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*Dear Astrid and Richard,*

### **Examination of the Eynsham Neighbourhood Plan**

Following on from the clarification meeting held on 4 December and my letter of the same date, I am writing to acknowledge the withdrawal of the NP by the Parish Council on 13 December. I have also been copied in on a further email from Councillor Andrews on 13 December 2017 which then throws some doubt on whether the examination is to be suspended or withdrawn.

I am therefore writing to shed some light on this and to offer some further, more specific thoughts on the changes I suggest the Parish Council may wish to consider as it is clear that the Parish Council will review some of the policies in the NP and the procedure that should then be followed.

My earlier letter of 4 December used the language 'withdraw' rather than 'suspend'. However, the key difference between the terminology is that if the NP examination is suspended, once it recommences I continue with the examination. If the NP is withdrawn, then there is no obligation on West Oxfordshire District Council to reengage me to undertake the examination and of course even if the local planning authority wishes to do so, the Parish Council may not agree with that course of action. So whilst there is merit in reappointing me as I have undertaken a significant amount of work already, there is no obligation to come back to me should the NP be withdrawn from examination. Of course, I do hope that both Councils would like to appoint me again in this scenario and I confirm I would be pleased to continue my work on this NP. It may be easier to suspend the examination and I confirm I am also satisfied with that approach.

I now turn to the specific areas that I suggest the Parish Council may wish to review (there may be others and I reiterate that the Parish Council may wish to seek some independent advice to help it progress the NP):

1. Revise the maps to make it clear that any references to proposals in the emerging Local Plan are just that and do not form part of the NP or remove them. Subsequent suggestions may require further changes to the maps.
2. Ensure that any explanation and references as to how the NP fits in with the emerging Local Plan are clear and succinct including references to Masterplans etc. and consider whether this explanation should be largely factual.

3. Make sure the NP makes a clear distinction between planning and non-planning issues. For instance the NP refers to safe crossings and junctions on the A40 and tree preservation orders, but both would fall outside its scope, but both could be community aspirations or action points for the Parish Council to pursue separately and be included in the NP as community aspirations so that these are not lost.
4. Ensure that the policies are clearly and precisely worded. Any matters in the policy should be reflected in the supporting text and vice versa. An example of this is a specific figure for allotments is referred to in the text but not in the policy.
5. Ensure policies do not contain 'options'; an example of this is the 1000/1200m distance. Whatever distance is sought needs to be evidenced and whilst it is of course acceptable to have a degree of flexibility, the NP needs to be clear on what it seeks. A further example of this is with some of the proposed Local Green Spaces and their dependency on the outcome of planning applications.
6. The NP cannot deal with space standards or technical standards.
7. Policies should not refer to or rely on emerging Local Plan policies (in case they are not accepted or changed by the Inspector considering the Local Plan).
8. Ensure that the policies including the spatial policies do not refer to specific sites or otherwise suggest they are site allocations (if this is what is desired). Policies should be written so they apply across the NP area if the NP does not wish to allocate sites for development. NB it is acceptable to refer to Eynsham Village Centre and Industrial Area as they currently exist and can be identified on a map so they are not allocations but policies that refer to specific existing areas.
9. Clarify whether the Spar site is a site allocation or not and action accordingly.
10. Ensure that any planning requirements are within the policies not just the supporting text and can be achieved through the NP. For instance the text makes reference to support for hotels, but this does not appear in policy.
11. The supporting text and/or recommendations should not require other bodies to undertake things; they should be worded so that the Parish Council takes action and seeks (for example) to work in partnership with other organisations or will seek to persuade another organisation etc.
12. Remove any material not relevant to the contents of the NP such as Appendix A from the NP itself.

In terms of the way forward, once the Parish Council has confirmed whether it wishes to suspend or withdraw, the NP will be revised. A further period of Regulation 14 consultation should then be held for a minimum of six weeks.

The supporting documents will need to be revised to consider the amended NP and I strongly suggest the opportunity is taken to make the Basic Conditions Statement more comprehensive. The Consultation Statement should detail all the earlier engagement as well as the new period of

Regulation 14 consultation i.e. it should deal with everything. The revised NP will also need a new or updated **screening** for Strategic Environmental Assessment (SEA) and Habitats Regulations; this is usually and helpfully carried out by the local planning authority and this will need to be subject to the (separate) SEA consultation processes. It cannot rely on the work carried out for the emerging Local Plan, but can utilise the evidence.

Once the Regulation 14 period has ended, the SEA and Habitats work undertaken, the NP will then be ready to be (re)submitted to the District Council. A new Regulation 16 period of consultation will then be undertaken. Once this has expired the examination can (re)commence.

There is no reason why the periods of consultation cannot be executed quite quickly given the Plan is being revised with a view to reaching examination stage again as quickly as possible.

Given this level of work and the need to revise supporting documents so they refer to the new version of the NP, it might be prudent to dovetail the revisions to see what happens with the emerging Local Plan.

I will not undertake any further substantive work on the NP, but will expect to receive confirmation as to whether the NP is withdrawn or whether the examination is suspended by 15 January 2018. Should the examination be suspended, I suggest we draw up a mutually agreed timetable for the way ahead.

This letter is a matter of public record and should be placed on the Council's websites.

Yours sincerely

*Ann Skippers*

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Director

*via email to Astrid Harvey, Community Planning Officer for West Oxfordshire & Cotswold District Councils and Richard Andrews, Eynsham Parish Council (via Astrid Harvey)*