

## **DEDDINGTON NEIGHBOURHOOD PLAN**

### **REGULATION 14 ANALYSIS: STATUTORY BODIES**

#### **1. Introduction**

1.1 This note summarises the representations made by the statutory bodies on the Pre-Submission version of the Deddington Neighbourhood Plan (DNP) during its recent 'Regulation 14' consultation period. It concludes by recommending main modifications to the DNP so that it may be submitted to the local planning authority, Cherwell District Council (CDC), to arrange for its examination and referendum.

#### **2. Representations**

2.1 Representations have been received from:

- Cherwell District Council (CDC)
- Oxfordshire County Council
- Pembury Webb
- M&G Estate Ltd
- Bloor Homes
- Welbeck
- Des Dunlop
- Marrons Planning and Rainer Developments
- Mr Colin Young and Mr Douglas Young
- Mr Thompson

2.2 A response to Duns Tew Parish Council's representation is included in the Consultation Statement. Other adjoining Parishes were consulted but none have made representations.

### **3. Analysis**

3.1 The representations, notably those of CDC, include suggested minor modifications to the text of the document, as well as those of more consequence. This note focuses only on those of greater substance as all those of minor consequence can be addressed in finalising the document.

Representation	Representation Summary	Comments
Cherwell District Council	<ol style="list-style-type: none"> <li>1. CDC recommends para 3.3 explains the relationship between the NP and the emerging Local Plan.</li> <li>2. Concern that Policy DEDD1 'Deddington Village Settlement Boundary is in conflict with LP Policies VILLAGES1 and 2.</li> <li>3. Concern there is a conflict between DEDD1 and DEDD13.</li> <li>4. Recommends that Proposed Site C in Policy DEDD2 is excluded.</li> <li>5. Queries evidence to support reference to nursery provision in Site A</li> <li>6. The CDC recommends that DEDD4, DEDD5 and DEDD6 are merged into a design policy for Deddington Conservation Area, and another for the rest of Deddington, Hempton and Clifton.</li> <li>7. Queries the evidence to justify the Special Landscape Area and its exclusion of specific types of development in Policy DEDD7</li> <li>8. Require more evidence to support DEDD16 and consider LP policies already cover the same matter.</li> <li>9. Suggest other non-significant changes to other parts of the document and the policy maps.</li> <li>10. Housing team queries information on type and tenure in DEDD3 and notes its local connections policy.</li> </ol>	<ol style="list-style-type: none"> <li>1. Agree. <b>RECOMMEND:</b> Add explanation in §3.3.</li> <li>2. Do not consider any conflict with LP policies as it simply defines what 'built up limits' means on the Policies Map and summarises the effect of the location of a proposal inside or outside that boundary, rather than repeating a number of LP policies, including VILLAGES1 and 2. This is explained in §5.4. <b>RECOMMEND:</b> No change.</li> <li>3. Agree. <b>RECOMMEND:</b> delete clause B of DEDD13 and rely instead on LP Policy SLE1 and its successor, with an explanation in the supporting text, rather than repeat the rural development criteria of that policy.</li> <li>4. Agree (and with similar comments made by others). New indicative housing figure for Deddington in emerging LP significantly lower than anticipated so no need for allocation in any event. <b>RECOMMEND:</b> delete site.</li> <li>5. Existing village nursery needs to relocate from buildings in need of uneconomic repair. Also an important feeder to the Primary School. Successful and a much-needed social asset for the Parish. Site A is considered suitable given its size, central location and proximity to the Primary School. <b>RECOMMEND:</b> bolster evidence from nursery and</li> </ol>

		<p>school including agreeing site requirements to modify policy wording for clarity.</p> <ol style="list-style-type: none"><li>6. Accept that this was another way of organising the design policies but no resource to modify – perhaps an action for the first review of the made NP in due course. Agree with suggested mods to the existing policy wording. Note that it is intended to maintain the status of the excellent Conservation Area Appraisal and this could be made clearer by policy reference. <b>RECOMMEND:</b> Modify policy wording as CDC suggests and make clearer how the Appraisal forms part of the policy. (Note: this may also have the advantage of the Appraisal not needing to be reviewed as SPD, as per the proposed NPPF 2023 changes).</li><li>7. Agree with suggested modifications. <b>RECOMMEND:</b> amend Clause A to remove mention of the Special Landscape Area.</li><li>8. LP Policy ESD3 is the most relevant and DEDD16 is intended to improve the effectiveness of developers showing that what has been built accords with its third and fifth paragraphs so there is no ‘energy performance gap’ between what is proposed and what is built and occupied. This is done via the Post Occupancy Evaluation test attached as a planning condition, from which PassivHaus (and equivalent certified standards) buildings are exempt as they cannot fail in this way. <b>RECOMMEND:</b> flip clauses B and C to improve its clarity and modify supporting text.</li><li>9. Agree. <b>RECOMMEND:</b> modify text and maps as suggested.</li></ol>
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		<p>10. DEDD3 has been derived from the HNA report. <b>RECOMMEND:</b> No change.</p>
Oxfordshire County Council	<ol style="list-style-type: none"> <li>1. Fire station does not meet the criteria to be listed as a non-designated heritage asset.</li> <li>2. Require road access to DNP2 site A not to compromise fire station access.</li> <li>3. The NP should consider cumulative effects of ongoing planning applications, such as the application for 135 dwellings (22/02992/OUT) near Sites DNP11 and DNP6.</li> <li>4. Concern that the allocation at DNP1 is unsuitable due to safety issues due to its incline grade. Mitigation measures might make it suitable.</li> <li>5. DNP1 would justify a pedestrian path of at least 2m width and applications would need to include a turning area for refuse cars.</li> <li>6. DNP8 clause D is inconsistent with new parking standards.</li> <li>7. S106 contributions for education will be invested at Adderbury.</li> <li>8. Add a policy relating to archaeology.</li> </ol>	<ol style="list-style-type: none"> <li>1. Agreed. <b>RECOMMEND:</b> remove fire station from Appendix A as a non-designated heritage asset.</li> <li>2. Agree. <b>RECOMMEND:</b> modify clause 3 of A accordingly.</li> <li>3. An SA/SEA has been carried out alongside the plan, taking into account cumulative effects. <b>RECOMMEND:</b> no change.</li> <li>4. Agree that this site is unsuitable. <b>RECOMMEND:</b> see above in relation to Site C.</li> <li>5. Ditto</li> <li>6. Noted. <b>RECOMMEND:</b> either provide more evidence in support of clause D or align with new standards.</li> <li>7. Noted. <b>RECOMMEND:</b> consider liaising with OCC to agree S106 contribution to the relocation of the Deddington pre-school serving the primary school</li> <li>8. The Development Plan already has policies protecting archaeological assets, adding one to the NP also would risk duplication. <b>RECOMMEND:</b> No change.</li> </ol>
Pembury Webb	<ol style="list-style-type: none"> <li>1. Recommends that DNP6 is prioritised over the allocations in DEDD2 b) and c) and concerned that the site selection process was not based on evidence or consultation with local residents.</li> <li>2. Argues that the Parish Council has underestimated the number of dwellings which Deddington Parish should provide through the NP period.</li> <li>3. Errors on the insert plan including the incorrect placement of a hedgerow in site DNP6, access to site</li> </ol>	<ol style="list-style-type: none"> <li>1. The site selection process has been robust with full evidence in the SEA. <b>RECOMMEND:</b> No change</li> <li>2. The total housing number has been informed by the HNA report and CDC's indicative housing figure. The NP must also be in general conformity with the VILLAGES1 strategy. <b>RECOMMEND:</b> No change</li> <li>3. Noted. <b>RECOMMEND:</b> amend map in respect of the GI features on the site. It is recommended elsewhere that the site is deleted from the NP.</li> </ol>

	<p>DNP6 and the number of dwellings suitable for Site DNP6. Suggests that Site DNP6 on the policy map is amended to include the access point through Stone Pits land.</p> <ol style="list-style-type: none"> <li>4. Concern that the preference for first time homes in DEDD3 has not been agreed with the CDC.</li> <li>5. Concern that the requirements set out in Policy DEDD16 is not always achievable.</li> </ol>	<ol style="list-style-type: none"> <li>4. This policy is based on evidence from the HNA and is in line with the adopted Cherwell Local Plan Policy BSC 3: 'Affordable Housing'. <b>RECOMMEND:</b> no change</li> <li>5. The policy specifies that it applies "where feasible". <b>RECOMMEND:</b> no change</li> </ol>
M&G Real Estate	<ol style="list-style-type: none"> <li>1. Recommends that Site DNP6 is put forward as a proposed allocation instead of as a reserve site, and also that Sites DNP7, DNP16, DNP18 and DNP19 are allocated for residential development.</li> <li>2. Recommends that the NP allocates land in Hempton and Clifton and that a settlement boundary is drawn around Hempton.</li> <li>3. Disagrees with the discount rate for first homes and thinks that this should be set by the CDC.</li> <li>4. Argues that the NP should allocate for more dwellings</li> <li>5. Suggest that the boundary for the Land north of Wimborn Close is extended to the west.</li> <li>6. Recommends that the settlement boundary is extended to include the Land north of Wimborn Close and Grove Fields</li> <li>7. Suggests that policy DEDD16 on Zero Carbon buildings is amended to include a wider range of solutions rather than just Passivehaus standard.</li> <li>8. The Parish Council should identify an area under their control for planting relating to policy DEDD9</li> </ol>	<ol style="list-style-type: none"> <li>1. The site selection process has been robust with full evidence in the SEA. CDC advised that the NP could not make allocations at Clifton or Hempton and meet the basic conditions so this was taken no further. <b>RECOMMEND:</b> No change</li> <li>2. As above. However, there is merit in defining settlement boundaries for Clifton and Hempton to define how 'infill' should apply. <b>RECOMMEND:</b> define settlement boundaries for Clifton and Hempton.</li> <li>3. As above. <b>RECOMMEND:</b> No change</li> <li>4. As above. <b>RECOMMEND:</b> No change</li> <li>5. As above. <b>RECOMMEND:</b> No change</li> <li>6. Noted. <b>RECOMMEND:</b> It is recommended that the site is removed from the NP.</li> <li>7. The policy states that an equivalent to PassivHaus standard also will be supported. <b>RECOMMEND:</b> no change</li> <li>8. This is not necessary to apply the policy successfully. <b>RECOMMEND:</b> no change</li> </ol>
Bloor Homes	<ol style="list-style-type: none"> <li>1. There is concern that the NP may become out of date once the emerging Local Plan is adopted.</li> </ol>	<ol style="list-style-type: none"> <li>1. NPs need not become out of date on the adoption of a new Local Plan. <b>RECOMMEND:</b> no change</li> </ol>

	<ol style="list-style-type: none"> <li>2. Concern that the evidence presented in NP is incorrect</li> <li>3. Argues that a single large site is a more suitable alternative for the Parish as opposed to many smaller ones</li> <li>4. Points out that the GI network incorrectly runs across site DNP10 on the policies map.</li> <li>5. Recommends updating the OS Base map</li> <li>6. Express disappointment that the vision documents for site DNP10 were not made public and feel like this has impacted the results</li> </ol>	<ol style="list-style-type: none"> <li>2. The evidence is considered to be proportionate, up-to-date and correct but will be reviewed before submission and modified if necessary. <b>RECOMMEND:</b> review evidence base before submission, especially in respect of DNP11.</li> <li>3. The site assessment process has addressed this matter. <b>RECOMMEND:</b> no change.</li> <li>4. Noted. <b>RECOMMEND:</b> Amend the map to correct the GI Network.</li> <li>5. Noted. <b>RECOMMEND:</b> modify Policy Maps as necessary.</li> <li>6. This Parish Council are not obliged to publish vision documents. The engagement was considered fair to all land interests. <b>RECOMMEND:</b> no change.</li> </ol>
<p>Welbeck 1 Response from Bhavash Vashi DNP11</p>	<ol style="list-style-type: none"> <li>1. Recommends that Site DNP11 is expanded to deliver 115 dwellings rather than 36 – 42 dwellings to meet future housing need</li> <li>2. Argues that a single large site is a more suitable alternative for the Parish as opposed to many smaller ones</li> <li>3. The settlement boundary should include the draft allocations</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted. <b>RECOMMEND:</b> Update the policy and policies map to include the expanded site.</li> <li>2. As above.</li> <li>3. The settlement boundary will be modified when the NP is reviewed, once an approved scheme has been built out. <b>RECOMMEND:</b> No change.</li> </ol>
<p>Des Dunlop</p>	<ol style="list-style-type: none"> <li>1. For DEDD3, argues the apparent need for homes to facilitate downsizing is greater than 7 dwellings. The NP should make sufficient provision in its overall housing provision for elderly persons accommodation</li> <li>2. For DEDD2 there is no evidence explaining how the housing target number has been derived.</li> <li>3. The SEA is incorrect in a number of places.</li> <li>4. For DEDD1 – Deddington Village Settlement Boundary, they have requested removing the word</li> </ol>	<ol style="list-style-type: none"> <li>1. The policy, and the allocation in DEDD2, include provision to facilitate downsizing as recommended by the HNA report. There is no obligation on the NP to allocate land specifically for older persons accommodation. <b>RECOMMEND:</b> No change.</li> <li>2. The evidence is provided by the HNA report and the guidance from CDC, now framed as a NPPF §67 indicative housing figure in the Draft LP. The latter figure is significantly smaller than first envisaged.</li> </ol>

	<p>'infill' as they believe this would restrict other schemes coming forward</p> <p>5. For DEDD7 – clarification as to whether it is defining a Valued Landscape or a Special Landscape Area. Key views should be in a separate policy. Land to the south of The Poplar is not a valued landscape and the key views should be adjusted accordingly. The key views don't take into consideration the site with planning permission for 7 retirement dwellings.</p>	<p>This is explained in the supporting text and the site assessment report. <b>RECOMMEND:</b> No change.</p> <p>3. Noted – any inaccurate information in the SEA will be corrected and are not considered material to the choice of allocation site. <b>RECOMMEND:</b> No change.</p> <p>4. Agreed – the wording should reflect that in LP Policy VILLAGES1. <b>RECOMMEND:</b> Modify wording as per VILLAGES1.</p> <p>5. Noted. <b>Recommend:</b> It is recommended that Clause A and the supporting text is modified to remove mention of the Special Landscape Area.</p>
<p>Gary Stephens for Marrons Planning and Rainer Developments</p>	<p>1. Requests that section 3.2 listing the relevant paragraphs of the NPPF to the NP includes §70 which requires neighbourhood planning groups to give particular consideration to the opportunities for allocating small and medium-sized sites</p> <p>2. Raises issues with Policy DEDD1: Deddington Village Settlement Boundary. Claims the policy does not have regard to §72 which supports entry-level exception sites outside of the settlement boundary. Suggests the policy is amended to add 'and residential development supported by national planning policy'</p> <p>3. Requests the decision not to prepare a settlement boundary for Hempton is reviewed</p> <p>4. Claims there is no basis for not allocating sites in Hempton</p> <p>5. Referencing §70, they suggest small and medium-sized sites should be given first consideration for selection of allocations</p> <p>6. Points to the Deddington Conservation Area and Deddington Castle scheduled monument that are</p>	<p>1. It is noted that §70 encourages but does not require NPs to allocate small and medium-sized land and it was not possible here with the suitable land made available. <b>RECOMMEND:</b> No change.</p> <p>2. §72 is an exception to Policy DEDD1 and can therefore operate alongside the policy without modification. <b>RECOMMEND:</b> no change.</p> <p>3. It was not considered necessary to define boundaries for the 'B' Satellite Villages. However, in anticipation of the new LP it is considered they may be helpful for defining 'built up limits' to control minor development and infilling. <b>RECOMMEND:</b> the policy and map is amended to include settlement boundaries for Hempton and Clifton.</p> <p>4. Sites were considered in both villages but the advice from CDC during the assessment process was that none would be consistent with the criteria in VILLAGES1 and this was taken no further. With the more sustainable, larger village of Deddington able to meet the indicative housing figure on its</p>



	<p>adjacent to the allocation at Chapman’s Lane. Whilst the SEA recognises the development may have an impact on the designated heritage assets, no heritage assessment was prepared to support the plan. As a result, landowners are unwilling to commit to preparing any evidence until the sites have full support.</p>	<p>own there is no need to revisit this decision. <b>RECOMMEND:</b> No change.</p> <p>5. As above. <b>RECOMMEND:</b> No change</p> <p>6. Recommended elsewhere that Site DNP1 is deleted. <b>RECOMMEND:</b> No change.</p>
<p>John Wilbraham on behalf of Mr Colin Young and Mr Douglas Young</p>	<ol style="list-style-type: none"> <li>1. Argues that the NP should have considered Clifton for site allocations.</li> <li>2. Highlights site DNP1 as being in an area of high sensitivity to the Scheduled Ancient Monument of Deddington Castle</li> <li>3. DNP6 and DNP11 would result in the loss of valued agricultural land</li> <li>4. Suggests Land at Manor Barn, Chapel Close, Clifton as a suitable site. The site was submitted to the DNP Call for Sites in December 2021</li> </ol>	<ol style="list-style-type: none"> <li>1. Sites were considered in both villages but the advice from CDC during the assessment process was that none would be consistent with the criteria in VILLAGES1 and this was taken no further. With the more sustainable, larger village of Deddington able to meet the indicative housing figure on its own there is no need to revisit this decision. <b>RECOMMEND:</b> No change.</li> <li>2. Recommended elsewhere that Site DNP1 is deleted. <b>RECOMMEND:</b> No change.</li> <li>3. The SEA has noted the likely presence of BMV agricultural land at sites DNP6 and 11. However, these constraints have to be judged against other sustainability objectives. It has been concluded that the benefits of losing BMV land at DNP11 (aka Site A in DEDD2) outweigh this constraint, but it is noted that Site B in that policy has been recommended for deletion elsewhere, so the scale of loss of BMV will be less. <b>RECOMMEND:</b> No change.</li> <li>4. As above. <b>RECOMMEND:</b> No change.</li> </ol>
<p>John Wilbraham on behalf of Mr Thompson</p>	<ol style="list-style-type: none"> <li>1. Raises similar points to Mr Colin Young and Mr Douglas Young regarding not meeting the basic conditions</li> </ol>	<ol style="list-style-type: none"> <li>1. The site selection process has been robust with full evidence in the SEA. <b>RECOMMEND:</b> No change.</li> </ol>

	<ol style="list-style-type: none"> <li>2. Claims the current preferred allocations are all on agricultural or greenfield land</li> <li>3. Suggests Home Farm Works, a brownfield site, as a more suitable allocation. The site was submitted to the DNP Call for Sites in December 2021</li> </ol>	<ol style="list-style-type: none"> <li>2. The SEA has noted the likely presence of BMV agricultural land at sites DNP6 and 11. However, these constraints have to be judged against other sustainability objectives. It has been concluded that the benefits of losing BMV land at DNP11 (aka Site A in DEDD2) outweigh this constraint, but it is noted that Site B in that policy has been recommended for deletion elsewhere, so the scale of loss of BMV will be less. <b>RECOMMEND:</b> No change.</li> <li>3. The Home Farm works site was favourably assessed on its environmental merits in the site assessment process. However, the CDC acknowledged that the Local Plan and the Neighbourhood Plan have policies promoting and protecting employment sites and as such, the site was not taken further. <b>Recommend:</b> No change.</li> </ol>
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#### 4. Conclusions & Recommendations

4.1 The representations are generally supportive of the Deddington NP with some modifications as recommended below and some further minor modifications, it is considered that it can proceed to the Regulation 15 submission stage without further consultations. Objections from land interests for sites not included can effectively be argued against and on that basis.