

Modification Proposal Prepared for pre-submission consultation in accordance with Regulation 14 of the Neighbourhood Planning (General) Regulations 2012 (as amended) in respect of the made Brightwell cum Sotwell Neighbourhood Plan. March 2022 MODIFICATION PROPOSAL: SCHEDULE OF PROPOSED MODIFICATIONS TO THE MADE BRIGHTWELL CUM SOTWELL NEIGHBOURHOOD PLAN Set out in the schedule below are the proposed material modifications to the made Brightwell cum Sotwell Neighbourhood Plan alongside the

original text. These modifications will be made to the Modified Neighbourhood Plan at the submission stage in due course. The Modified Plan may

also contain other, non-material modifications to bring the new document fully up to date. It is not necessary for such modifications to be

included in this Schedule.

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Neighbourhood Plan			
Policy BCS1 Brightwell cum Sotwell Village Boundary	olicy BCSI Brightwell cum Sotwell Village Boundary Modify as follows:		
Boundary	The Neighbourhood Plan defines the Brightwell cum Sotwell Village Boundary, as shown on the Policie	es Map.	
	Proposals for infill development within the boundary will be supported, provided they are of a use that to the village and they accord with the design code of Policy BCS7 and development management police the development plan and other relevant policies of the development plan including this Modified Neighbourhood Plan.		
	Proposals for development outside the boundary, including within the settlement of Mackney, will only supported if they are appropriate to a countryside location and they are consistent with other relevant of the local development plan including Policies BCS10 and BCS11 of this Modified Neighbourhood Pla	t policies	
	5.7 This policy is intended to distinguish between the built up area of the main village and its surrounding countryside to manage development proposals accordingly. In defining the boundary on the Policies Map, applicants and the local p authority will have certainty when preparing and determining planning applications respectively. This is consistent with number of Core Strategy and Local Plan policies to encourage sustainable forms of development in the rural areas. It is not conjunction with Policy BCS7 which relates to the appearance of development; this policy relates to the effects of the land to that may otherwise be suitable in its appearance.	olanning n a <u>operates</u>	
	5.8 Most new development will be acceptable in principle within the defined Boundary, subject to it being appropriate of its design and access arrangements. This may be on infill or redeveloped housing plots, as well as new shops, busine other commercial or community uses activities that are appropriate in scale to a small village with a limited road netw public transport services. The proposed design will be primarily judged using the new Design Code of Policy BCS7. pethe Neighbourhood Plan, notably policies BCS6 and BCS7. The suitability of proposed access will be judged by the plan highways authorities in the normal way.	esses and vork and olicies of	
	5.9 The policy requires that development proposals outside the defined Boundary are appropriate to a countryside loand are consistent with relevant policies of the Local Plan and Neighbourhood Plan in respect of retaining the physical extent of the defined Local Gaps and protecting the local landscape and character of the natural environment character most notably Policy CSEN1 of the Core StrategyPolicy EMP10 Development in Rural Areas of the Local Plan, Policy the Local Plan and policies BCS9 and BCS10: Local Gaps and BCS11: Landscape Character of the Villages of the Modified Neighbourhood Plan. This recognises the valued function of the countryside and working farmland in shapin character and its contribution to the identity of the main village settlement. In some places, there are paddocks, fruit recreational facilities, agricultural units and dwellings in open countryside or on the edge of village extending into the countryside beyond. The policy does not seek to prevent the improvement and extension of such uses. It requires the such proposals can demonstrate that they have acknowledged the provisions of Policies BCS10 and BCS11 and other relevant development plan policies in the design of their schemes.	ter, C4 of the this ng rural t farms, e that	

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Policy BCS1	Brightwell cum Sotwell Village Boundary	Policy BCS1	In addition, the third paragraph of the policy provides flexibility for new commercial and recreational development sustainable economic growth to be supported where that development would be in accordance with development plan policies. These may include Policies EMP10 Development in Rural Areas of the Local Plan where proposals avoids conflict with the provisions of Policies BCS10 and BCS11 of this Modified Neighbourhood Plan. Core Strategy policies CSEM4 (Supporting economic development), CSR2 (Employment in Rural Areas) and CSR3 (Community facilities and rural transport). The Plan's spatial strategy is reflected in paragraph 5.11. It is on this basis that housing proposals are planned to be delivered expected to come forward within or adjacent to the defined Boundary existing extent of the built-up area and without needing to take up land in the surrounding countryside. Notes: These modifications remove some confusion in how this policy and Policy BCS10 on Local Gaps and BCS11 on Key Views and local landscape character operate together.		

Policy BCS2	Land at	Policy BCS2	Land at Bosley's Orchard
	Bosley's		
	Orchard		No modifications proposed.
Policy BCS3	Land at Little	-	To be deleted – a scheme has been approved and built.
	Martins &		
	Home Farm		
	Barns		
Policy BCS4	Land at Thorne's	Policy BCS3	Land at Thorne's Nursery
	Nursery		
			No modifications proposed.
Policy BCS5	Slade End	Policy BCS4	Slade End
			No modifications proposed.

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Policy BCS6	Local Gaps	Policy BCS10	Local Gaps
			Modify as follows:
			The Neighbourhood Plan identifies the following Local Gaps on the Policies Map:
			i. Brightwell cum Sotwell - Mackney Local Gap; and
			ii. The Slade End Local Gap.
			Development proposals should ensure the retention of the open character retain the physical extent of
			<u>defined</u> Local Gaps <u>and the visual separation of the settlements concerned</u> . Proposals for the <u>extension</u> re-use of rural buildings, agricultural and forestry-related <u>buildings</u> development , playing fields, other
			open land uses and minor extensions to existing dwellings will be supported where they would <u>accord</u>
			with the design code of Policy BCS7, avoid unnecessary harm to the key views of Policy BCS101 accord
			with Policy BCS12 on avoiding night-time coalescence through light pollution, preserve the separation
			between the settlements concerned and retain their individual identities.
			5.38 This policy seeks to protect the essential countryside character of two key areas between the settlements of
			Brightwell cum Sotwell and Mackney and between Brightwell cum Sotwell and Wallingford ('the Slade End Gap'), in order
			to prevent coalescence between these separate settlements and to protect their distinctive individual character and
			setting both during daylight and at night. In doing so, it will conserve the way that the main settlement sits invisibly in the landscape, retaining the fields between Slade End and the bypass and between Mackney and the main settlement
			preferably as working farmland in order to keep a clear 'rural' buffer between settlements. It operates in conjunction
			with Policy BCSI which relates to the effects of the use of land; this policy relates to the appearance of development that
			may otherwise be a suitable use of land.
			5.39 The gaps are shown on the Policies Map and have been drawn to include only the minimum essential area to achieve
			the policy objective. They each make a significant contribution to maintaining the individual character of their adjoining
			settlements. The Evidence Base includes the Landscape & Green Spaces Study which describes each gap in greater detail
			and the particular contribution that it makes. This policy does not seek to prevent any development that may otherwise
			be suited to a countryside location but to ensure that the scale, massing and height of proposals do not result in the integrity of a gap being undermined. Development that is consistent with this policy might include minor extensions to
			existing buildings, the creation of playing fields, or other open land uses.
			Notes: These modifications remove some confusion in how this policy and Policy BCS1 on the Village Boundary operate
			together. They also improve the precious of the policy wording.

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Policy BCS7 Landscape Character and the Villages	Policy BCS11	Landscape Character and the Villages Modify as follows: Development proposals within and around the villages of Brightwell cum Sotwell and Mackney should demonstrate: i. how they have taken account of the contribution made to the character of the village by the North Wessex Area of Outstanding Natural Beauty and especially the Sinodu Hills; ii. that they do not obstruct or have an unacceptable adverse impact on a Key View shown on the Policies Map; iii. they accord with Policy BCS12 on minimising light pollution to preserve the dark night skies which contribute to the landscape character of the Parish; and iv. they accord with the design code of Policy BCS7 and Policy BCS12 in minimising the occurrence of light pollution. 5.40 This policy seeks to ensure that all development proposals have understood and responded to the special landscape character of the Parish, and how that character, often best enjoyed in a number of key views and/or alongside the dark night sky, plays such an important role in shaping the character of Brightwell cum Sotwell and Mackney especially. The policy does not seek to impose a blanket restrictio on development around or inside the villages but requires design statements to show that proposals, including the impact of street lighting that could affect the night time character of the parish, will not harm this character. 5.41 The topography of the main village is important in maintaining the landscape character in that the shape of the village is hidden in its landscape as set out in the Landscape and Green Spaces Study. Development in that part of the Parish within the AONB is already managed by policies of the NPPF and development plan. This policy aims to complement those policies by identifying as special the ridge of the Sinodun Hills sweeping up from the flat valley floor, rising through open countryside to the tree capped hilltop at Brightwell Barrow. This is the defining landscape feature of Brightwell cum Sotwell and together with the River Thames landscape is special

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'	Landscape Character and the Villages	Policy BCS11	Notes: These modifications add a small number of specific key views that are integral to the enjoyment of the landscape and the village setting within it. They are shown on the modified Policies Map and are derived from a new evidence report prepared and published as part of the review of the Made Plan.		
Policy BCS8	The Green Heart	Policy BCS13	The Green Heart Modify as follows: The Neighbourhood Plan identifies a Green Heart formed by a connected sequence of open spaces within the village, as shown on the Policies Map. Development proposals on land that lies within the Green Heart will be supported where they: i. demonstrate how they sustain or enhance the visual characteristics, the function and biodiversity of the land; and ii. have regard to how their landscape schemes, layouts, access and public open space provision and other amenity requirements may contribute to the maintenance and improvement of the Network; and iii. demonstrate that they will not cause unacceptable harm to identified Key Views 5.42 The main village of Brightwell cum Sotwell is an inward looking settlement with few opportunities to view open countryside. At the core of the village however is a network of green infrastructure assets, including informal open space and Local Green Spaces, allotments, private gardens, playing fields, a school playing field, assets of biodiversity value, children's play areas, footpaths, bridleways and cycleways. Although much of this network is enclosed, being situated within the settlement boundary, it provides a different function to the rest of the built area in giving a countryside feel to a large proportion of the village due to its open nature and rural character, recognised since at least. 1971 in the Village Plan. Views from lanes and footpaths across public and private open spaces are particularly important, whilst the open spaces help to define and reinforce the separate identity of the historic twin villages of Brightwell and Socwell. This policy does not prevent development, rather it sets out to ensure that any development does not cause harm to the Green Heart. Notes: These modifications seek to ensure that the now identified Key Views are protected.		

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Policy BCS9	Design Principles in the Parish	-	To be replaced by NEW Policy BCS7 (see below)	
Policy BCS10	Design Principles of the Conservation Areas and their Settings	-	To be replaced by NEW Policy BCS7 (see below)	
Policy BCS11	Local Green Spaces	Policy BCS9	Local Green Spaces	
			Modify as follows:	
			5.62 This policy proposes six eight important green spaces in and on the edge of the village are protected from development by their designation as Local Green Spaces in accordance with §76 101 and §77 102 of the NPPF. The policy has the effect of managing development proposals in line with the NPPF provisions in the Green Belt.	
			In each case, the green spaces play an integral part in the enjoyment of the Parish and are therefore special to the local community. A fuller description of each site, and the justification for its designation, is provided in the Landscape & Local Green Space Study report, and addendum, in the Evidence Base.	
			The Neighbourhood Plan designates the following locations as Local Green Space, as shown on the Policies Map:	
			 i. Millennium Wood ii. Kings Meadow Playing Field iii. Wellsprings Footpath and stream iv. The Recreation Ground v. Swan Allotments vi. Swan Wilderness and Community Orchard vii. Little Martins Meadow viii. Little Martins Green 	
			New development will not be permitted on land designated as Local Green Space except in very special circumstances.	

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	Notes: The modifications designate two new Local Green Spaces which have been delivered as part of the allocation at Policy BCS3. The scheme has now been approved and completed on site. They are shown on the modified Policie Map and have been assessed against the NPPF tests in an addendum to the Landscape & Local Green Space Study report prepared and published as part of the review of the Made Plan.		

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Policy BCS12 Biodiversity, Trees, Hedgerows and Wildlife Corridors	Policy BCS14 RETITLED: Local Nature Recovery Modify as follows: Development proposals will be supported if they contribute to the recovery of local nature in the Parish and to the following biodiversity principles: i. Avoid the unnecessary loss of mature trees, hedgerows or other form of wildlife corridor, either as part of a landscape scheme and layout or as part of the construction works of a development scheme; ii. Where the loss of a mature tree or hedgerow is unavoidable, the proposals must make provision on site for replacements that are of a similar type to those lost and preferably native species in accordance with the design code of Policy BCST; iii. Wherever possible developments should seek to have a biodiversity net gain for the parish as part of a validated approach to local nature recovery; iv. Where the loss of scrubland is unavoidable, the proposals must retain one or more wildlife strips of scrub linked to adjacent areas of open space wherever possible; v. For new or replacement lighting schemes, ensure no negative impact upon wildlife habitats, migration and feeding behaviour; vi. For new homes, an owl box, bat box and/or bird boxes (particularly suited to their use by swifts,
	vi. For new homes, an owl box, bat box and/or bird boxes (particularly suited to their use by swifts, swallows and house martins) should be installed as an integral part of any house design; vii. Wherever possible, piped water courses should be re-opened in new developments linked to wetland creation; and viii. Proposals that result in run off of surface water into the stream network of the village should
	ensure the water flows through an appropriate sustainable drainage system. 5.54 Brightwell cum Sotwell is rich with wildlife with a variety of different habitats that support a diverse range of
	species. To the north of the parish on the floodplain of the Thames the Earth Trust has recently created a large area of wetland through its River of Life project and a Site of Special Scientific Interest at Wittenham Clumps is located immediately to the west of the parish. Of particular importance are streams, wetlands, scrub, hedgerows and orchards. The policy supports, and refines, the provisions of SODC Local Plan Policies ENVI – ENV5 on the
	natural environment. This variety of habitats should not be considered as a 'natural shield' to lighting. Linear lighting can be a barrier for commuting to feeding grounds, for example, the impact of street lighting on main roads, particularly the

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Policy BCS12 Biodiversity, Trees, Hedgerows and Wildlife Corridors	Policy BCS14	Wallingford bypass, has had a negative effect in terms of light spill. Consideration should be made to shield or remove lighting that spill into sensitive habitats, particularly if nocturnal species are present which include bats and stag beetles in the Parish. The policy therefore refines SODC Local Plan Policy ENVII to highlight the impact of light pollution on the natural environment in the Parish. 5. X More generally, recent data analysis by the Bucks Berk & Oxon Wildlife Trust to inform local nature recovery initiatives in its area has indicated the potential of land in the Parish to deliver such initiatives. As the provisions of the Environment Act 2021 are enacted so this policy may enable the Parish to contribute to wider strategies in the future. 5. X The Oxfordshire Treescape Project is also a useful data source which has informed the modifications in this Plan. The project involved extensive research in finding ways in which landowners can increase tree cover on their land. The output is an accessible online map which provides an overview of the opportunities available. A more detailed report can be requested for free or at a low cost. 5. X The Environment Group, working with the Parish Council intends to prepare a Local Nature Recovery Plan for the Parish identifying existing green infrastructure assets and opportunities for improvement drawing on these resources and local knowledge and expertise. Notes: These modifications reflect the advent of the principles of local nature recovery alongside biodiversity net gain in the Environment Act 2021.	

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Policy BCS13	Footpaths and	Policy BCS16	Footpaths and Bridleways
	Bridleways		No modifications proposed.
Policy BCS14	Renewable Energy	Policy BCS17	Renewable Energy
			Modify as follows:
			Proposals for a solar energy array <u>or other forms of renewal energy generation</u> will be supported in principle, provided:
			 i. they are located and designed to suit the character of the local landscape; ii. it is effectively screened and does not cause significant harm to the visual enjoyment of the local landscape; iii. it will not cause significant harmful noise or light pollution; iv. it will not cause substantial harm to a designated heritage asset; v. it will not cause unacceptable harm to an identified Key View. 5. 65 This policy supports in principle the development of renewable energy for the Parish to contribute to global measures to tackle climate change. However, it acknowledges that there are parts of the Parish where the scale and the visual impact of such development would need to be appropriate to any nationally and locally designated landscapes. Elsewhere, a solar array or other types of renewable
			energy generation may be suitable provided the potential for negative landscape and amenity effects can be satisfactorily mitigated. Notes:
			These modifications extend the scope of support of the policy to other forms of renewable energy generation that may be suitable to this location, as well as a solar array, and seeks to ensure that the now identified Key Views are protected.

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Policy BCS15	Community Facilities	Policy BCS18	Community Facilities	
			Replace as follows:	
			Policy BCS15: Community Facilities	
			The Neighbourhood Plan defines the following buildings and their ancillary land, as shown on the	
			Policies Map, as essential community facilities:	
			The Churches (St. James and St. Agatha's)	
			The Village School (and Pre School)	
			The Village Stores	
			The Post Office	
			The Red Lion public house	
			The Village Hall and parish car park	
			The Recreation ground and Pavilion	
			Kings Meadow	
			Proposals that result in the loss, or harm to the viability, of an essential community facility, through	
			change of use or redevelopment, will not be permitted unless:	
			i) it would lead to the significant improvement of an existing facility or the replacement of an existing	
			facility within the defined Village Boundary of Policy BCSI and with equivalent or improved facilities; or	
			ii) it has been demonstrated by appropriate, detailed and robust evidence that not only is the existing	

that will maintain the residential amenity of the immediate area.

type of community facility use.

facility no longer needed or economically viable but also that the land is no longer suited to any other

Proposals to create new community facilities, as well as new business, commercial and service uses will be supported, provided they are located within the Village Boundary defined by Policy BCSI; they accord with the Design Code of Policy BCS7; and the nature and scale of their use are of a character

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Policy BCS15 Community Facilities	Policy BCS18 5.67 This policy seeks to prevent the unnecessary loss of valued local community facilities. In doing so, it refines Policy CFI of the adopted Local Plan Gore-Strategy Policy-CSR3 and saved 2011 Local Plan Policy-CFI as it applies they apply to this Parish. Policy CFI shares Those policies share the same purpose by defining 'essential community facilities' in relation to the 2021 Use Class Order but allows for facilities to be lost without considering the ongoing community value of the established use of the land, and without requiring their-re-provision-close-by. This policy identifies 'essential community facilities' in this village and addresses that those weakness by ensuring that those making proposals provide clear evidence that the location, as well as the current facility operations, is no longer viable for a community use before its change of use and redevelopment are supported. However, it does allow for the relocation of established uses without this test being passed, provided the relocation proposal benefits local people by being within or adjoining the village, and is not lost to other parishes. The fourth-component of the policy also seeks to encourage proposals for new facilities, including new business, commercial or service (Class E) uses that like the Village Stores, Post Office and Red Lion pub have a strong community as well as commercial purpose, safeguard the scarce number of shops, pubs and other commercial uses by not supporting proposals to change their uses. This approach will need to take account of permitted development rights. In 2015, additional flexibility was introduced into these procedures. They may continue to change within the Plan period. Meadow Notes: This replacement policy improves the clarity of the policy by bringing the buildings and land to which it applies into the policy itself and showing them on the Policies Map. It also reflects the adoption of Policy CFI in the Local Plan and changes to the Use Class Order (notably new Class E). Rather than att		

Policy BCS16	Tourism Facilities	Policy BCS18	Tourism Facilities
			No modifications proposed.
Policy BCS17	Natural Burial Ground	Policy BCS19	Natural Burial Ground
			No modifications proposed.

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1	Delian DOST NEW House Tomas and Tomassa	
	Policy BCS5 NEW: House Types and Tenures	
	Add as follows:	
	A. Proposals for First Homes Exception Sites will be deemed appropriate if:	
	i. At least one of the site boundaries entirely adjoins the defined Village Boundary of Policy BCS1 and does not lie within the Green Heart of Policy BCS13;	
	ii. No other proposal for a First Homes Exception Site has been approved or implemented in the plan period;	
	iii. The scheme makes provision for no more than 9 homes;	
	iv. It can be demonstrated that the scheme:	
	Respects the historic envelope of the village, its relationship with the open countryside, and the way in which the edge of the settlement does not extend to the A4130;	
	Will not diminish the physical extent of a defined Local Gap, and/or the visual separation of settlements;	
	Access is fully integrated within the village settlement through direct connections to existing streets and paths avoiding a single point of access away from the village settlement;	
	Will not cause unacceptable harm to identified Key Views; and	
	Accords with the Design Code of Policy BCS7.	
	B. Proposals for Specialist Accommodation for Older People will not be supported.	
	5.XX This policy serves two housing purposes in respect of managing proposals for First Homes and for Specialist Accommodation for Older People. Planning Practice Guidance allows for First Homes Exception Sites to come forward	
	on unallocated land outside of a built up area. A First Home is defined as discounted market housing for first time buyers that must be discounted by a minimum of 30% against the market value in perpetuity and its first sale must be at a price	
	no higher than £250,000. Clause A therefore sets out the criteria to guide First Homes Exception Site proposals in the Parish as provided for by the Guidance. The policy directs First Homes Exception Site proposals to Brightwell cum Sotwell as Mackney is not a defined settlement.	

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	Policy BCS5 5.XX In essence the policy reflects the spirit and intention of SOLP Policy H10 for Rural Exception Sites which allows for small-scale "affordable" housing schemes to meet local rural needs in the parish and will continue to operate in the parish alongside this policy. It also accords with the Parish Council's desire to promote future developments that will address the imbalance of affordable housing in the parish. A minimum 30% discount on market value homes, capped at £250,000 on its first sale, ought to allow smaller and more affordable homes to start to rebalance the housing mix in the Parish. Given the high rate of owner-occupier dwellings in the Parish, proposals may be supported which deliver other types of affordable housing for rent which meet local need as provided for by Planning Practice Guidance. 5.XX Clause B responds to the prompt in SOLP Policy H13 for neighbourhood plans to consider if they are appropriate locations to plan for this specific type of housing development. The Parish Council does not think that the village is suitable as it is too small and remote from local services and there are many other, well located, larger villages and towns in this part of the District that are far better suited. Notes: This new policy responds to the First Homes policy initiative introduced by Government in 2021 by establishing criteria for Exception Schemes as prompted by the Written Ministerial Statement. It also responds to the new SOLP in respect of older persons accommodation schemes.		

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	Policy BCS6	NEW: Building Performance		
		Add as follows:		
		A. All standalone new-build development should be 'zero carbon ready' by design to minimise the amount of energy needed to heat and cool buildings through landform, layout, building orientation, massing and landscaping. Consideration should be given to resource efficiency at the outset and whether existing buildings can be re-used as part of the scheme to capture their embodied carbon.		
		B. Wherever feasible, all buildings should be certified to a Passivhaus or equivalent standard with a space heating demand of less than I5KWh/m2/year. Where schemes that maximise their potential to meet this standard by proposing the use of terraced and/or apartment building forms of plot size, plot coverage and layout that are different to those of the character area within which the proposal is located, this will be supported, provided it can be demonstrated that the scheme will not have a significant harmful effect on the character area.		
		C. All planning permissions granted for new and refurbished buildings should demonstrate that they have been tested to ensure the buildings will perform as predicted and will include a planning condition to require the provision of a Post Occupancy Evaluation Report to the Local Planning Authority within a specified period, unless exempted by Clause B. Where the Report identifies poor energy performance and makes recommendations for reasonable corrective action, the applicant must demonstrate that those actions have been implemented before the condition will be discharged.		
		D. All planning applications for major development are also required to be accompanied by a Whole Life-Cycle Carbon Emission Assessment, using a recognised methodology, to demonstrate actions taken to reduce embodied carbon resulting from the construction and use of the building over its entire life.		

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	Policy BCS6 E. An Energy Statement will be submitted to demonstrate compliance with the policy (except for householder applications). The statement will include a passive design capacity assessment to demonstrate how opportunities to reduce the energy use intensity (EUI) of buildings over the plan period have been maximised in accordance with the energy hierarchy. Designers shall evaluate the operational energy use using realistic information on the intended use, occupancy and operation of the building to minimise any performance gap.		
	5.XX This policy updates Policy DES10 of the SOLP, elements of which are already out of date. The policy context for the setting of energy efficiency standards at the Local Plan or Neighbourhood Plan scale is complex. Background information has therefore been set out in Appendix X. The policy may also appear rather technical, but it is a temporary measure as in due course, it is expected that a new Local Plan, if not national policy itself, will make such provisions across the District.		
	The policy is in five parts, the combination of which is intended to deliver a step change in the energy performance of all new developments in the Parish and, in doing so, encourage and incentivise the use of the Passivhaus or equivalent standard of building design. Along with the passive design capacity assessment, it is anticipated that designers will demonstrate compliance using a design for performance methodology such as the Passivhaus Planning package or CIBSE TM54 Evaluating operational energy performance at the design stage (Link). Achieving this level of performance will make a significant contribution to mitigating climate change that the Neighbourhood Plan can deliver.		
	5.XX Clause A of the policy requires developers to ensure they address the Government's climate change targets and energy performance at the very initial stages of design. 'Zero Carbon Ready' by design means making spatial decisions on layout and orientation of buildings at the outset to maximise the passive design benefits ('free heat') of a site and avoids leaving this to technical choices and assessment at the Building Regulation stage, by which time the opportunity may have been lost. In the absence of supplementary guidance from SODC, applicants are directed to the Net-Zero Carbon Toolkit created by Cotswold District Council and two partner councils, West Oxfordshire District Council and Forest of Dean District Council. The toolkit is available as a resource for private and public sector organisations to use and adopt. (Link)		

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	5.XX Its Clause B requires all schemes, no matter what their intended use or size other than householder extensional buildings with no heating or cooling requirement, to use the Passivhaus Planning Package (PHPP) or equivaler design methodology for all buildings where it is feasible to do so. This means that the applicant must demonstrate those factors that make its use unfeasible, for example, the topography and orientation of the site. 5.XX In respect of scheme viability, any extra-over cost of building to the 'zero carbon ready' Passivhaus or equivat standard will diminish to zero well within the period of this Plan, as the Governments Regulatory Impact Assessor research by the Passivhaus Trust and the viability assessment of various housing typologies published by Cornwal Council now demonstrates. The policy will also ensure that expensive and unnecessary retrofit costs are not past down to building occupiers in the future, particularly in an area which has relatively high property values. Scheme viability will not therefore be acceptable as a reason for not using the Standard, unless the applicant can demonst the scheme has abnormal costs to accommodate. 5.XX The policy requires that the scheme density (measured by dwelling units/Ha) is assessed against that of the Design Code of Policy BCS7 in the Design & Access Statement. Outside of such areas, the applicant may define the Character area' that is relevant for the purpose of this exercise. 5.XX Proposals seeking to apply the PHPP must be able to demonstrate that the Passivhaus standard can be achieved by condition. Upon completion a Quality Approved Passive House Institute (PHI) will be required and secured by condition. Upon completion a Quality Approved Passivhaus certificate for each building will be required prior to occupation, again secured by condition. 5.XX Clause C requires the developer of a consented housing development scheme of any size to carry out a Po Occupancy Evaluation (POE) including actual metered energy use, and to submit the re	valent ments, ll ssed e crate the set- t has are sed

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	Policy BCS6	5.XX Clause D requires all development proposals that are not householder applications to be accompanied by a Whole Life-Cycle Carbon Emissions Statement. RICS (Link) methodology must be followed as per the Joint Design Guide of SODC. The assessment will enable the design team to understand and respond to the lifetime consequences of their design decisions and to design for adaptability, longevity and disassembly; contributing to resource efficiency (Clause A) and contributing to the 'circular economy' (Link). This requirement will be added to SODC's Validation Checklist for outline and full planning applications applying to proposals in the neighbourhood area until such a time that there is a district-wide requirement.
		5. Clause E requires an Energy Statement to be submitted to cover the following: an assessment of the proposal to minimise regulated and unregulated emissions, the embodied emissions and the emissions associated with maintenance, repair and replacement of the new building(s), as well as its dismantling, demolition and eventual material disposal
		 a calculation of the energy and carbon emissions covered by the Future Homes Standard and Building Regulations and, separately, the energy demand and carbon emissions from any other part of the development that are not covered by the Future Homes Standard or Building Regulations the proposal to reduce carbon emissions beyond the Future Homes Standard and Building Regulations through the energy efficient design of the site, buildings and services
		o the proposal to further reduce carbon emissions through the use of zero or low emission decentralised energy where feasible
		 the proposal to further reduce carbon emissions by maximising opportunities to produce and use renewable energy on-site, utilising storage technologies where appropriate the proposal for a demand-side response, specifically through installation of smart meters, minimising peak energy demand and promoting short-term energy storage an analysis of the expected cost to occupants associated with the proposed energy strategy
		5.XX Every new build or redevelopment project in the Neighbourhood Plan area provides an opportunity to make a difference and a contribution towards meeting our climate change targets for 2050. This new information requirement need not be an unreasonable expectation of even the smallest schemes for new buildings. Land values in this area are high relative to build costs and ought to be sufficient to ensure requirements to tackle improving energy and carbon performance are viable.
		Notes: This new policy is based on a template that is becoming increasingly common in neighbourhood plans and some of the most recent Local Plans in England. It responds to the Government decision in 2020 to allow local communities discretion in how they wish to tackle climate change at the very local level, in the interim whilst the Government decides on a national standard for the performance of new building stock.

2017 Made Neighbourhood Plan	Proposed Modified Plan		
	Policy BCS7	NEW: Design Code	
		Add as follows:	
		Development proposals in the Parish will be supported provided they have full regard to the essentia design considerations and general design principles set out in the Brightwell cum Sotwell Design Cod attached as Appendix ?.	
		5.XX There are distinctive features of Brightwell cum Sotwell that shape its character. In the main village this does not just include the buildings. Mature trees; the absence of street lighting, hedgerows, gardens, open spaces and country lanes all make a significant contribution to the unique and special character. These assets are set out in the new Brightwell cum Sotwell Design Code, which has been derived from the Conservation Area Character Appraisal (BCS CACA) and in the BCS Village Design Statement (BCS VDS). The Code encapsulates the key design principles within the Conservation Area, its setting and beyond and is set out in a formal that integrates with the South Oxfordshire Design Guide and is consistent with the National Model Design Code of 2021.	
		Notes:	
		This new policy replaces Policies BCS9 and BCS10 of the Made Plan. This enables the Modified Plan to better reflect the new approach to design management that the Government wishes the planning system to adopt. The new Design Code is cross referenced in the policy as the amalgamation of the design guidance content of both the Conservation Area Appraisal and Village Design Statement. It is structured to fit neatly with the South Oxfordshire Design Guide to aid applicants to acknowledge, understand and respond to that Guide articulated for this Parish within the Code. This will also help SODC to consider and determine the design elements of proposals more easily.	

2017 Made Neighbourhood Plan	Proposed Modified Plan	
Fian		
	Policy BCS8	NEW: Assets of Local Heritage Value
		Add as follows:
		A. The Neighbourhood Plan identifies the following buildings and structures, as shown on the Policies
		Map, as Assets of Local Heritage Value by way of their local architectural or historic interest:
		BRIGHTWELL HISTORIC CORE
		BI School House
		B2 Brick outbuildings at Purbrook
		B3 Stranger's Place
		B4 St Cecilia
		B5 Fairlight House and wall
		B6 Stewart Village Hall
		B7 I-2 Fairthorne Memorial
		B8 Lilicot
		B9 Thistledown
		B10 2-3 The Square
		BII Old Forge
		B12 Woods Cottage
		B13 Swan Cottage
		B14 The Old Rectory
		B15 1-2 Meadow View
		B16 High Barn Cottage
		B17 1-2 The Almshouses
		B18 Stewarts Memorial
		B19 Japonica Cottage
		B20 Chestnut Cottage
		B21 Allnuts
		B22 Stores Cottage
		B23 The Croft

2017 Made Neighbourhood	Proposed Modified Plan
Plan	

Policy BCS8	B24 Homewood
	B25 The Telephone Box (The Red Box Gallery)
	B26 The Post Box
	B27 Brightwell/Sotwell Joining Stone
	B28 The Vine House Orchard
	SOTWELL HISTORIC CORE
	SI Mount Vernon
	S2 North Barn
	S3 South Barn
	S4 Old Woodlands House
	S5 Blackstone House
	S6 I-2 Sotwell Manor
	S7 Little Barn
	S8 New Barn Court
	S9 Hazel Cottage
	S10 Old Barn
	SII The Granary Barn
	S12 Rose Cottage
	\$13 White Cottage
	\$14 South Cottage
	S15 Meadowcroft
	\$16 Barncroft
	\$17 Pleasant Cottage
	\$18 Honeysuckle Barn
	\$19 Red House (West, Centre, East) including wall
	S20 Brightwell Free Church
	S21 St James's House
	S22 Post Box
	S23 Rainbow House

2017 Made Neighbourhood	Proposed Modified Plan
Plan	

Policy BCS8	
	SLADE END
	SEI Elmleigh
	SE2 Cappaslade Cottage
	SE3 Coombe House
	SE4 Slade End Cottage
	SE5 Slade End Sarcen Stone
	GREEN HEART
	G1 Spring Cottage
	G2 I, 3,4 Wellsprings
	G3 Paddock behind Sotwell House
	PREDOMINENTLY CONTEMPORARY
	P1 Woodbine Cottage
	P2 Little Thatch
	P3 Pound Cottage
	P4 I-7 High Road
	DESIGNED ESTATES
	DI Datchet Green
	D2 Greenmere The Greens
	MACKNEY
	MI The White House
	M2 Granary Barn at White House
	M3 Outbuilding at Ashley
	M4 Sherwood Farm Wall
	M5 Mackney Post Box

2017 Made Neighbourhood	Proposed Modified Plan
Plan	

Policy BCS8	M6 Black Barn at Sherwood Farm
	M7 Elm Cottage
	M8 I Sherwood Cottage
	M9 3,4 Sherwood Cottages
	M10 Sherwood House inc. wall
	MII Malthouse Cottages
	M12 Mackney Court Farm Barn
	MI3 Granary Barn Sherwood Farm
	COUNTRYSIDE
	CI Workmans Cottage Mackney Lane
	C2 Wilkins Cottage Mackney Lane
	C3 Hope Cottage Mackney Lane
	C4 Shillingford Bridge Hotel
	C5 The Lodge Clapcot
	C6 Barn Cottage Clapcot
	C7 Rush Barn
	C8 Severalls Farm House
	C9 Saxon Barn
	C10 Meadow View Barn
	CII The Bothy
	CI2 Severall Farm Hay Barn CI3 The Stables
	C14 Severalls Farm Cottages
	C15 Pillbox FW2/28A west of Benson Lock
	C16 Haddon Close
	C17 North Farm
	C18 North Farm Barn

Policy BCS8	
1 0110, 2000	C19 1-2 North Farm Cottages
	C20 The Highlands
	C21 Thames Conservancy Marker Shillingford Point
	B. Proposals that will result in harm to, or unnecessary loss of, an Asset of Local Heritage Value will be resisted, unless it can be demonstrated that there is a public benefit that outweighs the harm or loss.
	5.XX This policy identifies buildings and structures highlighted in the Conservation Area Appraisal and Village Design Statement as having some local architectural and/or historic interest to the extent that they can be defined as 'non-designated heritage assets'. The NPPF (§203) gives weight to such 'assets' in decision making in accordance with the nature of their interest, as does Policy ENV6(3) of the adopted Local Plan.

2017 Made Neighbourhood Plan	Proposed Modified Plan	
	Policy BCS8	Notes:
		It is now common for neighbourhood plans to draw out of their evidence base those buildings and structures that have some local heritage value, rather than leave that information is the evidence documents. This helps draw them to the attention of applicants so they may give early consideration to how they may conserve and enhance that interest in their proposals.
	Policy BCS12	NEW: Dark Skies Add as follows: A. All development proposals should be designed to reduce the occurrence of light pollution wherever possible, or as a minimum, kept to current levels. New or replacement external lighting, and other externally projected lighting, should: I. Demonstrate a need for new external lighting for its intended purpose through clear evidence or significant community demand, permanent street lighting will not be supported; 2. Maintain or enhance the measured pre-development dark sky quality of the surrounding area; 3. Meet or exceed the current guidelines established for rural areas by the Institute of Lighting Professionals (ILP); and 4. Employ energy-efficient forms of lighting that also reduce light scatter. B. Proposals for all development will be expected to demonstrate how it is intended to prevent light pollution. Information on these measures must be submitted with applications, and where a development would potentially impact on light levels in the area, an appropriate lighting scheme will be secured by planning condition.

2017 Made Neighbourhood Plan	Proposed Modified Plan		
	Policy BCS12	5.X There is continued concern of night time coalescence between Brightwell and Wallingford and Didcot. The strategic allocations and transport schemes in and adjacent to the parish has already had a major impact on existing lighting levels. The brightest levels can already be seen to be straying into the village's night sky (see Plan X). Many councils across England support measures to protect and enhance the dark night sky. The policy reflects the purpose and objectives of policies ENV11 and ENV12 on Pollution of the SODCLP. To help achieve these objectives the policy is designed to guide decisions on new and replacement lighting and help private householders and businesses make the right lighting choices. For all proposed developments, factors that will be considered when deciding the appropriateness of artificial lighting, include the location, the hours of operation, the quantity of lights proposed, brightness and control, and direction of the beam. Appropriate mitigation and control measures secured by planning conditions to prevent unnecessary light pollution include: a. The use of 'curfew hours' (12pm – 6am) through automatic timers, and night-time dimming; b. The use of proximity infrared motion sensors, timers or any additional shielding or coving, including angling the front surface of lights to below the horizontal; c. The use of different surface types to reduce the amount of reflectivity; d. Screening or shielding to reduce the impact of reflectivity; and e. Reflect the latest best practise guidance on light types in terms of lumens, wattage, angle, height, colour warmth, etc. Notes: This new policy captures the importance of dark night skies in the village, as identified in the Design Code, as an integral part of the special character of the landscape and the significance and character of the Conservation Areas.	











Source: Light Pollution Map Info VIRRS 2021 (Link)

Radiance information – Brightwell cum Sotwell Conservation Area (Brightwell)

Radiance information – Brightwell cum Sotwell Conservation Area (Sotwell)

Radiance information – Brightwell cum Sotwell Conservation Area (Slade End)

Radiance information – Mackney Conservation Area

2017 Made Neighbourhood Plan	Proposed Modified Plan	
	Policy BCS15	NEW: Natural Flood Management
		Add as follows:
		5.X Brightwell cum Sotwell lies on a springline and thus is at the head of a small catchment that feeds the Millbrook prior to its confluence with the Thames at Wallingford. As such there are likely to be opportunities to carry out improvements to the channels, including the creation of reedbed treatment areas on the streams flowing from the village. These would likely form part of a catchment-wide strategy giving further opportunity for Local Nature recovery and Sustainable Drainage Systems (SuDS) which would be supported by this Plan. Natural flood management (NFM) helps manage flood risk. It does this by protecting, restoring and emulating the natural processes of catchments, rivers, floodplains and coasts.
		Development proposals should have regard to existing natural flood management processes and should include measures relevant to the nature, scale and location of the proposals including:
		 a. planting trees, wetlands and hedges to absorb more water, catch rainfall, slow the flow of water on the ground surface when there is excess rainwater and filter out diffused pollution, historic nitrates and phosphates; b. covering the ground with plants to reduce water pollution and surface water run-off; c. diverting high water flows and creating areas to store water; d. creating leaky barriers to slow water flow in streams and ditches.
		Notes: This new policy captures the importance of natural flood management measures in reducing flood risk as well as wider ecosystem benefits they may deliver.

Building Performance Policy Context

Add as follows:

The UK Parliament declared an environment and climate emergency in May 2019, after South Oxfordshire District Council which did so in February 2019. The Climate Change Act 2008 is the basis for the UK's approach to tackling and responding to climate change. It requires that emissions of carbon dioxide and other greenhouse gases are reduced and that climate change risks are prepared for. The Act also establishes the framework to deliver on these requirements and commits the UK government by law to reducing greenhouse gas emissions to 'net zero' by 2050.

SODC Local Plan Policy DES10 was developed prior to Government committing the UK in law to 'net zero' by 2050 as per the Climate Change Act 2008 (as amended) and emission cuts of 78% by 2035 to bring UK Law in line with the recommendations of the Committee on Climate Change (CCC) Sixth Carbon Budget Report, and the Paris Agreement commitments. The Tyndall Centre for Climate Research Carbon Budget Tool confirms that South Oxfordshire District Council to make its fair contribution to delivering the Paris Agreement's commitment, an immediate and rapid programme of decarbonisation is needed. At 2017 CO₂ emission levels South Oxfordshire will exceed the recommended carbon budget available until 2050 in 7 years (by 2027).

The Energy White Paper published in December 2020 sets out the government's Vision and 10-point transition plan for how the UK will reach the UK target of 'net zero' carbon emissions by 2050. The White Paper confirms the government's intention to ensure significant strides are made to improve building energy performance to meet this target. This means that by 2030 all new buildings must operate at 'net zero', the means by which this can be achieved is described in the diagram overleaf.

Planning plays an important role in minimising our contribution to and increasing resilience to the effects of climate change. It can provide a positive and encouraging framework for change and can resist harmful development. The CCC highlights that we need to build new buildings with 'ultra-low' levels of energy use. The CCC also makes a specific reference to space heating demand and recommends a maximum of 15-20 kWh/m2/yr for new dwellings.

A 'net zero' carbon building is therefore first and foremost an energy efficient building in which the amount and cost of energy used for heating or cooling is minimised, as is the demand on the energy supply network.

This approach unequivocally focuses on the Energy Hierarchy – BE LEAN, BE CLEAN, BE GREEN, BE SEEN – the latter requiring comprehensive post occupancy monitoring, verification and rectification (if necessary) to ensure buildings perform in the way approved at design stage, ensure planning commitments are delivered and any 'performance gap' issues are resolved.

There is a significant weight of evidence that buildings rarely live up to their designers expectations when completed and occupied, and depart significantly from the standards against which they were certified at design stage. This is known as the 'performance gap' and is a widely acknowledged problem. Research indicates this gap in in-use energy consumption can be anything from 2 to 5 times higher than designed for.

Net Zero Operational Carbon

Ten key requirements for new buildings

By 2030 all new buildings must operate at net zero to meet our climate change targets. This means that by 2025 all new buildings will need to be designed to meet these targets. This page sets out the approach to operational carbon that will be necessary to deliver zero carbon buildings. For more information about any of these requirements and how to meet them, please refer to the: UKGBC - Net Zero Carbon Buildings Framework: BBP - Design for Performance initiative; RIBA - 2030 Climate Challenge: GHA - Net Zero Housing Project Map: CIBSE - Climate Action Plan: and, LETI - Climate Emergency Design Guide.

Low energy use

- Total Energy Use Intensity (EUI) Energy use measured at the meter should be equal to or less than:
 - 35 kWh/m²/yr (GIA) for residential¹

For non-domestic buildings a minimum DEC B (40) rating should be achieved and/or an EUI equal or less than:

- 65 kWh/m²/yr (GIA) for schools¹
- 70 kWh/m²/yr (NLA) or 55 kWh/m²/yr (GIA) for commercial offices1.2
- Building fabric is very important therefore space heating demand should be less than 15 kWh/m²/yr for all building types.

Measurement and verification

Annual energy use and renewable energy generation on-site must be reported and independently verified in-use each year for the first 5 years. This can be done on an aggregated and anonymised basis for residential buildinas.

Reducing construction impacts

Embodied carbon should be assessed, reduced and verified post-construction.3



Low carbon energy supply

- Heating and hot water should not be generated using fossil fuels.
- The average annual carbon content of the heat supplied (gCO_a/kWh) should be reported.
- On-site renewable electricity should be maximised.
- Energy demand response and storage measures should be incorporated and the building annual peak energy demand should be reported.

Zero carbon balance

- A carbon balance calculation (on an annual basis) should be undertaken and it should be demonstrated that the building achieves a net zero carbon balance.
- Any energy use not met by on-site renewables should be met by an investment into additional renewable energy capacity off-site OR a minimum 15 year renewable energy power purchase agreement (PPA). A green tariff is not robust enough and does not provide 'additional' renewables.

Developed in collaboration with:













Notes:

Note 1 - Energy use intensity (EUI) targets

The above targets include all energy uses in the building (regulated and unregulated) as measured at the meter and exclude an site generation, they have been derived from: predicted energy use modeling for best practice: a review of the best performing buildings in the UK; and a preliminary assessment of the renewable energy supply for UK buildings. They are likely to be revised as more knowledge is available in these three fields. As heating and hot water is not generated by fassifivels, this assumes on all electric building until other zero carbon fuels exist, (kWh targets are the same as kWh_____I. Once other sero carbon heating fuels are available this metric will be adapted.

Note 2 - Commercial offices

With a typical net to grass ratio, 70 kWh/mi NLAJyr is equivalent to \$3 kWh/m/ GIA/yr. Building owners and developers are recommended to target a base building rating of 4 stan vising the BBF's Design for Ferformance process based on NABERS.

Note 3 - Whole Sie carbon

If is recognised that operational emissions represent only one aspect of net zero carbon in new buildings. Reducing whole We carbon is crecial and will be covered in separate guidance

Note 4 - Adaptation to climate change

Net zero carbon buildings should also be adapted to climate change. It is essential that the risk of overheating is managed and that cooling is minimised.

The consultation on the 'Future Buildings Standard' announced in January 2021 aims to 'radically improve' the energy performance of new homes ensuring they are 'zero carbon ready' by 2025. This means having high levels of energy efficiency and fabric performance that produce 75 to 80 per cent lower carbon emissions than houses built to current standards.

By 'Zero Carbon Ready' the Government has confirmed this means that no further retrofit work for energy efficiency will be necessary to enable them to become zero carbon homes. To do otherwise, as the Consultation Impact Assessment (CIA) confirms, would create homes which are not fit for purpose and would pass on a significant financial liability to future building occupiers or homeowners, many of whom may be struggling to meet the purchase price or rental costs of their new home in the first place. It could also unnecessarily push householders into fuel poverty. A Climate Change Committee Report in 2019 confirmed the costs of achieving higher energy performance standards via retrofit can be five times the cost (about £25000 per home) compared to designing these requirements into new buildings from the outset.

SODC Local Plan Policy DES10 will require retrofit which will result in disturbance to future occupiers and may contribute to pushing householders into fuel poverty. A recent appeal decision notes "It seems to me folly to build new houses now that will commit owners to potentially expensive and disruptive alterations as the UK moves to decarbonise heating of its housing stock". East Hampshire District Council have also confirmed that it will demand zero-carbon homes in its new Local Plan with the Leader of the Council echoing the Planning Inspector's position: "It is ridiculous that homes being built now will need to be retro-fitted with energy-saving measures in 10 or 15 years' time. Today's homes should be built to meet tomorrow's challenges".

In January 2021, the Government in their response to the Future Homes Standard (FHS) consultation, acknowledged the legislative framework had moved on since the publication of the Written Ministerial Statement (WMS) in March 2015 (HCWS488). The response confirmed that to provide certainty in the immediate term, the Government would allow local energy efficiency standards for new homes to be set locally. This is further supported by the legal opinion supplied by the Environmental Law Foundation in relation to the North Hinksey Neighbourhood Plan which confirms that the WMS from March 2015 appears to have been superseded by subsequent events and should not be read in isolation. To all intents and purposes the WMS is no longer relevant to plan making.

The NPPF states at paragraph 148 that: "The planning system should support the transition to a low carbon future in a changing climate...it should help to shape places in ways that contribute to **radical** reductions in greenhouse gas emissions..." (Plan emphasis)

The NPPF also makes clear that 'landform, layout, building orientation, massing and landscaping' all contribute to well-designed places which are both efficient and resilient to climate change. The Government's Net Zero Strategy: Build Back Greener - October 2021 confirms a commitment to review the NPPF to make sure it contributes to climate change mitigation and adaptation as fully as possible.

There are therefore a number of ways in which climate change may be mitigated in a local area using land use and development management policies. Neighbourhood plans are well suited to providing this policy framework in the interim, where there is an absence of up to date strategic policies at the Local Plan level. Aside from ensuring sustainable patterns of land uses in settlements, policies can be used to minimise the energy demand of buildings, to store carbon and to generate renewable energy. National planning policy encourages each of them but does not specify precisely how a local area should go about realising opportunities.

There are practical ways that each can be delivered in a local area. The Passivhaus standard has been shown to be an effective means of designing for significantly improved energy performance of new and existing buildings. The more buildings, of all uses, that meet this standard, the better. And storing emitted carbon in plant life can reduce atmospheric carbon dioxide that is increasing global temperatures. The more that storage capacity in the local area is increased, the greater the contribution to reducing the pace of temperature increases.

The Government's Heat and Building's Strategy highlights the need for a local, as well as national, response to achieve 'Net Zero' and refers specifically to the 'Local Climate Action' chapter in the Net Zero Strategy. A key commitment of that Strategy being to promote best practice...and share successful net zero system solutions. Policy [no.] is therefore intended as an interim measure until SODC review and update their current policy.

Policy BCS6 will ensure the updated legal framework will apply in the Parish, whereas in the intervening period since its adoption, SODC Local Plan Policy DES10 has become inconsistent with this framework and hence falls short of the Local Planning Authority's duty to act under Section 19(1A) of the Planning and Compulsory Purchase Act 2004, and reflected in NPPF (2021) paragraphs 152 and 153 and footnote 53 ("Plans should take a proactive approach to mitigating and adapting to climate change", "in line with the objectives and provisions of the Climate Change Act 2008"). As such, the Parish Council will willingly offer this policy to SODC to help frame a District-wide policy in the new Local Plan.

Furthermore, Policy BCS6 also applies the 'precautionary principle' which provides the basis to anticipate, avoid and mitigate threats to the environment. Hence, the policy acknowledges the CCC's Sixth Carbon Budget recommendation that delaying action or a failure to follow the critical dates in the 'balanced pathway' will require costly corrective action in the future.

The Government addressed the CCC's recommendation head on in their response to the Future Homes Standard consultation. Confirming that 'it is significantly cheaper and easier to install energy efficiency and low carbon heating measures when homes are built, rather than retrofitting them afterwards'. Failure to implement Policy BCS6 on new development will add to the existing and costly retrofit burden that will be required of the existing housing stock in the Parish; only adding to the costs across the area as a whole.

In respect of the impact of Policy BCS6 on scheme viability, any extra-over cost of building to the 'zero carbon ready' Passivhaus or similar Standard is becoming marginal as skills and supply chains begin to mature. Recent viability evidence for residential development prepared for Cornwall Council by Three Dragons concludes that the additional costs associated with building new dwellings to the standards required in their Sustainable Energy and Construction policy (SEC1) which sets stretching energy use targets similar to Policy BCS6 can be met without jeopardising viability in most cases. This compares favourably with earlier evidence which indicated that costs associated with building to Passivhaus levels are already less than 5% and will fall to zero well within the period of this Neighbourhood Plan, as per both the Government's and CCC's impact assessments and research by the Passivhaus Trust. The policy will ensure that expensive and unnecessary retrofit costs are not passed down to building occupiers in the future, particularly in an area which has relatively high property values. Scheme viability will not therefore be acceptable as a reason for not using the Standard, unless the applicant can demonstrate the scheme has abnormal development costs to accommodate.

Policy BCS6 only applies to the parish of Brightwell-cum-Sotwell and therefore, by definition, is non-strategic (NPPF §28) nor is it considered to undermine SODC Local Plan Policy DES10 (NPPF §29). The NPPF confirms "all plans should" mitigate climate change (NPPF §11a). The policy has both 'regard to' the NPPF and advice issued by the Secretary of State, including the Governments response to the FHS consultation, while also supporting and upholding the general principle that [Local Plan and LP policy number] in particular are concerned with, while providing "a distinct local approach" (PPG ID:41-074). It supports the Local Plan 'as a whole' including its vision and objectives which require the delivery of high environmental standards and mitigating climate change.

In the Parish Council's judgement, the approach taken in Policy BCS6 and the neighbourhood plan 'as a whole' is consistent with the law as it currently stands and its interpretation of paragraphs 8(2)(a)&(e) of Schedule 4B of the TCPA 1990.

'Emergency' - "a sudden serious and dangerous event or situation which needs immediate action to deal with it"

Amended by Climate Change Act 2008 (2050 Target Amendment) Order - SI 2019/1056 - 26 June 2019

The Climate Change Act established a long-term legally binding framework to reduce emissions, initially committing the UK to reducing emissions by at least 80% below 1990/95 baselines by 2050. In June 2019, following the IPCC's Special Report on Global Warming of 1.5°C and advice from the independent Committee on Climate Change, the CCA was amended to commit the UK to achieving a 100% reduction in emissions (to net zero) by 2050. 2019 UK Greenhouse Gas Emissions: BEIS Feb 2021(Link) The Govt communicated to the UN the UK's contribution to the agreement on 12 Dec 2020

The Tyndall Carbon Budget Tool: Quantifying the Implications of the Paris Agreement for Local Authorities. Dec 2021 (Link)

LETI Climate Emergency Design Guide (Link)

The UK housing: Fit for the future? report published by the Committee on Climate Change in February 2019 recommends ultra-low levels of energy use and a space heating demand of less than 15-20 kWh/m2/yr. (Link)

The costs and benefits of tighter standards for new buildings report, produced by Currie & Brown and AECOM for the Committee on Climate Change's UK housing: Fit for the future? Report (Link)

Section 3.3. The Future Buildings Standard consultation, Jan 2021 (Link)

UK Green Building Council response to Future Buildings Standards consultation, April 2021 (Link)

Government response to Recommendation 4 of HCLG Select Committee, 13 January 2022 (Link)

Paragraph 1.7 The Future Buildings Standard consultation impact assessment, Jan 2021 (Link)

The Costs and Benefits of tighter standards for new buildings; Final Report for Climate Change Committee 2019 (Link)

APP/K1128/W/20/3252623 paragraphs 59 and 60: 15 November 2021 Link

Council calls for zero-carbon homes, November 2021 (Link)

The Future Homes Standard: 2019 Consultation on changes to Part L (conservation of fuel and power) and Part F (ventilation) of the Building Regulations for new dwellings. Summary of response received and Government response; MHCLG. Exec Summary Page 4. (Link)

Appendix I Evidence and arguments for binding Energy Efficiency policies in neighbourhood plans (Link)

The Sixth Carbon Budget: The UK's Path to Net Zero; Committee on Climate Change, December 2020. Table 3.2a page 112. (Link)

ibid (vi): Paragraph 5.3 'Retrofit Costs'.

Ibid (vii): Paragraph 1.4 'Net zero emissions and climate change.

Cornwall Council Climate Emergency Development Plan Viability Assessment Update: Three Dragons November 2021 (Link)

Ibid Footnote 17

BDW Trading Limited vs Cheshire West and Chester Borough Council and Tattenhall Neighbourhood Plan (2014 - EWHC 1470 - Paragraph 82)

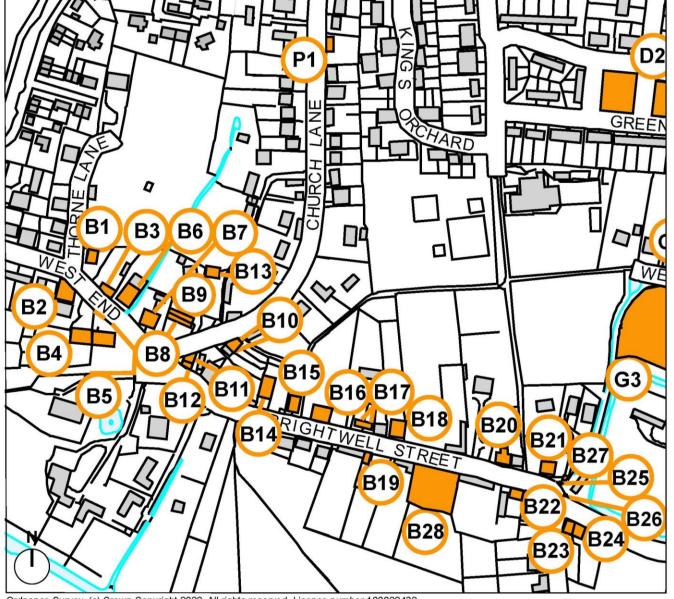
Crownhall Estates Ltd vs Chichester DC and Loxwood PC (2016 EWHC 73 - Paragrapgh 29ii)

- ²⁴ Amended by Climate Change Act 2008 (2050 Target Amendment) Order SI 2019/1056 26 June 2019
- 25 The Climate Change Act established a long-term legally binding framework to reduce emissions, initially committing the UK to reducing emissions by at least 80% below 1990/95 baselines by 2050. In June 2019, following the IPCC's Special Report on Global Warming of 1.5°C and advice from the independent Committee on Climate Change, the CCA was amended to commit the UK to achieving a 100% reduction in emissions (to net zero) by 2050. 2019 UK 26 Greenhouse Gas Emissions: BEIS Feb 2021(<u>Link</u>)
- 27 The Govt communicated to the UN the UK's contribution to the agreement on 12 Dec 2020
- 28 The Tyndall Carbon Budget Tool: Quantifying the Implications of the Paris Agreement for Local Authorities. Dec 2021 (Link)
- 29 LETI Climate Emergency Design Guide (Link)
- 30 The UK housing: Fit for the future? report published by the Committee on Climate Change in February 2019 recommends ultra-low levels of energy use and a space heating demand of less than 15-20 kWh/m2/yr. (Link)
- 31 The costs and benefits of tighter standards for new buildings report, produced by Currie & 31 Brown and AECOM for the Committee on Climate Change's UK housing: Fit for the future? Report (<u>Link</u>)
- 32 Section 3.3. The Future Buildings Standard consultation, Jan 2021 (Link)
- 33 UK Green Building Council response to Future Buildings Standards consultation, April 2021 (Link)
- 34 Government response to Recommendation 4 of HCLG Select Committee, 13 January 2022 (Link)
- 35 Paragraph 1.7 The Future Buildings Standard consultation impact assessment, Jan 2021 (Link)
- 36 The Costs and Benefits of tighter standards for new buildings; Final Report for Climate Change Committee 2019 (Link)
- 37 APP/K1128/W/20/3252623 paragraphs 59 and 60: 15 November 2021 Link
- 38 Council calls for zero-carbon homes, November 2021 (Link)
- 39 The Future Homes Standard : 2019 Consultation on changes to Part L (conservation of fuel and power) and Part F (ventilation) of the Building Regulations for new dwellings. Summary of response received and Government response; MHCLG. Exec Summary Page 4. (<u>Link</u>)
- 40 Appendix I Evidence and arguments for binding Energy Efficiency policies in neighbourhood plans (Link)
- 41 The Sixth Carbon Budget: The UK's Path to Net Zero; Committee on Climate Change, December 2020. Table 3.2a page 112. (Link)
- 42 ibid (vi): Paragraph 5.3 'Retrofit Costs'.
- 43 Ibid (vii): Paragraph 1.4 'Net zero emissions and climate change.
- 44 Cornwall Council Climate Emergency Development Plan Viability Assessment Update: Three Dragons November 2021 (Link)

Add as follows:

Pulling on latest guidance and best practice, this guidance note sets out how Post-Occupancy Evaluation (POE) should be undertaken.

- 1.01 Post-Occupancy Evaluation (POE) is the method of obtaining feedback on a building's energy performance 'in use', to ensure it measures up to the commitments made by the team that designed and built it. It offers significant potential to address the performance gap and occupant satisfaction.
- 1.02 Where a monitoring regime to ensure the 'as designed' building performance targets are achieved in practice for all new and refurbished buildings is required, it is important that data is collected robustly, following good practice POE principles. It is therefore recommended that for residential development the POE methodology in section 11.4 of the Home Quality Mark ONE: Technical Manual: England, Scotland & Wales SD239 (2018)58, or as updated, is used as a guide for meeting this requirement. For non-residential buildings the BSRIA Soft Landings and Design for Performance framework (BG 76/2019), or as updated, may be used.
- 1.03 Applicants are required to set out in their Energy Statement how their monitoring regime, based on the HQM, BISRIA or similar methodology, will work in practice and be independently verified by a third party. The Energy Statement to be submitted with the planning application.
- 1.04 As each new or refurbished building comes into use, the developer must ensure performance monitoring and data collection for all relevant parameters for one whole year is carried out once the building is substantially occupied, in line with good POE practice for residential or non-residential uses. This verification process should entail, after appropriate commissioning has taken place, comparison of the 'as designed' parameters (energy, carbon, air quality and overheating risk) to monitoring data under the same categories, to assess and compare actual performance.
- 1.05 In order to account for seasonality, a minimum of 12 months monitoring data is required. On the other hand, to account for actual weather, the modelling results can be adjusted with degree days for the relevant year.
- I.06 A 'performance gap metric', which will compare designed and actual performance (e.g. a percentage difference) for each of the 4 required parameters (energy, carbon, air quality and overheating risk) should be issued at POE stage. This needs to be issued for both the 'central' scenario and the 'lowest acceptable performance /reasonable worst-case scenario' as a minimum, with multiple scenarios considered if at all possible.
- 1.07 The process and reporting methodology used for the POE will need to be repeatable, so that performance can be monitored for at least 2 annual space heating cycles.
- 1.07 A report will then be required to be submitted to both building owners/occupiers and to South Oxford District Council, which states the performance gap metric and identifies any reasons for deviation from predicted energy usage, carbon emissions, indoor air quality and overheating performance, as well as recommendations for reasonable corrective action that will be taken to reduce or eliminate the performance gap.
- 1.08 The submission of the monitoring report to owners/occupiers and the council must be secured by planning condition, to be determined at the time of application based on case-specific factors. The applicant must demonstrate that the reasonable corrective actions committed to in the monitoring report, and subsequently agreed by South Oxfordshire District Council, have been implemented through another annual heat cycle before the condition will be discharged.



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Brightwell cum Sotwell Neighbourhood Plan Modification Proposal



Assets of Local Heritage Value

1BRIGHTWELL HISTORIC CORE

- **B1 School House**
- B2 Brick outbuildings at Purbrook
- B3 Stranger's Place
- B4 St Cecilia
- B5 Fairlight House and wall
- B6 Stewart Village Hall
- B7 1-2 Fairthorne Memorial
- **B8** Lilicot
- B9 Thistledown
- B10 2-3 The Square
- B11 Old Forge
- B12 Woods Cottage
- B13 Swan Cottage
- B14 The Old Rectory
- B15 1-2 Meadow View
- B16 High Barn Cottage
- B17 1-2 The Almshouses
- B18 Stewarts Memorial
- B19 Japonica Cottage
- B20 Chestnut Cottage
- B21 Allnuts
- **B22 Stores Cottage**
- B23 The Croft
- B24 Homewood
- B25 The Telephone Box (The Red Box Gallery)
- B26 The Post Box
- B27 Brightwell/Sotwell Joining Stone
- B28 The Vine House Orchard

PREDOMINENTLY CONTEMPORARY

P1 Woodbine Cottage



Brightwell cum Sotwell Neighbourhood Plan Modification Proposal



Assets of Local Heritage Value

SOTWELL HISTORIC CORE

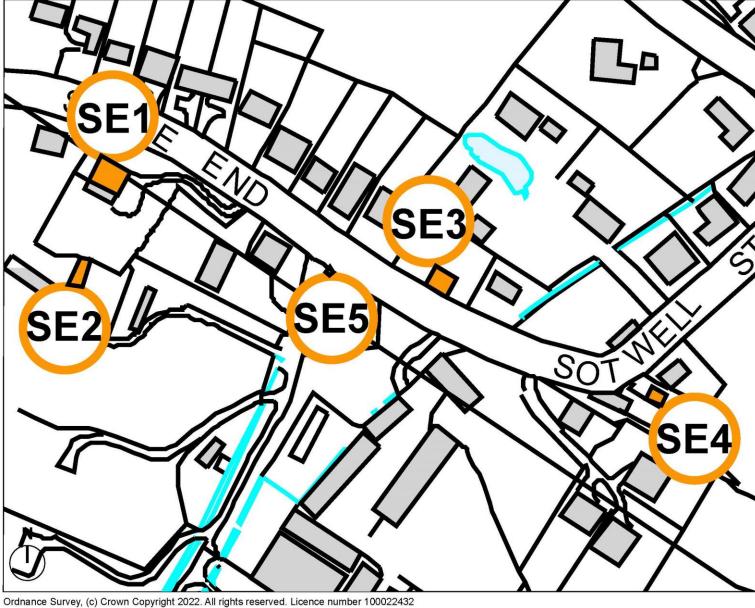
- S1 Mount Vernon
- S2 North Barn
- S3 South Barn
- S4 Old Woodlands House
- S5 Blackstone House
- S6 1-2 Sotwell Manor
- S7 Little Barn
- S8 New Barn Court
- S9 Hazel Cottage
- S10 Old Barn
- S11 The Granary Barn
- S12 Rose Cottage
- S13 White Cottage
- S14 South Cottage
- S15 Meadowcroft
- S16 Barncroft
- S17 Pleasant Cottage
- S18 Honeysuckle Barn
- S19 Red House (West, Centre, East) inc wall
- S20 Brightwell Free Church
- S21 St James's House
- S22 Post Box
- S23 Rainbow House

GREEN HEART

- G1 Spring Cottage
- G2 1, 3,4 Wellsprings
- G3 Paddock behind Sotwell House

DESIGNED ESTATES

- D1 Datchet Green
- D2 Greenmere The Greens

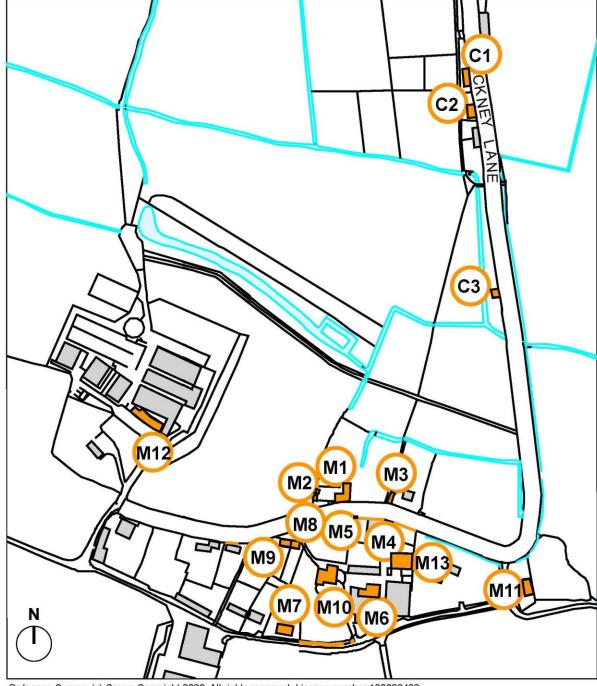


Brightwell cum Sotwell Neighbourhood Plan Modification Proposal



SLADE END

SE1 Elmleigh SE2 Cappaslade Cottage SE3 Coombe House SE4 Slade End Cottage SE5 Slade End Sarcen Stone



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Brightwell cum Sotwell Neighbourhood Plan Modification Proposal



MACKNEY

M1 The White House

M2 Granary Barn at White House

M3 Outbuilding at Ashley

M4 Sherwood Farm Wall

M5 Mackney Post Box

M6 Black Barn at Sherwood Farm

M7 Elm Cottage

M8 1 Sherwood Cottage

M9 3,4 Sherwood Cottages

M10 Sherwood House inc. wall

M11 Malthouse Cottages

M12 Mackney Court Farm Barn

M13 Granary Barn Sherwood Farm

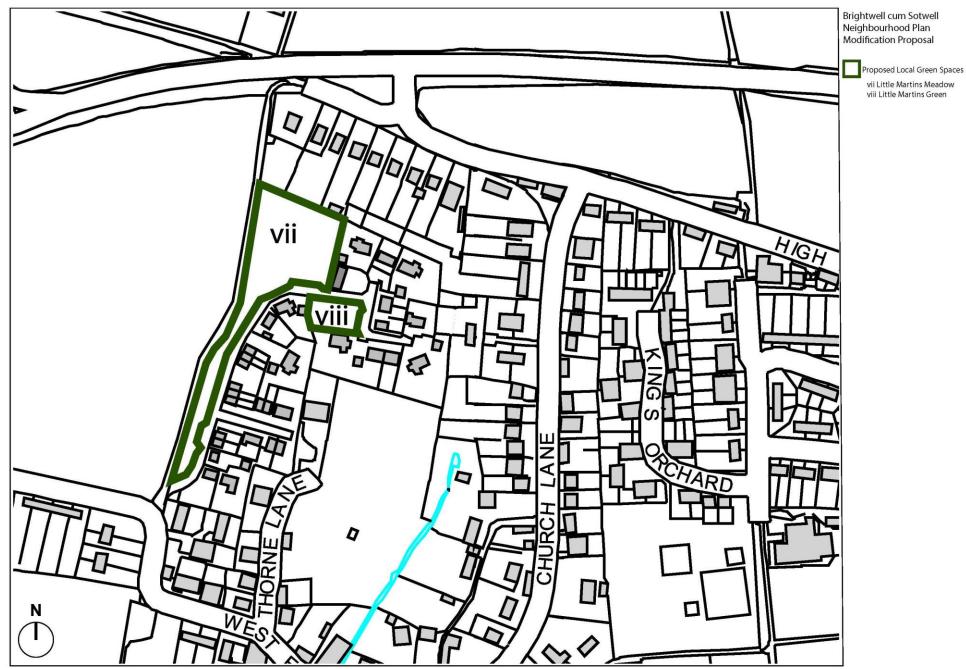
COUNTRYSIDE

- C1 Workmans Cottage Mackney Lane
- C2 Wilkins Cottage Mackney Lane
- C3 Hope Cottage Mackney Lane

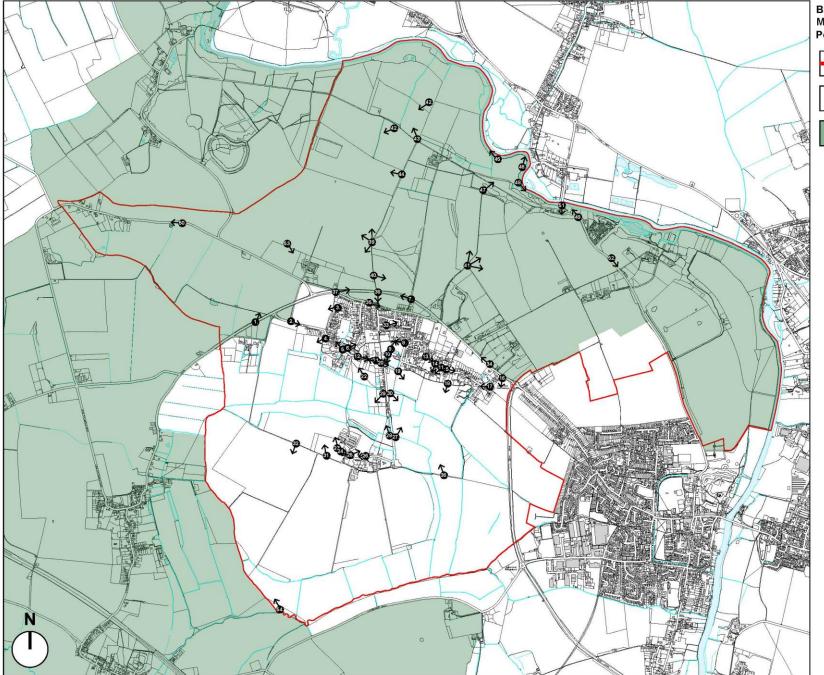




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Brightwell cum Sotwell Modified Neighbourhood Plan Policies Map February 2022



Parish Boundary

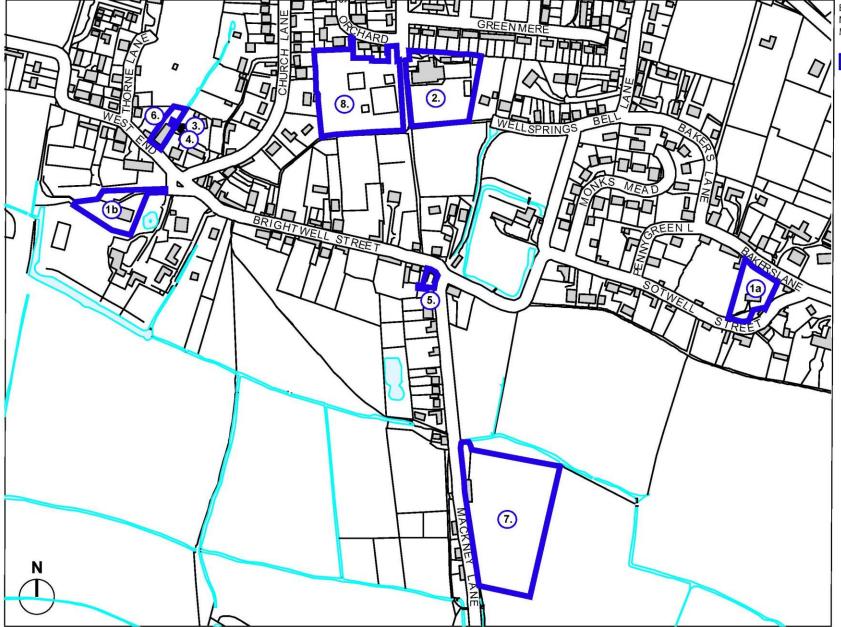


Key Views



North Wessex Downs AONB

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Brightwell cum Sotwell Neighbourhood Plan Modification Proposal

Community Facilities

- 1. The Churches
- a. St. James
- b. St. Agatha's
 2. The Village School
 (and Pre School)
 3. The Village Stores
 4. The Post Office

- 5. The Red Lion public house 6. The Village Hall and
- parish car park
 7. The Recreation ground and Pavilion
- 8. Kings Meadow

Revised Policy List

BCS1 Brightwell cum Sotwell Village Boundary

BCS2 Land at Bosley's Orchard

BCS3 Land at Thorne's Nursery

BCS4 Slade End

BCS5 House Types and Tenures

BCS6 Building Performance

BCS7 Design Code

BCS8 Assets of Local Heritage Value

BCS9 Local Green Spaces

BCS10 Local Gaps

BCS11 Landscape Character and the Villages

BCS12 Dark Skies

BCS13 The Green Heart

BCS14 Local Nature Recovery

BCS15 Natural Flood Management

BCS16 Footpaths and Bridleways

BCS17 Renewable Energy

BCS18 Community Facilities

BCS19 Tourism Facilities

BCS20 Natural Burial Ground



The Clerk

Brightwell Cum Sotwell Parish Council

Stewart Village Hall

West End

Brightwell cum Sotwell