**Report to Ashbury Parish Council (APC) from Ashbury Neighbourhood Plan Group (NPG) for period May 16th  - June 27th 2022**

***Internal Activity***

1. **Ashbury NP rated Amber at risk status - continues**

Our NP is at risk until we receive verification via our Councillor Elaine Ware from VWHDC, currently reviewing their land and build supply figure calculation, that either the risk remains, or the risk status can be removed.

1. **No of planning application responses completed** x 1 since March meeting
2. **Recruitment of a new member and ongoing recruitment activity**

We recruited and welcomed a further new member to our NPG in June 2022. We now have 5 full time members to the group and a number of affiliated/expert/specialist panel members

1. **NPG meeting held June 14th 2022** to discuss and agree a range of issues related to the implementation, monitoring and review functions of the NP, with the focus on discussing and agreeing our NPG response to the Joint Plan 2041 consultation.

This will be circulated to you all once the response is submitted to the Vale.

1. **Ongoing monitoring of Ashbury Parish connectivity piece of work with Graham Turner (**implementation of the OCC digital infrastructure Strategy as it applies to Ashbury parish)

Graham Turner reports the following, in response to the request given to him by APC re next steps for 5G masts and coverage across the parish:

**5G mast**

*I have been doing some work looking at 5G cell planning, and for optimum coverage and speed I think there would need to be 2 masts (per mobile phone network, or per shared infrastructure in the cases that exist, two I think) in the main part of Ashbury, one in Kingstone Winslow (per network) and one in Idstone (again per network). Each mast will need a fibre connection if one is to get the full benefit of 5G (in terms of lower latency as well as higher data speeds).*

*More will become known in the months ahead*

**Airband**

*There isn’t anything more that I can provide at this time about Airband, they are working on the plans as presented at the May APC meeting.*

1. **Request to the APC Councillors for feedback to NPG on the NPG information from the NPG Resource Pack forwarded to them after the last meeting ---**
2. **The Supplementary Pieces agreed by NPG to forward to APC in the May meeting are provided below:** 
   1. **A brief overview of the Levelling up and Regeneration Bill**

This Bill was first published and circulated in May 2022. The 2nd reading in the House took place on 8th June 2022 with a day of debate. Changes to the Bill document are likely before the Bill moves onto the next committee stage – where each clause is reviewed.

NOTE: There is a long way for the Bill to go yet before passing through the House of Lords to reach the final stages of a published Bill.

*The Bill’s overarching intention is reduction of geographical disparity. This includes decisions about where house build/development will take place. On the one hand there is recognition of the need to build 300,000 new homes each year, yet there is to be no housing build target set nationally or via County Councils.* ***Unknown process******at present*** *for agreeing house build numbers per area – see later re:* ***ending of duty to cooperate***

**Part 3, 4 and 5 of the Bill are concerned with Planning** – for changes and additions to be made to the current National Planning Framework (NPPF21).

In part 3 there are 6 chapters as below:

* **Chapter 1: Planning Data** -- it is likely that some national data sets will be produced and requirements for data from all councils to be submitted to SoS in ways not requested previously.

**Implication:** this will be good for ensuring a national approach and standard to how land and build supply figures are calculated, rather than each council making its own use of the national formula

* **Chapter 2 development Plans and National Policy, with a section on Neighbourhood Plans**

Extract from the Bill: ‘A neighbourhood development plan may include— (a) policies (however expressed) in relation to the amount, type and location of, and timetable for, development in the neighbourhood area in the period for which the plan has effect; (b) other policies (however expressed) in relation to the use or development of land in the neighbourhood area which are designed to achieve objectives that relate to the particular characteristics or circumstances of that area, any part of that area or one or more specific sites in that area; (c) details of any infrastructure requirements, or requirements for affordable housing, to which development in accordance with the policies, included in the plan under paragraph (a) or (b), would give rise; (d) requirements with respect to design that relate to development, or development of a particular description, throughout the Levelling-up and Regeneration Bill’

**Implications:** more joined up approach to ensuring use of all policy areas to inform house build development – spatial strategies, local plans, minerals and waste plans and a fuller NP aligned to infrastructure requirements as well as addressing the need, for example, of services such as GP Practices

* Chapter 3: Heritage
* Chapter 4: Grant and implementation of planning permission (timescales)
* Chapter 5: Enforcement of plan and controls
* Chapter 6: Other provisions
* **Part 4: Infrastructure Levy**

**Implications** – CIL is to be removed and be replaced with another system

* **Part 5: Environmental outcomes and habitats reports**

**Implications:** setting of national standards for meeting these

**Overall, there are some other key implications relevant to us as a parish in the VWHDC:**

1. The ‘duty to cooperate’ is being removed. At present the current Oxfordshire wide Futures Board, Oxfordshire 2050 Plan (this replaced the Growth Board) has a ‘duty to cooperate’ agreement with all 4 District Councils and Oxford City, such that if Oxford City is unable to deliver on its housing need (because of lack of land supply) that the other 4 districts will pick up the unmet need. So, the current Vale plan already includes in its build, numbers for some of this. Removing this agreement may reduce the calculations or agreements for future build numbers in any new Joint Local Plan by South and Vale

1. There will be national development management policies. They will be prioritised over local development plan policy. They’ll be the playthings of Secretaries of State (subject to consultation), like the permitted development regulations have become. This situation also supports a centralisation approach – such that local plans will be subservient to national policy. A powershift from local to central government – almost contradicts levelling up to empower at local levels.

1. legislation that could require land ownership to be declared / transactions to be made public (not so at present)

4. The SoS may be able to direct LPAs to prepare joint plans, irrespective of each authority’s existing plan timetable. (already happening by choice in Vale and South)

5. Another new thing – ‘Supplementary plans’ – which will be able to set policies for development at site/sites in an LPA area (if near to each other); infrastructure requirements / requirements for affordable housing; requirements for design. Minerals & Waste authorities will be able to prepare these, too. These plans may also be produced under voluntary joint working by LPAs.

6. Design codes are expected to cover whole LPA areas and will be a requirement for NP to develop

7. A whole new regime for environmental assessment

8. More standardised processes for local plans, with the SoS able to set statutory time limits – and even prescribe statutory timetables for whichever local authority they want.

**The implications for delay in the passage of the Bill:**

A possible stagnation and difficulty in processes to agree house build numbers at any level. It may well be the current system will continue, until the Bill is passed, in Oxfordshire via the Future’s Board.

However, there is a delay to the Future Board’s work at present because Oxford City Council submitted a non agreement response to the level of house build outlined in the Oxfordshire 2050 plan last year and requested this be changed. This has put a delay on the next public consultation of the plan, which should have happened in Spring 2022 in readiness for the Board to be able set the numbers for the next 5 years – so that DC could use as part of their Local Plan reviews and direction ahead. Another reason why the Vale and South joint Local Plan is not able to proceed. Confusion at present.

**8.2 The Agricultural Land surrounding and within Ashbury Parish**

**Ashbury Neighbourhood Plan – Agricultural Land and Agricultural buildings in Ashbury Parish**

This summary piece has been produced as extra material for the Ashbury Neighbourhood Plan (NP) and current NPG.

Ashbury Parish is both surrounded by agricultural land forming the boundaries of the parish and has such land within and between parts of the parish (such as the land between Ashbury and Idstone and Idstone to the Bishopstone boundary and from Ashbury village to the Shrivenham and Bourton boundaries).

The current land used for agriculture/farming has now been mapped with boundaries to provide ownership details and or where there is renting by one farm to other farmers. (this is on a separate map, not circulated with this report).

The presence of such land for agriculture/farming has been so for generations and was accompanied by landowners having dwellings/homes built within the parish for a range of their farm workers.

Much has changed, especially over the last century in agricultural/farming practice: technology and other such that farm workers in their previous numbers are no longer in farm work employment. Home dwellings have therefore no longer been needed for farm workers and these, over the years, have been sold to and renovated by developers and or by private household ownership. More recently many agricultural buildings/barns are also no longer required for agricultural purposes.

Much of the land in the parish is still used for farming and agricultural purposes. However, it is noted that prior to the presence of our NP in July 2019, most of the recent house build in the parish, has been on land previously owned by farmers and sold to developers or individuals as well as a piece of land gifted to the Parish Council, as below:

* College Farm Road (8 or so dwellings) (previously part of College Farm)
* Wixes Piece (20 dwellings) – where a section of the Selbourne sold land was gifted by him to the Parish Council, now the Village Green and children’s play area (Selbourne farmland)
* Kingstone Winslow Farm Yard (11 dwellings)– containing ‘change of use’ agricultural barns for dwellings and the Old Dairy renovation (Compton Beauchamp estate/Penser owned)

Use of Agricultural Land and buildings is very likely to continue to change over the coming years. On the one hand there is now, in 2022, more formal government and other recognition, for a variety of reasons of the need for food produced in this country to be more valued, maintained, supported and or increased; climate change and movement/energy usage for travel miles of food, war in Ukraine.

On the other hand, some farmers have been finding farming practice and changes more challenging to ensure a profit. This has led to sale of some of their land or all. Alongside this land may become available when a farmer dies and the farming ends, and for a variety of other change of circumstances for farmers.

The VWHDC and SODC as part of their joint local plan (in consultation as of May 2022) have included the following in their Sustainability Appraisal (SA) screening and scoping report (pages 134- 137) a soil report. This uses the national Agricultural Land classification (ALC) to classify the quality of the soil in areas of agricultural/farmland and is graded from 1 – 5. Grade 1 being the best and grades 1 -3 being the best to deliver crops/food, and for non-food products such as Biomass, fibres and for pharmaceuticals.

The agricultural land across south and vale has been mapped. The report states in the Vale the quality of the soil rates from grade 2 – 4.

The test of any joint Local plan for use of land and building plans will be against the objectives agreed in the screening Appraisal:

* Objective 1: To reduce pollution of all kinds and meet the environmental targets for air, water and soil
* Objective 17: support the sustainable management of land for multiple benefits

The implications of any of these for possible land availability for other purposes, depends on the approach to selling any of the land. In some situations, a farm and land sale price is configured to attract a sale for continuing agricultural use by an incoming farmer. In other situations where a financial profit is required, for whatever reasons, land is pitched for sale at a higher price to attract developers or private individuals to be used for new build purposes of some sort.

The change of use of agricultural land to land used for build has made been easier, with a range of opportunities since 2015, by the following:

* In 2015 The Town and Country Act (***permitted Development rights***) and the recent National Planning Framework (NPPF21) provide details and classes of the type of build decision making and permissions that allows for much easier planning decision making, development, of land and agricultural buildings. For example:
  + For buildings: This includes Class Q which applies to ‘change of use’ for Agricultural barns and buildings to dwellings. Conditions apply, but if these are met then a developer/individual can submit a planning application for ‘prior approval’ so that agreement is given without the need for any consultation. Conditions do apply before confirmation to build is agreed, such as providing evidence related to land contamination, flooding risk and Highways access. When any build is proposed that will go beyond the curtilage of the agricultural building or barn, then a planning application is required and the NP can be used to require build design features within the plan and policies
  + For land: there is permission to possibly use for Caravan sites or leisure activities.

However, such ‘permitted development rights’ for build comes with a range of restrictions for siting and locations. Some of these restrictions will be outlined and or defined by other National Policy, such as restrictions for example to build in areas of Outstanding National Beauty (AONB), or where no build numbers have been agreed for a setting or say Neighbourhood Plan boundary. So, granting planning permission for build on land previously used for agriculture is not a guarantee in a range of circumstances.

Should agricultural land become available for build/development anywhere in the parish, how this is addressed will be determined by use of the Neighbourhood Plan, its policies and supporting data materials, as well as local resident comments/input where necessary, Joint VWHDC/SO Local Plans and National policy.

Pauline Smith as Chair Ashbury Neighbourhood Plan Group June 2022