions and Answers added in July 2020:

14. Is the decision to include a site for housing development based on evidence drawn from an objectively assessed local need?

The Housing Requirement and Allocation Paper explains the rationale.

15. The draft Plan assumes that having a site for development of just 3-4 houses will prevent speculative development elsewhere in the Parish. What is the evidence of this strategy being successfully applied elsewhere in a small village in a rural setting?

Paragraph 15.2 of the Housing Requirement and Allocation Paper concludes: “The allocation of a small site for 3-4 dwellings at Kidmore End village would help



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strengthen the NDP and demonstrate a positive approach to sustainable development in the NDP area as required by national and local policy. It would make a small contribution to the continued sustainability of the village and deliver a small contribution by the Parish's Neighbourhood Plan Area to SODC's overall housing needs. In doing so it would help towards achieving a plan led approach to development as required by national policy and provide better protection from speculative unplanned development in the neighbourhood plan area. This approach is based on National Planning Policy".

Paragraph 11 of the National Planning Policy Framework (NPPF) sets out that: Decisions should apply a presumption in favour of sustainable development. For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 14 sets out that in situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply:

- a) the neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;
- b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement;
- c) the local planning authority has at least a three year supply of deliverable housing sites (against its five year housing supply requirement, including the appropriate buffer as set out in paragraph 73); and
- d) the local planning authority's housing delivery was at least 45% of that required⁹ over the previous three years.

16. *Why, according to Aecom, are sites CFS4, CFS8 and CFS10 considered to be favourably located in terms of community facilities?*

Aecom used their pro-forma and methodology as set out in the Aecom Site Assessment report. Aecom is an independent firm recommended and approved by Locality. Locality provides support to neighbourhood planning groups on behalf of the Ministry for Housing, Communities and Local Government.



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Aecom have extensive experience providing consulting and advisory services to clients in both the public and private sectors.

17. *Did the Steering Group consider other options including offering more or no land for development?*

See Q6.

The Housing Requirement and Allocation Policy sets out the process and the considerations. The Parish Council set up a number of community events in September 2019 to present the housing requirement and allocation process undertaken. Information provided at the event is available on the website. There was a request for residents' feedback following these events and the Parish Council has since published the results of this survey.

18. *The last community engagement event took place in September 2019. When is the next community engagement planned?*

The NDP Steering Group are currently finalising the draft plan proposal and will be submitting these documents to the Parish Council in the Autumn. The council will then vote on whether the plan will go forward to the Regulation 14 Pre-Submission Consultation. During this consultation, the Parish Council will be seeking comments from the local community and statutory consultees on the draft plan, detailed policies and associated documents. Everyone in the parish will be invited and encouraged to respond to this consultation. This is expected to take place in the Autumn of 2020.

For further information on the Regulation 14 Pre-submission consultation please refer to page 32 of the Locality Step by Step Roadmap Guide:
<https://neighbourhoodplanning.org/toolkits-and-guidance/create-neighbourhood-plan-step-by-step-roadmap-guide/>

Due to the Covid-19 pandemic we are still in the planning stage of how the engagement with the community will take place in line with government guidelines.

19. *What happens at the end of the Regulation 14 consultation period?*

Any comments and concerns received by the end of the consultation period will be considered and, where relevant, addressed in the proposed Neighbourhood Development Plan. When the plan is submitted to the local authority, it will include a 'Consultation Statement' which will document the details of the Regulation 14 Consultation.