

Milton-under-Wychwood Neighbourhood Development Plan

Examiner's Clarification Note

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 doubt, matters of clarification are entirely normal at this early stage of the examination process.

Initial Comments

The Plan has been prepared and presented in a very professional and effective manner. The photographs and the maps are excellent.

The Plan is underpinned by a package of excellent supporting documents and appendices.

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 able to raise issues for clarification with the Parish Council. The comments made on the points in this Note will assist in the preparation of my report and in recommending any modifications that may be necessary to ensure that the Plan meets the basic conditions.

Policy CH1

This is a very good policy which is underpinned by the excellent Character Assessment.

In my view the second paragraph reads as supporting text rather than policy. Does the Parish Council have any observations on this conclusion?

In addition, the final bullet point reads more as a community action rather than as a criterion of the policy and appears to have little reference to the sentence which prefaces the criteria. Does the Parish Council have any observations on this conclusion?

Policy CH3

I looked carefully at the gap between Milton-under-Wychwood and Upper Milton. The purpose of the policy is clear.

Nevertheless, there appears to be an inconsistency between the supporting text and the policy. The former comments about 'retaining' the remaining gap whereas the policy comments that proposals which would 'result in the coalescence' of the two settlements will not be supported. Which is the intended approach?

In addition, the first paragraph reads as policy and the other three read as supporting text. Does the Parish Council have any observations on this conclusion?

Policy CH4

As with Policy CH3 I understand the purpose of the policy.

However as submitted the effect of the policy would be more restrictive than Green Belt policy. Is the intention not to support built development which would reduce the separation between the two settlements?

In addition, the first paragraph reads as policy and the other two paragraphs read as supporting text. Does the Parish Council have any observations on this conclusion?

Policy E1

In my view the third paragraph reads as policy and the other three read as supporting text. Does the Parish Council have any observations on this conclusion?

Policy E2

The initial part of the policy appropriately lists the proposed local green spaces (LGSs).

However, the second paragraph of the policy goes well beyond the simple approach taken in paragraph 103 of the NPPF. I am minded to recommend that the policy is modified so that it follows the matter-of-fact approach taken in the NPPF. Does the Parish Council have any comments on this proposition?

I am satisfied that LGS5 is 'in close proximity' to the village and is 'local in character and not an extensive tract of land'. Nevertheless, does the Parish Council wish to comment further on the extent to which it is 'demonstrably special to the local community' and the weight which it has given to the various criteria in Appendix 6?

To what extent (if any) has the demarcation of the footpath altered the overall character of the site?

Policy F1

Does the second paragraph serve any specific purpose given that the retention of the Grove Business Park will not need planning permission and the District Council's approach towards an Article 4 direction is not matter for the neighbourhood plan to address?

The fourth paragraph of the policy does not have the clarity for a development plan policy required by the NPPF as a policy cannot set out a 'priority' for one type of development over another type of development. Please can the Parish Council explain its approach to this matter?

Policy F3

In my view the fourth paragraph of the policy reads as supporting text for the third part of the policy. Does the Parish Council have any observations on this conclusion?

Representations

Does the Parish Council wish to make any comments on the representations made to the Plan?

I would find it helpful to have the Parish Council's comments on the representations made by:

- Oxfordshire County Council; and
- West Oxfordshire District Council

Protocol for responses

I would be grateful for responses by 19 December 2022. Please let me know if this timetable will be challenging to achieve. It is intended to maintain the momentum of the examination.

In the event that certain responses are available before others, I would happy to receive the information on a piecemeal basis. Irrespective of how the information is assembled, please could it come to me directly from the District Council and make direct reference to the policy or the matter concerned.

Andrew Ashcroft

Independent Examiner

Milton-under-Wychwood Neighbourhood Development Plan.

21 November 2022