**Chair’s Update**. May 2020

**Notes from the Hearing for the 12nd Examination of the Neighbourhood Plan**

The Hearing for the 2nd Examination of the Neighbourhood Plan was held via remote connection on May 19th, 2020. It was just over three hours long and so we don’t expect too many people will have viewed the footage. This is an overview of the discussion so the Parish Council will have a reference for questions at the Council meeting on June 3rd, 2020.

**TOPIC A** – Housing still required to meet target of 38

This was a question asked of the Parish Council. In preparation the Chair went through the Housing Register and discovered some issues with the number of homes CDC stated we still needed. As a result the number was changed and Cherwell was able to report that there remained a shortfall of 10 homes to 2031. CDC considers this a manageable number as the development curve from 2011 has seen an average of two homes per year. If we continue in this way, we will have achieved our target well before 2031. WOTG’s NP also identifies the need for more affordable homes and the parish is unwilling to get them by agreeing to any/all housing development that gives us 2 or 3 at a time whilst building larger, executive homes. CDC backed up our housing need and the lack of a specific target number given to us by CDC by a list of references to the NPPF, ACLP Policy Villages 2.

**TOPIC B** – Fir Tree Farm and the Green Belt issue

Council will know that we were not allowed to enter this site in our NP as our preferred site for housing because it is in the Green Belt and thus placed a challenge to the policy in the CDC Local Plan. At the committee level, Cherwell would have had to refuse the NP.

The Examiner did not agree with this view and stated that he has seen Rural Exemption Sites on Green Belt proposed for housing in a ‘number of NPs’.

The Examiner asked further questions about Fir Tree Farm and we were able to fill him in on the history of our planning & design for a site there. He asked for more information and the PC was able to state:

* That the land for building will be gifted to the Parish Council by the owner for the sole purpose of building affordable homes for villagers and those who work in the village
* That there has been full preparatory work done for a pre-application on the site.\*\* The pre-work for the pre-app was summarily submitted to the Examiner as were a copy of the letter stating the land would be gifted to the PC

The discussion around this site allowed the PC to point out why this was a favourable site as opposed to the schoolfield. Opposition to this point by Pegasus was discussed in term of the ineligibility of the site in the NP – again refuted by the Examiner.

**TOPIC C** – Section 52 The Examiner wished to explore the implications of the covenant

1. Were Lagan Homes aware of the covenant to the site when they bought the land. YES
2. Implications of S52 on a proposed planning application

Pegasus – if CDC enforce an S52 on the land, Pegasus will take them to Tribunal

1. Is the site deliverable?

Pegasus – Yes, because they are confident they can win at Tribunal

1. Would Lagan Homes sell the site? (or what is the end game?)

Pegasus – this has not been discussed.

Further discussion as to the cost of the site and was it sold as agricultural land?

1. What is the current use?

Pegasus – Agricultural – horse and sheep grazing

Key point for the examiner: Is the site deliverable?

1. Evidence of wildlife moving from one SSSI to another?

Strength of Conservation Area 2009 Appraisal – classified of the land as ‘not for development’ on HELLA

PC – key issue is the role of the field in biodiversity and that it is a transition space to open countryside

**TOPIC D –** What does “encouraging the preservation and management as a potential grassland habitat with passive recreational open space commensurate with the maintenance of a lowland meadow” entail?

* A willing landowner – Lagan Homes is not willing
* How can community preserve that the NP is deliverable? If this aim is not deliverable then the plan is ineffective and does not meet the requirements

Discussion – Roger Evans agreed that this wording implied a change of use from the current ‘agricultural land’ designation hence is willing to remove this sentence from the plan. Agreed. The PC made clear that any spoiling of the field in any way would be quickly reported with an insistence to protect the rural feel of the field.

Currently there is horse grazing on the field.

Keeping this use of the land and regular upkeep of the field is a deliverable point.

(PC needs to discuss current changes to the edge of the field)\*\*\*

**TOPIC E** - Is there any need for further consultation before the examination is finalised?

CDC & PC– if the schoolfield is selected then ALL the other sites mentioned in App. Need to be consulted

Lagan Homes – if the site is omitted then a full consultation needs to occur with an eye to removing Fir Tree Farm from the potential list (they are sure a Rural Exemption would not go ahead)

RE challenge to the Examiner having the power to allocate the schoolfield as it is in the Conservation Area and has previously been ‘protected’ from development. An allocation in the NP plan has the status of an outline application. Land in a conservation area has quite a number of processes to go through before an outline app could be accepted and so the Examiner should not pre-empt these processes. NOTED

1. **What status does the NP currently have?**

All sections of the NP have been agreed by CDC at Executive level with the exception of the policies around the schoolfield. This means the NP must be given considerable weight in any planning application.

1. **Important considerations for the Parish Council**

The PC is determined to protect the schoolfield but at the same time there are many policies that are important to other and all areas of the village.

We may need to ‘look outside of the box’ at a solution to the land/housing allocation.

1. Are we prepared to stand back and see all interested parties file an application and see what the process allows?
2. Are we prepared to see the NP fail on the basis of the schoolfield housing request?
3. What are the costs to the village of a failed application?

**C.** The Cherwell Local Plan Review commenced in April 2020 with District Wide Options Consultation (Regulation 18) Feb – March 2021, Consultation on draft Plan Oct – Nov 2021, Consultation on Proposed Submission Plan July – August 2022, Submission – Nov 2022, Examination Nov 2022 -2023, Hearings Feb – March 2023, Publication of Inspectors Report June 2023, **Adoption July 2023**.

Housing numbers for all areas will be reviewed and new targets will be given. Cherwell has signed up to the Oxford Growth Plan and so cooperation with increased housing can be assumed. However, there will also be an examination of the categorisation of villages. WOTG has requested that our category A be re-considered. We hope to be reduced to a Category B based on our limited scope for development by the restriction of the green belt and the conservation area in and around the village.

**D. Key Point:** All plans which sit ‘under the Local Plan’ will need to be reviewed based on the expectations of the adopted Local Plan. This has two implications: we need a **watchful eye** on the progress and changes in the developing plan; we need to be planning the **first review of our Neighbourhood Plan by late 2023**. This review outcome passes by a majority vote of the Parish Council, not a referendum.

The helpful note here is that we can requested Local Green Space designation for new sites in the village – ie schoolfield.

Submitted: Diane Bohm, May 29th, 2020

**E. Local Green Spaces**: One of the questions asked in the written representations was why the NP group had not designated the schoolfield as a local green space. We explained that we had in one of our drafts but it was refused by CDC on the grounds that we might not achieve it and jeopardise the NP result. On our discussions the Examiner felt that this was faulty and suggested that this could be a way forward.

The schoolfield groups recommends that we consider adding this designation if the examiner recommends it. If it does not come up in the final paper then we might do this at the time of the NP review.

**F. Non-designated Heritage Asset**: Another recommendation by the Examiner and agreed to by the action group is that we ask for the field to be conferred the status of a Non-designated Heritage Asset by the CDC.